



Appeal Decision

Site visit made on 28 June 2019

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 30th July 2019

Appeal Ref: APP/P0240/W/19/3224941

33 Newtown, Pottton SG19 2QH

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Dickinson against the decision of Central Bedfordshire Council.
 - The application, ref. CB/18/02889/FULL, dated 25 July 2018, was refused by notice dated 9 October 2018.
 - The development proposed is the erection of detached single-storey dwelling and associated works.
-

Decision

1. The appeal is dismissed.

Main issues

2. The main issues are the effect of the proposed development upon:
 - The character and appearance of the locality; and
 - Highway Safety.

Reasons

Character and appearance

3. The appeal property is located to the rear garden of No33 Newtown and is proposed to be accessed from a driveway that runs to the side of No33 and leads to the rear of the remaining terraced properties of Nos27-33 (odd) Newtown where garages are located. Behind the garages and detached from the rear of the terrace are long and slender and undeveloped rear gardens for each of the dwellings which have an open aspect. The appeal site would be the current detached garden space of No.33.
4. Whilst the terrace of 27-33 Newtown dates from the early twentieth century, the surrounding development is mid-late twentieth century with two storey properties and smaller plots than the terrace of Nos27-33. Despite the change in design of dwellings within the street scene, there is an overall consistency in form and layout where dwellings are positioned to address the street and have small front gardens and a mix of boundary treatments. Whilst there is infill development that does not follow the traditional street pattern such as the cul-de-sac Bellevue Close, this is a larger development of dwellings however

maintains a frontage to the highway. Due to the setback of properties, along the street glimpses of rear gardens and open land can be experienced which helps inform the spacious and well vegetated character of the area.

5. Unlike the surrounding context, the proposed building would be located to the rear of the plot and have a hard surfaced area to the front dedicated for car parking which dominates its frontage. Whilst I appreciate that the proposed dwelling is single storey and low scale, it has little relationship to the character of the street scene and would be experienced as a discordant backland development that encourages activity to the rear of plots which are currently ancillary in nature, and intrudes into the open and undeveloped aspect of long gardens to the rear of this terrace. Whilst I note comments that the scheme has been reduced in length from a previous refusal, the building is still very long when compared to neighbouring properties, and when combined with the minimal setback from the side boundaries, would also be at odds with the development surrounding and in my view, would be cramped and incongruous to its locality.
6. Given my above reasoning, the proposed scheme would cause significant harm towards the character and appearance of the area. The scheme would therefore be contrary to Policy DM3 of the Central Bedfordshire Core Strategy 2018 (CS) which amongst a number of design principles, seeks that development is appropriate in scale and design to their setting and contributes positively to creating a sense of place by recognising local distinctiveness, and Paragraph 127 of the National Planning Policy Framework (which seeks that new development embraces the qualities which contribute to local character).

Highway Safety

7. The Council has concerns with regards to highway safety as a result of the appeal site utilising a sub-standard access for further vehicles which would not be wide enough to provide for the provision of 2-way flow of traffic at the junction of the highway and turning of service and delivery vehicles. This would appear to be a different argument to the previous appeal for the same site¹ where the discussion in that case was focussed solely around the displacement of vehicular parking to the street as a result of the loss of a car parking space for No33 in order to cater for parking for the proposed dwelling which was deemed to be acceptable.
8. I have not been made aware of a poor accident record for this road and therefore I deduce that despite its deficiencies, Newtown operates satisfactorily without any significant safety issues. The access to the appeal site is currently shared by four dwellings with the level of use being infrequent with vehicles travelling at a slow speed. However the accessway is very narrow and is of a substandard width when taking into account the Council's Design SPD which specifies minimum width of accessways for new development, including allowing appropriate access and turning space for servicing and emergency vehicles.
9. Emergency and servicing vehicles, some of which may not be used to manoeuvring within this locality, would find it difficult to navigate the existing access. This would mean that the proposed access arrangement to the appeal property would have a high probability that larger vehicles would reverse onto

¹ Appeal Ref: APP/P0240/W/14/3000775

the carriageway which is very problematic for visibility towards pedestrians, cyclists and vehicles on Newtown, which is quite a narrow carriageway. To me, the further intensification of a sub-standard access for larger vehicles would cause a conflict between vehicles, pedestrians and cyclists and would not be deemed a safe or suitable access for all uses of the carriageway which would give rise to unacceptable impacts towards highway safety.

10. That said, the proposal would not comply with Policy DM3 of the CS, (which requires amongst a number of design principles, that development incorporate appropriate access arrangements and adequate areas for parking and servicing of vehicles); which is supported by the Central Bedfordshire Design Guide 2014 (which gives guidance on the appropriate dimensions for the manoeuvring of servicing and emergency vehicles in new development); and paragraphs 108 and 110 of the Framework, which amongst a number of principles, seeks that development has safe and suitable access achieved for all users, and that places are safe, secure and attractive and which minimise conflicts between pedestrians, cyclists and vehicles.

Other Matters

11. I note comments from neighbouring residents with regards to concerns of overlooking and that the measurements of the site as stated on the plans are incorrect. Given that in my view the scheme is inappropriate in terms of its impact to character and appearance and highway safety, I have chosen not to delve into these additional issues.
12. I note that the Framework encourages the development of small sites and making effective use of urban land and constructing dwellings with high sustainability credentials and within sustainable locations. Whilst this favours the scheme it does not outweigh the harm I have identified.

Conclusions

13. For the reasons given above, the appeal is dismissed.

J Somers

INSPECTOR