



Appeal Decision

Site visit made on 23 July 2019

by **Benjamin Clarke BA (Hons.) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15th August 2019

Appeal Ref: APP/P0240/W/19/3229030

140 Biggleswade Road, Upper Caldecote SG18 9BJ

- 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 Maple Ridge Homes Ltd against the decision of Central Bedfordshire Council.
 - The application Ref: CB/19/00045/FULL, dated 21 December 2018, was refused by notice dated 26 April 2019.
 - The development proposed is the erection of eight bungalows with access, parking, landscaping and all ancillary works.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of eight bungalows with access, parking, landscaping and all ancillary works at 140 Biggleswade Road, Upper Caldecote SG18 9BJ, in accordance with the terms of the application, CB/19/00045/FULL, dated 21 December 2018, subject to the attached schedule of conditions.

Application for costs

2. An application for costs was made by Maple Ridge Homes Ltd against Central Bedfordshire Council. This application will be the subject of a separate Decision.

Procedural Matter

3. The Council has referenced the emerging Central Bedfordshire Local Plan, and the draft Northhill Neighbourhood Plan. Whilst I have had regard to these, their weight in my decision is limited by the fact that they are not yet adopted parts of the Development Plan, nor have they been the subject of an examination.

Main Issue

4. The main issue is the effect of the development upon the character and appearance of the surrounding area.

Reasons

5. The surrounding area features a significant number of dwellings arranged in a linear pattern. However, there are some back land residential developments, including dwellings to the rear of 110-118 Biggleswade Road and a small development called Swallowfield; access to agricultural buildings to the north of Biggleswade Road; and a number of commercial buildings, including a nursery, to the east and south of the appeal site. The appeal site comprises an existing house and a large garden.

6. Whilst I note that the appeal site is garden land, views into the site are relatively uncommon owing to the screening effect of the existing house, landscaping and neighbouring commercial buildings. Accordingly, the site does not play a significant role in the definition of the area's character. In addition, although there is a notable amount of ribbon development in the vicinity, the mixture of other development types means that the area's character is more varied in nature and therefore less sensitive to change.
7. In addition, whilst some dwellings have larger plots, the general form of development is for dwellings to be sited reasonably close to one another with garden space to the front and rear. Accordingly, when viewed from the public domain, the prevailing character is for a relatively close knit built environment. Therefore, whilst the proposed garden sizes may not be as large as others within the area, the development would not appear unduly incongruous.
8. Furthermore, it is acknowledged that the density of the proposed development is comparable to the surrounding area, which further highlights the appropriate scale of the proposed development.
9. Whilst the development would be arranged in a cul-de-sac running from Biggleswade Road, I note the presence of other such developments within the vicinity. In addition, there is a significant quantum of commercial development to the east and south of the site. Accordingly, this form of development would not appear unduly strident.
10. The proposal has also been described as being a back land development. Whilst I appreciate that the site is currently the garden of the existing dwelling, this is of a significant size. As sufficient private amenity space would be retained for the future occupiers of the existing dwelling and provided for the proposed dwellings, I do not believe that this would lead to significant harm, particularly as the site lacks prominence. Furthermore, it is possible to impose conditions regarding the provision of landscaping within the development, which would further reduce these impacts.
11. Therefore, I conclude that the proposal would not represent a cramped development and would not have an adverse impact on the character and appearance of the surrounding area. The proposal therefore complies with the requirements of Policy CS14 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) and the Central Bedfordshire Design Guide (2014) (the Design Guide) which amongst other matters seek to ensure that new developments respect local contexts and create an attractive public realm.

Other Matters

12. The Council has suggested that an extant consent for residential development on the nearby nursery site is not comparable to the scheme currently under consideration. I do not have full information regarding this proposal, or evidence regarding the likelihood of this scheme being constructed. Consequently, I have determined the appeal based on its own merits with reference to the patterns of development within the vicinity and the impact on the area's character. Therefore, this extant scheme has had a neutral amount of weight in my assessment.

13. The Council has referenced the Nationally Defined Space Standards (NDSS). However, the Council has relied upon emerging planning policies to support their implementation. Given this position, I note that the occupiers of the development would have an adequate level of light, outlook and privacy within the dwellings; and that appropriately sized and arranged gardens would be provided. No objections have been raised regarding the parking and vehicle manoeuvring space. Therefore, whilst the development may not comply with the NDSS, I do not believe that this factor, in this instance, is indicative of a cramped form of development.

Conditions

14. I have had regard to the Council's list of suggested conditions and, where necessary, have amended them to better reflect the requirements of paragraph 56 of the National Planning Policy Framework.
15. In addition to the standard implementation condition, a condition in respect of the approved plans is necessary in the interests of precision. Owing to the need for the development to harmonise with its surroundings, a condition requiring the materials to be agreed by the Council is necessary and reasonable. I am also satisfied that conditions ensuring the provision of appropriate drainage systems, landscaping, bird boxes, and hedgehog fencing gaps are necessary and reasonable to mitigate the impacts of the development upon the environment. I am also satisfied that a condition in respect of on site highway works is appropriate to secure a safe standard of development.
16. I concur with the views expressed by the Council that a condition requiring a Construction Management Plan is required. Owing to the need to have this plan in place before site clearance works take place, I am satisfied that this needs to be a pre-commencement condition.

Conclusion

17. For the foregoing reasons, I conclude that the appeal should be allowed, and planning permission granted subject to conditions.

Benjamin Clarke

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans: numbers OAK_034 Sheet 01 (Site Plan & Location Plan); OAK-034 Sheet 02 (Plot 1,2 & 5); OAK-034 Sheet 03 (Plot 3,4,6,7,& 8); JBA18/216-01 Rev C (Soft Landscaping); JBA18/216-02 Rev B (Hard Landscaping); 18059/101 A; and 1805/102 A.
- 3) Within two months of development commencing a detailed design of the surface water drainage scheme for the site (in its entirety), to manage up to and including the 1 in 100 year event (+40%CC) within the system, shall be submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted shall include detailed plans and drawings of the final drainage system, including location, pipe run reference numbers, dimensions, gradients and levels (in metres above Ordinance Datum) and shall include all elements of the system proposed, including source control, storage, flow control and discharge elements. The scheme shall be implemented in accordance with the approved details before the development is completed and subsequently managed and maintained thereafter in accordance with the agreed management and maintenance plan.
- 4) Prior to the first occupation of the development hereby approved, a management and maintenance plan for the surface water drainage of the development shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, which shall be retained thereafter.
- 5) Prior to any above ground building works taking place, full details of the materials to be used on the external surfaces shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter proceed in accordance with the approved details.
- 6) Prior to any above ground building works taking place, full details of bird boxes and hedgehog fencing gaps shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby permitted and shall retained in situ thereafter.
- 7) Prior to the first occupation of the development hereby approved, the following works shall have been completed and surfaced in accordance with the approved plans and thereafter retained as such:
 - i) all on site vehicular areas including the turning space for vehicles;
 - ii) the junction of the proposed vehicular access with the highway;
 - iii) the replacement parking provision and new access thereto for the existing dwelling (no. 140); and
 - iv) the refuse collection point located at the site frontage outside of the public highway.

8) Prior to the commencement of development, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall specify details of:

- loading and unloading of plant and machinery;
- facilities for the storage of plant, machinery and materials used in the construction of the development;
- wheel washing facilities;
- a scheme for the recycling/disposal of waste resulting from the scheme.

The development shall thereafter proceed in accordance with the approved CMP

9) Prior to the occupation of the dwellings hereby approved details, including a timetable for implementation, of the method of foul water drainage shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter proceed in accordance with the approved details and be retained thereafter.

10) Prior to commencement of any above ground building works details of hard and soft landscape works, including an implementation and management plan, shall have been submitted to and approved in writing by the local planning authority.

Details of soft landscape works shall include retention of any existing trees and hedges; finished levels/contours; planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate. The hard landscape works shall include means of enclosure; boundary and surface treatments. All works shall be carried out in accordance with the approved details and the implementation plan and thereafter maintained in accordance with the approved management plan.