
Appeal Decision

Site visit made on 27 January 2020

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2020

Appeal Ref: APP/P0240/W/19/3239595

41 House Lane, Arlesey SG15 6XX

- 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 Andrew Elmes (Olive Tree Property Development Ltd) against the decision of Central Bedfordshire Council.
 - The application Ref CB/19/02078/FULL, dated 20 June 2019, was refused by notice dated 24 September 2019.
 - The development proposed is described as "2no 3-bedroom dwellings with associated parking and amenity".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the development proposed on the character and appearance of the appeal site, the street scene and surrounding area.

Reasons

Character and Appearance

3. The street scene is characterised generally by two-storey properties with a shop opposite No 41. Nos 41, 43 and 45 comprise a short row of bungalows, with 43 and 45 being a semi-detached pair. Properties on this side of the street have deep rear gardens. The appeal site lies at the foot of the rear garden to No 41.
4. The siting of the proposed dwellings in this location would be out of keeping with the prevailing pattern of long rear gardens along this side of House Lane. It is common ground between the main parties that the appeal proposal is acceptable in principle. However, the proposed dwellings would be two-storey houses located in the garden of a single bungalow and would be a substantial feature sited in a setting where houses are otherwise typically separated at a significant distance. During my site visit I could see no evidence of similar backland development either from the highway, or from within the appeal site. As the site lies between houses on House Lane, St Peter's Avenue and Chase Close the proposed dwellings would be a prominent and uncharacteristic feature in the area when viewed from surrounding properties, notwithstanding that the flat roofs would result in a lower profile than other neighbouring two-storey houses. I therefore consider that the scale and siting of development

would result in the proposed dwellings appearing incongruous and out of keeping in this backland location.

5. The appellant has drawn my attention to an example of backland development to the rear of the shop opposite No 41. However, I have not been provided with any evidence relating to the circumstances of that development's approval. It is, in any case, on a larger site and a more substantial development that is materially different to the proposal before me. I therefore only give it limited weight in determining this appeal. My attention has also been drawn to a permission granted for an RIBA commended scheme of similar design in North Hertfordshire. However, as that permission was granted by a different Council and as very little information has been submitted regarding the scheme, I cannot give it significant weight in determining this appeal.
6. The appellant also suggests that there is no uniform character to the local area and therefore the design of the proposed dwellings would not appear out of keeping in the area. I note that the Council did not specifically find harm in the design of the proposed dwellings, but rather in their scale, siting and relationship to the wider setting, and I have found the same in my determination of this appeal.
7. The Council has suggested that the development proposed would be harmful to the House Lane street scene. I consider that it would have a limited presence in the street scene. This is due to the location of the site at the rear of the garden to No 41, the limited views of the site from House Lane which are principally from immediately opposite the site access and the relatively low profile of the proposed dwellings. While Nos 41, 43 and 45 are single-storey dwellings, the wider context of House Lane is of two-storey dwellings. Within this context I do not consider that the proposed dwellings would be harmful to the House Lane street scene.
8. Having considered the above matters I conclude that the development proposed would have a harmful effect on the character of the surrounding area, although not specifically on the House Lane street scene. The development therefore conflicts with Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies November 2009, Policy ARL2 of the Arlesey Neighbourhood Plan 2016 – 2031 October 2017 and guidance in the Central Bedfordshire Design Guide September 2014. Together these seek, among other things, that development be of a high quality design that is in keeping with the scale and existing character of buildings and layout in the area.

Other Matters

9. The appellant suggests that benefits would arise from the development proposed if this appeal is allowed. They suggest that the 2 proposed dwellings would contribute to housing supply in the District. They also suggest that the development would deliver economic benefits in the short-term from the construction of the dwellings, and in the long-term from their occupants using local services and facilities. In addition, they have highlighted the sustainable design of the development, which would include features such as solar panels and green roofs, as well as the intention to make the dwellings accessible to all users. The appellant also argues that appeal site is in a sustainable location with a convenience store immediately opposite No 41 and access to public

transport. I have afforded these benefits moderate weight in determining this appeal.

10. There is a dispute between the main parties as to whether the Council has a 5-year supply of housing land. In their final comments the appellant states that they are not relying on upon the 'tilted balance' within paragraph 11(d) of the National Planning Policy Framework as they consider that the appeal proposal is acceptable on a standard planning balance. I therefore do not consider it necessary to give further consideration as to whether the Council does have a 5-year supply. However, even if they do not, I consider that the harm that I have identified would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
11. It is common ground between the two main parties that the development proposed would not cause harm to the living conditions of neighbouring occupiers. However, the absence of identified harm is only a neutral consideration in determining this appeal and cannot weigh in favour of the scheme.
12. Third parties have raised several additional objections to the appeal proposal, in particular regarding on-site parking, manoeuvring and the vehicle access onto House Lane. As I am dismissing the appeal with regards to the main issue for the reasons given above, I have not pursued these matters further.
13. Both main parties have referred to the emerging Local Plan in their submissions. However, I have no information to suggest when the plan is likely to be adopted, and accordingly I have not given it any weight in determining this appeal.

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

M Chalk

INSPECTOR