



Appeal Decision

Site visit made on 6 October 2020

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 October 2020

Appeal Ref: APP/K0235/D/20/3252109

159 Montgomery Close, Stewartby MK43 9LP

- 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 Kelvin Hayward against the decision of Bedford Borough Council.
 - The application Ref 20/00377/FUL, dated 14 February 2020, was refused by notice dated 14 April 2020.
 - The development proposed is demolition of existing single storey extension and erection of a new single storey side extension with accommodation within the pitched roof and a rear dormer.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Stewartby Conservation Area.

Reasons

3. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
4. The appeal site is located within the Stewartby Conservation Area (CA), the significance of which derives from the uniformity in design of the dwellings, as well as their carefully planned layout. The houses consistently feature hipped roofs with space between buildings, often linked at ground floor level with flat roof structures or walls. The appeal site occupies a prominent corner location and has a hipped roof with a flat roof single storey structure to the side. The low height of the flat roof ensures that there is space between the appeal building and the neighbouring property. Due to these attributes, the appeal site is entirely consistent with the character and appearance of the CA. Accordingly, it makes a positive contribution to the CA.
5. The proposal would replace the existing flat roof extension with a hipped roof addition. In this respect, the proposed roof form would be comparable to the prevailing roof form of the area. However, due to the span of the roof, its ridge height would be tall, with the overall height breaching the eaves line of the existing dwelling. In addition, due to its height and consequential bulk, the proposed roof form would appear as a large structure to the side of the

property. In doing this, the proposal would substantially fill the gap between the existing buildings with an imposing and dominant structure. Due to the prominence of the appeal site, this would have a harmful effect on the surrounding character and appearance of the CA, thereby failing to comply with the requirements of the Act.

6. I note that a similar form of development is located opposite the appeal site. However, this is not as large as the extension proposed. It has a lower ridge height and as a consequence is less dominant and imposing than the appeal proposal would be. Accordingly, I find that this example is materially different and therefore I attach it limited weight in my assessment of the appeal.
7. The harm caused by the proposal would be less than substantial and therefore Paragraph 196 of the National Planning Policy Framework (the Framework) requires that this harm should be weighed against the public benefits of the proposal. In this respect, the comments in relation to the investment in the building and enabling an effective use of the site are noted. However, although this may improve the functionality of the building, it would primarily be a private benefit. As a consequence, I attach very little weight to these matters.
8. I note the comments in relation to the magnitude of harm being a material consideration, however, the Framework requires that great weight should be attached to any harm to a designated heritage asset. Therefore, when applying the necessary balancing act required by the Framework, I am satisfied that the very limited weight attached to the public benefits would not outweigh the great weight that is attached to the harm, despite this harm being less than substantial.
9. Accordingly, for the reasons identified above, I conclude that the proposal would harm the character and appearance of the CA. It would therefore fail to comply with Policies 29, 30 and 41S of the Bedford Borough Local Plan (2020). Taken together, these require amongst other things, high quality design in historic environments.

Conclusion

10. The appeal is dismissed.

Martin Chandler

INSPECTOR