
Appeal Decision

Site visit made on 16 June 2020 by Emma Worby BSc (Hons) MSc

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 July 2020

Appeal Ref: APP/P0240/W/20/3246636
52 Fallowfield, Ampthill MK45 2TP

- 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 Hunterhill Estates Ltd against the decision of Central Bedfordshire Council.
 - The application Ref CB/19/03424/FULL, dated 10 October 2019, was refused by notice dated 5 December 2019.
 - The development proposed is a residential redevelopment consisting of the extension and alteration of the existing dwelling, creation of a new one and a half storey dwelling and single garage with associated parking and driveway provisions.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeals Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue in the appeal is the effect of the proposed development on the character and appearance of the area.

Reasons for the Recommendation

4. The appeal site accommodates a single storey detached dwelling with a long garden with the ground level falling towards the rear of the plot. The appeal site is located on the southern side of Fallowfield, which is largely comprised of detached bungalows with long gardens. It is also located to the rear of a number of dwellings along Lammas Way, which is made up of two-storey semi-detached and link-detached properties with shallower gardens. The pattern of development on both these roads near the site is strongly defined by its linear form with substantially undeveloped rear gardens.
5. The proposal includes a chalet-bungalow style dwelling located to the rear of the existing dwelling, along with a detached garage, parking and access from the road along the side of the main dwelling. The Council's concerns relate solely to this aspect of the proposed development, not the extensions and alterations to the main house, and this therefore will be the focus of this assessment.

6. Due to its location, to the rear of the main dwelling, and the sloping ground level, the proposed dwelling would have limited visibility from the public realm and no active streetscene frontage, as with most back-land development. However, limited visibility does not necessarily make the proposal acceptable as there would still be some views of the proposal down the driveway to the side of the existing dwelling, with the driveway itself being an indication of the presence of another property. It would also be visible from the dwellings on Lammas Way and although the right to a view is not a material consideration, it would be another position from which the impact of the proposal upon the character and appearance of the area would be perceived.
7. From where it would be seen, the proposal's isolated positioning would wholly contrast with the current linear development pattern along both Fallowfield and Lammas Way to the extent that it would be to the detriment of the character and appearance of this particular location.
8. The garden of the appeal site is slightly shallower than other properties on Fallowfield, however it still follows the same general pattern and although the appeal site is sizeable enough to accommodate a built form to garden ratio which would match the properties on Lammas Way, the proposal would result in a shoehorned development which would disrupt the pattern of development.
9. The appellant highlights that there are no current policies with specifically exclude back-land development. However, it is not the principle of back-land development from which the Council's objections stem. Rather it is the conflict with the surrounding character and appearance. Indeed, four examples of approved back-land dwellings within the same district have also be brought to my attention. However although these are all back-land development, the characteristics and pattern of development surrounding each site is different and not directly comparable to the appeal site.
10. For the reasons above I consider that the proposed development would be harmful to the character and appearance of the area. Therefore it would be contrary to Policy DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (2009) which requires proposals for new development to be appropriate in scale and design, appropriate to their setting, contribute positively to creating a sense of place and respect local distinctiveness through design, along with the design objectives in the National Planning Policy Framework. The proposed development would also be contrary to the general design principles of the Central Bedfordshire Design Guide (2014) which reflect Policy DM3.

Other Matters

11. No harm has been found to the living conditions of the occupiers of the neighbouring properties and the appellant states that the proposal would accord entirely with the section in the Central Bedfordshire Design Guide relating to separation distance and amenity. However, the lack of harm in this respect is a neutral factor. Likewise, the fact that the proposal has received support from the Ampthill Town Council lends minimal weight.
12. The appellant has stated that a new fence along the boundaries of the properties of Lammas Way would result in a betterment to the appearance of the area. It is also stated that the proposal benefits from the use of high-quality design and materials and that the dwelling would contribute towards

the local housing supply. However, these aspects are of limited benefit and it is not considered that they would outweigh the significant harm found.

13. My attention has been brought to a large housing development known as 'Poppy Fields' which is within close proximity to the appeal site. It is stated that this development is more harmful to the amenity of existing dwellings than the appeal proposal. Nevertheless, this housing development is vastly different from the appeal proposal before me and therefore would not be directly comparable or relevant to my considerations.

Conclusions and Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

Emma Worby

APPEALS PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Andrew Owen

INSPECTOR