
Appeal Decision

Site visit made on 16 June 2020

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 June 2020

Appeal Ref: APP/K0235/D/20/3251105

19A Ivy Road, Bedford MK42 0QD

- 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 Stephen Singh against the decision of Bedford Borough Council.
 - The application Ref 19/02248/FUL, dated 9 October 2019, was refused by notice dated 27 March 2020.
 - The development proposed is side extension to existing home office at rear of property.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on
 - (i) the living conditions of the occupiers of the neighbouring properties at Nos. 17 and 17A Ivy Road with particular regard to outlook; and
 - (ii) the character and appearance of the area.

Reasons

Living conditions of the occupiers of the neighbouring properties

3. The appeal site comprises of a detached one and half storey home office building located at the rear of No. 19A Ivy Road (No. 19A), a semi-detached two storey property within the built-up area of Bedford. Vehicular and pedestrian access are provided via a gated entrance to the side of the property.
4. The proposal would involve the construction of a one and half storey extension that would extend across the full width of the building and project out by about 3.5m from the side elevation of the detached building. It would involve the provision of additional storage and a small reading area in the roofspace with a rear dormer window. It would be constructed on an open storage area at the side of the office building and would be predominantly built in red brick with a dual pitched tiled roof with ridge height of about 5.1m.
5. The proposed extension would be located adjacent to the two storey properties at Nos. 17 and 17A Ivy Road (Nos. 17 and 17A). No. 17 is located further to the south-east of the site behind No. 17A and would be accessed via a narrow

- pedestrian passageway at the side of the property that provides limited views over the appeal site.
6. The front elevation of the proposed extension would be set back about 1m from the small rear garden for Nos. 17 and 17A and would be separated from the appeal site by a close boarded fence of about 1.8m high running along the common shared boundary. The occupiers of these properties would use the shared garden area to carry out leisure activities, particularly during the summer months. The occupants of Nos. 17 and 17A currently have uninterrupted views from the rear garden over the open storage area at the side of the office building and the access road running along the rear of the neighbouring properties that provide space and light between the properties.
 7. I have considered the appellant's arguments that the proposed design and layout of the extension has been carefully considered in order to minimise any impacts on occupiers of the adjacent properties. Whilst the roof design, use of matching materials and the boundary treatment would reduce the impact of the proposal to some degree, given the overall height, massing and siting of the proposal and the modest size of the rear garden, I consider that the proposed extension would impact on the views currently enjoyed by the occupiers of Nos. 17 and 17A. It would introduce a dominant and enclosing structure close to the common shared boundary that would severely restrict the outlook from the garden area and as such would result in a significant change in the living conditions for the occupiers of the neighbouring properties.
 8. Consequently, I conclude that the development would result in an unacceptable impact on the living conditions of the occupiers of the neighbouring properties at Nos. 17 and 17A Ivy Road with particular regard to outlook. It would be contrary with the overall aims of Policy 32 (i) of the Bedford Borough Local Plan 2020 and Design Codes E3 and E7 of the Council's Residential Extensions, New Dwellings and Small Infill Developments Supplementary Design Guidance 2000. These policies and guidance, amongst other things, seek to ensure that development proposals minimise and take account of the effect of pollution and disturbance, provides space around buildings and does not have an overbearing effect on neighbouring properties.

Character and appearance

9. The appeal building is located within a mixed use area of a varied character with traditional two-storey residential properties to the south and east, a Council highway depot to the west and large commercial buildings to the north.
10. Given the site's location, the proposal would only be visible over short distances from the surrounding properties and along the access road to the Council highway depot at the rear of the site. The proposed extension would be seen in the context of the existing extension and alterations to the appeal building and the current varied architectural styles at the rear of the appeal property and the surrounding properties.
11. Against this backdrop, the scale, form and siting of the proposed extension would not look significantly out of place or excessive in relation to the built form of the appeal building and the adjacent properties. The modest overall scale and proportions of the extension together with use of matching materials and fenestrations ensures the development sits relatively unobtrusively against the existing form of the appeal building and achieves an appropriate degree of

subordination to the host building and limits any significant adverse impacts on the street scene.

12. Consequently, I conclude that the proposed development would not have a harmful effect on the character and appearance of the area. It would be consistent with the overall aims of Policies 28S (ii), 29 (i-ii) and 30 (i-ii) of the Bedford Borough Local Plan 2020. These policies, amongst other things, seek to ensure that all developments should be of the highest design quality that contributes positively and responds to the character and quality of the surrounding area.

Other Matters

13. I note the arguments between the main parties on whether the proposed extension to the home office would be ancillary or incidental to the main dwelling or a separate independent dwelling unit; and whether the host property at No. 19 Ivy Road is occupied as a House of Multiple Occupation. However, in light of my findings on the main issues above, it is not considered necessary to look at these matters in detail, given that the proposal is unacceptable for other reasons.
14. I have considered the various benefits put forward by the appellant that the proposal would bring, including providing additional storage space and the effective use of the underused area of land within a sustainable location. While I have given them some weight, these modest benefits would not be sufficient to outweigh the harm I have identified in this case and there are other means of tidying up the site without the need to construct such an inappropriate development. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

Conclusion

15. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR