



Appeal Decision

Site visit made on 28 September 2020

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 October 2020

Appeal Ref: APP/P0240/W/20/3254090

59 Elmwood Crescent, Flitwick MK45 1LH

- 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 Melly against the decision of Central Bedfordshire Council.
 - The application Ref CB/20/00949/FULL, dated 13 March 2020, was refused by notice dated 21 May 2020.
 - The development proposed is erection of detached bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Pre-Submission version of the emerging Central Bedfordshire Local Plan 2015-2035 (the CBLP) was submitted to the Secretary of State in April 2018. There is nothing before me to indicate that the CBLP is currently at a stage that should attract anything more than limited weight. I shall consider the appeal on this basis.

Main Issues

3. The main issues are:
 - The effect upon the character and appearance of the area; and
 - The effect upon neighbouring living conditions at No 59 Elmwood Close (No 59) and No 1 Ash Close (No 1), having particular regard to outlook.

Reasons

Character and appearance

4. The site is located within a residential area where properties can often be observed to be laid out in linear rows setback typically consistent distances from the highway to the front of their plots. Such a pattern of development is readily identifiable along Gravel Pit Road (the road), which is where the proposed bungalow would be sited and accessed from. Whilst a range of property types, plot sizes and external facing materials are in existence, a somewhat formal and often spacious residential character and appearance is in place local to the site.

5. There are examples of small residential plots located near to the site, including to the opposite south-eastern side of the road. Whilst the newly proposed plot would be tightly defined in terms of its overall size, the percentage plot coverage, owing to the proposed bungalow's small footprint, would not be especially high when compared to the typical makeup of other properties close by. However, the plot's intended small size and shallow depth mean that opportunities to set development back from the road are restricted, and this is reflected in the scheme that is before me.
6. The proposed bungalow would be positioned such that its front elevation would align with the side building line of No 59. However, the tapered shape of the site means that the bungalow, when compared to No 59, would be set closer to the road. It would also sit noticeably nearer to the road when compared to the road-facing gable end of No 1. Although No 1 is of bespoke design and occupies an irregularly shaped plot, its setback (relative to the road) is broadly reflective of No 59 and of the row of properties located to the opposite side of Ash Close that address the road's north-western side. Thus, the proposed bungalow would appear as a prominent addition due to its forward siting.
7. I accept that the nearest properties situated to the opposite side of the road from the site are not set upon a rigid line. However, the variation in front building lines that can be observed is subtle. In contrast, the proposed bungalow would jut out a considerable distance beyond No 1's road-facing building line and, whilst modest in scale, would appear at odds with the consistent or gently staggered setback positions of nearby properties located to either of the road's sides.
8. An existing single garage and associated access are currently in place at the site's north-eastern end. However, the garage is a structure of limited scale and height that has the appearance of an ancillary outbuilding. In comparison, the newly proposed dwelling and the sub-division of the site that is intended would fundamentally alter the way in which the site would be read and experienced. This is even when noting the various elements of close boarded fencing that exist and that would be envisaged to be retained at or adjacent to the site.
9. The appellants have brought to my attention various applications for detached bungalows situated elsewhere within the District where I understand planning permission was granted. However, it has not been clearly demonstrated that, with respect to each of those other schemes, the surrounding patterns of development and street alignments were so similar that clear parallels are able to be drawn with the appeal proposal.
10. It is also the case that planning appeal decisions¹ relating to other sites within the District have been referenced in the evidence before me. It has again not been clearly demonstrated that clear similarities in site circumstances existed. Nevertheless, I note that the decisions provided by the appellants appear to highlight the potential to build in proximity to site boundaries. With respect to the appeal proposal before me, I take no specific issue in character and appearance terms with the intention to develop in proximity to the plot's rear and north-eastern side boundaries. However, the bungalow's relationship to the road, necessitated by the plot's small size and shape constraints, would

¹ APP/P0240/W/19/3221796; APP/P0240/W/18/3205786; APP/P0240/W/20/3248360; APP/P0240/W/20/3246636

promote the proposed development appearing cramped and discordant with its surroundings.

11. For the above reasons, the proposal would cause harm to the character and appearance of the area. The proposal conflicts with Policies CS14 and DM3 of the Central Bedfordshire Core Strategy and Development Management Policies (November 2009) (the CBCSDMP) in so far as these policies require all proposals for new development to be appropriate in scale and design to their setting and require development to be of the highest quality by respecting local context. The proposal also fails to accord with the guidance contained within the Central Bedfordshire Design Guide (September 2014) (the CBDG) in so far as it requires development to be sympathetic in terms of the surrounding built form.

Living conditions

12. The appeal site is positioned such that it is bound by the grounds of neighbouring properties to its rear and both of its sides. Indeed, a tight urban environment exists. It is nevertheless the case that a single storey building with a hipped roof form is proposed, which would be set away from each of the plot's boundaries, albeit by limited distances, to its rear and north-eastern sides. Notwithstanding the relative proximity of where the proposed bungalow would be positioned with respect to both No 59 and No 1, I do not find that a harmful overbearing form of development would result.
13. For the above reasons the proposal would not cause harm to neighbouring living conditions at either No 59 or No 1, having particular regard to outlook. The proposal accords with Policy DM3 of the CBCSDMP and with the CBDG in so far as this policy and guidance requires all proposals for new development to respect the amenity of surrounding properties.

Other Matters

14. I acknowledge that the proposal now at appeal evolved during the planning application process and that changes were made to reduce its impact. I also note that no objections have, to my knowledge, been raised by interested parties/neighbouring residents. Nevertheless, I must consider the proposal that is before me upon its own individual merits and in the wider public interest.

Planning Balance

15. In terms of the scheme's benefits, an additional residential unit compliant with the nationally described space standard would be provided inside Flitwick's defined settlement envelope and with good access to surrounding facilities and services. The National Planning Policy Framework (February 2019) reaffirms the Government's objectives of significantly boosting the supply of homes and making effective use of land. However, merely a single additional unit of housing would not make a noticeable difference to the District-wide housing supply situation and is thus a benefit that attracts limited weight.
16. The scheme would also create jobs during the construction phase and would provide support to the local economy during that phase and once occupied. However, these benefits attract limited weight due to the scale of development under consideration. Furthermore, any additional Council Tax revenue accrued

would be limited and designed to meet future occupiers' basic requirements for local services. This benefit thus attracts very limited weight.

17. The scheme's benefits, when considered cumulatively, would be modest and would not outweigh the significant harm to the character and appearance of the area and the associated policy conflict that I have identified. The proposal conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

18. Whilst I have found that no harm would be caused by the proposal to the living conditions of neighbouring residential occupiers, I have identified that significant harm would be caused to the character and appearance of the area. That harm is the overriding consideration in this case.
19. For the reasons set out above, the appeal is dismissed.

Andrew Smith

INSPECTOR