
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: 23 June 2020

Appeal Ref: APP/K0235/D/20/3251584

Walnutwell, 2 Church Road, Willington MK44 3QD

- 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 & Mrs C Townson against the decision of Bedford Borough Council.
 - The application Ref 19/02552/FUL, dated 20 November 2019, was refused by notice dated 12 February 2020.
 - The development proposed is single storey rear and side extensions to house and outbuilding.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on
 - (i) the existing trees having particular regard to a Protected Walnut Tree within the site; and
 - (ii) the character and appearance of the area.

Reasons

Trees

3. The appeal property at No. 2 Church Road (No. 2) is a two storey detached dwelling with a detached garage at the side. It is located on a large spacious landscaped plot, that contains some mature landscaping and trees, including a Walnut tree subject to a Tree Preservation Order at the rear of the site.
4. The proposal would entail the construction of a single storey extension that would project out by approximately 8m from the rear of the garage to create a pool room with hydrotherapy hot tub and plant room. It would extend about 11.5m across the width of the detached garage toward the side boundary and the main house. It would be stepped down below the ridge of the main house with a hipped roof and roof lights. The proposal would also involve single storey pitched roof extension that would project out by about 3.8m from the rear in line with the existing rear elevation of the main house.
5. The proposed single storey extension to the main house would be situated in close proximity to the Protected Walnut tree at the rear of the site. From my

observation during my site visit, this established tree makes a significant contribution to the visual amenity of the area.

6. The appellants statement outlines that the appeal scheme would look to retain the established trees on the site. However, the proposed extension would result in the built form of the main dwellinghouse being located closer to the protected Walnut tree and, in this respect, I am mindful of the comments received from the Council's Tree Officer for a full tree survey to be submitted as part of the application. I note the appellants willingness to submit a tree survey to assess the impact of the development and for a planning condition to be imposed if this appeal were to be allowed. However, no tree survey or any substantive evidence has been submitted by the appellants to assess the impact of the proposed extension on the protected Walnut tree in this case.
7. Consequently, in the absence of any convincing evidence to the contrary, given the importance of the protected Walnut tree to the visual amenity of the area, I conclude that the proposal has failed to adequately address the potential impact on the tree and any necessary tree protection mitigation measures that may be required. It would be contrary to the overall aims of Policy 39 (i-ii) of the Bedford Borough Local Plan 2020 that seeks, amongst other things, to ensure that development proposals take into consideration retained trees of high amenity and environmental value and demonstrate how the retained trees will be protected prior to, during and after construction.

Character and appearance

8. The appeal property is located in a mature well-established residential area, typically characterised by detached and semi-detached properties of varied character set back from the road behind a front garden/driveway. A number of the dwellings have single storey extensions and garages of varying styles and designs that generally appear as clearly subordinate to the dwellings.
9. The appeal property is on a relatively spacious plot and as such the extensions would not appear overlarge, relative to the overall plot size. Given the site's location and mature landscaping along the front and side boundaries, the proposed pool room extension at the rear of the detached garage would only be visible over short distances when passing the site. It would be seen in the context of the previous extensions and alterations to No. 2 and nearby properties, including the large detached two storey dwellings with extended garages and extensions immediately to the east and further to the west along Church Road.
10. Against this backdrop, the scale, form and siting of the proposed pool room extension, stepped down and set back, would not appear significantly out of place or excessive in relation to the built form of the host property and the adjacent properties. The use of matching materials, fenestrations and the roof design would ensure the proposal would sit relatively unobtrusively against the two storey form of the main property and allow the proposal to achieve an appropriate degree of subordination to the main house. I therefore consider that the overall bulk and form of the proposed pool room extension would not significantly detract from the architectural integrity of the host property and would limit any significant adverse impacts on the street scene.
11. Consequently, I conclude that the proposed development would not have a significant harmful effect on the character and appearance of the area. 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 Codes E1 and E2 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, including extensions, provide the highest design quality that contributes positively, responds to the character and quality of the existing building and the surrounding area. In addition, it would accord with the aims of the National Planning Policy Framework that seeks to secure developments of a high quality of design (paragraph 124); that will add to the overall quality of the area and are sympathetic to the local character (paragraph 127).

Other Matters

12. I have noted the issues raised by the appellants regarding the way in which the application was processed by the Council. However, these are a material consideration to which I can attach only limited weight in making this decision.
13. I have considered the various benefits put forward by the appellants that the proposal would bring, including providing additional accommodation to meet the family's needs. While I have given them some weight, these modest benefits would not be sufficient to outweigh the harm I have identified. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

Conclusion

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

David Troy

INSPECTOR