



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/20/3250322

8 Buckfast Avenue, Bedford MK41 8RG

- 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 Michael Ronayne against the decision of Bedford Borough Council.
 - The application Ref 20/00394/FUL, dated 14 February 2020, was refused by notice dated 26 March 2020.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 8 Buckfast Avenue, Bedford MK41 8RG in accordance with the terms of the application, Ref 20/00394/FUL, dated 14 February 2020, subject to the following 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 be carried out in accordance with the approved plans: No. SE3270 (Existing Elevations and Floor Plans) received 18/02/20 and No. SE3270/1 (Proposed Elevations, Floor Plan, Block and Location Plan) received 18/02/20.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers of the neighbouring property at No. 6 Buckfast Avenue with particular regard to outlook, light and overshadowing.

Reasons

3. The appeal property at No. 8 Buckfast Avenue (No. 8) is a two storey detached dwelling with a timber shed at the rear. The property is located on a corner plot in a mature well-established residential area, typically characterised by detached two storey properties set back from the road behind a front garden/driveway. The proposal would entail the construction of a single storey extension with a pitched roof that would extend across the

full width of the house and project out by about 2.8m from the rear elevation of the property.

4. The proposed extension would be located adjacent to the two storey property at No. 6. The adjacent property at No. 6 to the north of the appeal site, is set further forward and has a small paved area leading out to an enclosed garden area at the rear. The extension would be set back from the common shared boundary with No. 6 and would be separated from the rooms and garden at the rear of the adjacent property by a pedestrian passageway and close boarded fence of about 1.8m high running between the properties.
5. Whilst I accept that there would be some impact from the development, given the overall height and design of the extension, set back, together with the boundary treatment, the separation distance between the properties and the orientation of the buildings, I consider that the extension would not result in significant loss of light and overshadowing of the main habitable rooms and garden at the rear of No. 6, nor dominate the views to cause an overbearing effect and an unacceptable sense of enclosure at the rear of No. 6.
6. The outlook at the rear of No. 6 is already toward the boundary fence and part of the blank brick side elevation of the existing property at No. 8 and the appeal site would be separated by the garden area at the rear of No. 6. As such, I consider the relationship between the proposed extension and the adjacent property would not be significantly different to the existing situation on the site and does not warrant dismissal of the appeal on these grounds.
7. Consequently, I conclude that the development would not result in an unacceptable impact on the living conditions of the occupiers of the neighbouring property at No. 6 Buckfast Avenue with particular regard to outlook, light and overshadowing. It would be consistent with the overall aims of Policies 28S (i-ii), 29 (i-ii) and 30 (i-ii) of the Bedford Borough Local Plan 2020 and Design Code 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 all developments provide the highest design quality that contributes positively, responds to the character and quality of the surrounding area and does not have an overbearing effect on neighbouring property.

Conditions

8. Having regard to the National Planning Policy Framework, and in particular paragraph 55, I have considered the conditions suggested by the Council. In addition to the standard time limit condition, I have specified the approved plans as this provides certainty. In order to protect the character and appearance of the area, I have also imposed a condition requiring that the external surfaces of the development match those of the existing property.

Conclusion

9. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be allowed.

David Troy

INSPECTOR