
Appeal Decision

Site visit made on 30 November 2020

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 December 2020

Appeal Ref: APP/K0235/D/20/3260290
29 Hartshill, Bedford MK41 9AL

- 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 Peter and Carole Bell against the decision of Bedford Borough Council.
 - The application Ref 20/00679/FUL, dated 19 March 2020, was refused by notice dated 27 July 2020.
 - The development proposed is first floor extension over single storey link garage.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor extension over single storey link garage at 29 Hartshill, Bedford MK41 9AL in accordance with the terms of the application, Ref 20/00679/FUL, dated 19 March 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: EX00; EX01; EX02; EX03; EX04; EX05; EX06; PR01; PR02 Rev P1; PR03 Rev P1; PR04 Rev P1; PR05 Rev P1; PR06.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used to the existing building.

Main Issue

2. The effect upon the character and appearance of the area.

Reasons

3. The appeal property is of link detached type and of generous proportions. It is located within a primarily residential area where properties of a variety of different sizes, types and external facing materials are in place. Furthermore, in the vicinity of the appeal site, there is no clear rhythm to the way in which buildings are spaced or positioned relative to each other. The area thus has a mixed residential character and appearance.
4. The Council's Residential Extensions, New Dwelling and Small Infill Developments Supplementary Design Guidance (January 2000) (RENDSID) contains a design code for extensions, against which, it is set out, each scheme

will be judged upon its individual merits. Criterion E3 of this design code relates to space around buildings and states that in tightly developed areas with minimal gaps between the sides of houses, two storey extensions should be at least 1.5m away from any side boundary.

5. The proposed extension would not be set back from the appeal property's side boundary. Nevertheless, it is relevant to note that a two-storey extension is not proposed. Instead, a first-floor level addition above one of a pair of linked garages is intended. It is also the case that generous separation from the facing side elevation of No 31 Harthill (No 31) would be maintained at first floor level.
6. The relationship that exists between the appeal property and No 31 is not routinely repeated between other properties local to the appeal site. Indeed, I have identified a mixed residential character and appearance to exist. The proposed first floor extension, particularly when noting its subservient and set down design, would not appear as a discordant or unduly prominent addition to the streetscene. Nor would the observable gap that exists at first floor level between the appeal property and No 31 be unduly eroded. A suitable degree of spaciousness would continue to avail.
7. The Council has indicated that it could be considered unreasonable to prevent other properties in the locality extending to their side boundaries at first floor level (presumably in the event that planning permission be granted for the proposal that is before me). However, each scheme must be considered upon its own individual merits in recognition of the site-specific circumstances to hand currently. In this case, the proposal's lack of setback positioning from the site's side boundary is not determinative.
8. For the above reasons, the proposal would not cause harm to the character and appearance of area. The proposal accords with Policies 28S, 29 and 30 of the Bedford Borough Local Plan 2030 (adopted January 2020) (the Local Plan) and the guidance contained within RENDSID in so far as these policies and guidance expect development to contribute to good place-making and contribute positively to the area's character and identity.
9. The proposed development accords with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conditions

10. In the interests of certainty, a condition specifying the approved plans is required. In the interests of protecting the character and appearance of the area, a condition is reasonable and necessary to require that the external facing materials to be used match existing.

Conclusion

11. For the above reasons, the appeal is allowed subject to conditions.

Andrew Smith

INSPECTOR