



Appeal Decision

Site Visit made on 27 October 2020

by R Sabu BA(Hons), BArch, MA, PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 3rd November 2020

Appeal Ref: APP/P0240/D/20/3258716

3 Herne Close, Toddington LU5 6AF

- 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 A Danculea against the decision of Central Bedfordshire Council.
 - The application Ref CB/20/02146/FULL, dated 28 June 2020, was refused by notice dated 18 August 2020.
 - The development proposed is described as, 'side and rear extension to dwelling.'
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have used the name stated in the appeal form as confirmed by the appellant.

Main Issue

3. The main issues are the effect of the proposed development on:
 - the living conditions of the neighbouring occupiers at No 2 Herne Close with particular regard to outlook and light; and
 - the character and appearance of the host dwelling and surrounding area.

Reasons

Living conditions

4. The proposed two storey extension would result in a tall flank wall close to the shared boundary with No 2 that would extend a significant distance to the rear. Therefore, while I note the projection and orientation of the rear garden space, given the siting, height and projection of the proposal, from the evidence before me, the resultant effect would be an unacceptably oppressive outlook from the rear garden of No 2.
5. Notwithstanding the effect of the proposal on the outlook from No 2, while I acknowledge the evidence regarding light, since the rear garden and elevation of No 2 would continue to receive daylight from other directions, there would be no undue adverse effects in this particular regard.
6. Therefore, the proposed development would harm the living conditions of the neighbouring occupiers at No 2 with particular regard to outlook. Therefore, it

would conflict in this particular regard with Policies BE8 and H8 of the South Bedfordshire Local Plan Review Adopted January 2004 (LPR) which seek, among other things, development that has no unacceptable adverse effect upon general or residential amenity and would not result in loss of visual amenity to neighbouring properties and their residents. It would also conflict with the National Planning Policy Framework (Framework) in this particular regard.

Character and appearance

7. Herne Close is a residential cul-de-sac primarily characterised by two storey dwellings, some of which have extensions such that the area is characterised by a variety of forms.
8. The proposal includes single and two storey side and rear extensions. I note the forward protrusion of the garage and the two-storey side extension close to the boundary. However, since the two storey extension would be set a significant distance back from the front elevation of the host property with the ridge height lower than that of the host building, and given the inconspicuous corner location of the property in the cul-de-sac as well as the spacious rear garden, the extensions would not seem to dominate the host dwelling or result in the plot appearing overdeveloped.
9. Consequently, the proposed development would not harm the character and appearance of the host dwelling and surrounding area. Therefore, it would not conflict in this particular regard with LPR Policies BE8 and H8 which seek, among other things, development that should complement and harmonise with the local surroundings and extensions that take full account of the character of the site and its surroundings. In addition, it would not conflict with the aims of the Central Bedfordshire Design Guide (September 2014) and Section 12 of the Framework in this particular regard.

Other Matters

10. I note the evidence regarding the improved quality of internal amenity space of a family home and the benefit of localised housing stock. However, given the harm to the outlook of the neighbouring occupiers identified above, these matters do not override the harm identified.

Conclusion

11. For the reasons given above the appeal is dismissed.

RSabu

INSPECTOR