
Appeal Decision

Site visit made on 16 March 2020

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 April 2020

Appeal Ref: APP/K0235/W/19/3243188

Land adj to 22 Rookery Road, Wyboston, Bedford MK44 3AX

- 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 J Ashton and Ms E Reynolds against the decision of Bedford Borough Council.
 - The application Ref 19/01705/FUL, dated 2 August 2019, was refused by notice dated 22 October 2019.
 - The development proposed is the erection of detached chalet style dwelling and detached double garage.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the Council refused the application, they have adopted the Local Plan 2030 (LP). The appellant has been given the opportunity to comment on the relevant policies contained therein and I shall take these matters into account in determining this appeal.

Main Issue

3. The main issue in this appeal is the suitability of the location and the effects of the proposal on the character of the area.

Reasons

4. Policy 6 of the LP states that Wyboston is a small settlement but that this excludes the Land Settlement Association Area (LSAA) within which the appeal site falls. As such, the appeal site is considered to be within the countryside for planning purposes. Policy 7S indicates that some development may be acceptable within the countryside, if it falls within certain criteria, none of which apply to the proposed development. Therefore, the proposal is contrary to Policy 7S.
5. Policy AD44 of the Allocations and Designations Local Plan refers specifically to the former LSAA. It recognises the historic and attractive design and layout of the area wherein a distinctive spatial pattern of plots of 1.5 to 2ha with modest houses of similar designs, set on consistent building lines, results in a spacious and harmonious character.

6. The proposal would be set at the junction of Rookery Road with Northfield Road. It would result in a plot smaller than many others in the area and would reduce the plot at No 22. In addition, it would not maintain the space between the dwellings along the road frontage, which is an important characteristic of the area. In this way, I consider that the proposal would be contrary to Policy AD44.
7. The Council also refer to the design of the proposed dwelling. A number of the existing dwellings present modest elevation to the roads, although a number have been extended to the rear and some extensions have resulted in much wider dwellings than originally designed. The Council acknowledge that some extensions are not successful and I agree that where they have resulted in much wider front elevations, the important impression of a modest home on a large plot has been harmfully eroded. It appears to me that the appeal scheme would result in wide elevations facing onto the adjacent roads and there would be no impression of a modest dwelling being created; rather, a larger dwelling being created on a more modest plot, lacking the spaciousness between dwellings would be the result. This raises further conflict with Policy AD44 in my judgement.
8. There is some discussion in relation to housing land supply, as the Council could not demonstrate a suitable supply at the time that the application was determined. However, along with the adoption of the LP in January 2020, it is indicated that it can demonstrate a suitable supply of sites. Although the appellant casts doubt over this, no evidence is submitted and I find no reasons to doubt the Council's stated position.
9. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Paragraph 12 of the National Planning Policy Framework states that where a planning application conflicts with an up-to-date development plan permission should not usually be granted. It adds that local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
10. I have taken account of the matters raised by the appellant including the fact that the site represents previously developed land and that planning permission was given and development commenced for a packing building; the latter would have resulted in a different form of development so far as I am able to determine and is of limited influence on the appeal. However, I find nothing of sufficient weight to outweigh the harm that I have identified. Therefore, the appeal is dismissed.

S T Wood

INSPECTOR