
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: 11 December 2020

Appeal Ref: APP/K0235/W/20/3258525

6 Howard Close, Cardington MK44 3SL

- 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 J Greer against the decision of Bedford Borough Council.
 - The application Ref 20/00863/FUL, dated 24 April 2020, was refused by notice dated 21 July 2020.
 - The development proposed is a dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect upon the character and appearance of the area;
 - The effect upon the living conditions of neighbouring occupiers at No 6A Howard Close (No 6A), having particular regard to outlook and privacy.

Reasons

Character and appearance

3. The appeal site is comprised of residential garden land predominantly situated to the side of No 6 Howard Close (No 6), an end-of-terrace property. A range of detached, semi-detached and detached properties are served by Howard Close (the Close). These typically occupy setback positions relative to the highway, behind features such as grassed verges and front gardens, and often occupy generously sized plots. Indeed, the well-balanced terrace that contains No 6 (the terrace) is served by sizable garden spaces and the terrace's spacious setting is further defined by the presence of open countryside to the rear.
4. A chalet bungalow design is proposed, which would be reflective of the general appearance of other properties in the Close and, in footprint terms, would cover less than one third of the appeal site. I also accept that, should the proposal be implemented, lower site coverage (in percentage terms) would result at both the appeal site and No 6 when compared to neighbouring infill housing development at Nos 6A and 6B Howard Close (Nos 6A and 6B).
5. Notwithstanding the various plot size, dwelling footprint and site coverage comparisons placed before me, it must be noted that Nos 6A and 6B occupy

relatively discreet locations set directly to the rear of other dwellings within the Close. They do not noticeably erode the spaciousness that still characterises the settings of both the terrace and wider Close. Indeed, notwithstanding the various changes that have occurred since the Close's original inception, a typically loose and spacious residential character and appearance remains identifiable.

6. Whilst the proposed dwelling would not be particularly prominent in the streetscene, it would still be visible from a range of publicly accessible vantage points. Its position upon the site would fail to reflect the building lines and orientations of neighbouring dwellings and would significantly reduce the openness that currently exists to the terrace's southwestern side. These negative findings are further exacerbated by the intended way in which parking would dominate the northern portion of the appeal site. The proposed development would appear cramped, contrived and discordant with its surroundings.
7. For the above reasons, the proposal would cause harm to the character and appearance of the area. The proposal conflicts with Policies 28S, 29 and 30 of the Bedford Borough Local Plan 2030 (adopted January 2020) (the Local Plan) in so far as these policies require that development will be expected to contribute to good place-making and contribute positively to the area's character and identity.
8. Furthermore, whilst I do not consider the absence of a 13m deep rear garden space to be determinative in this case, the proposal conflicts with the Residential Extensions, New Dwelling and Small Infill Developments Supplementary Design Guidance (January 2000) (RENDSID) in so far as it sets out that proposals which appear cramped, out of character or over-developed will not be approved.

Neighbouring living conditions

9. The proposed dwelling would be positioned in proximity to a shared boundary (with No 6A) that is delineated by a mixture of fencing and tall hedging. The principal elevation of No 6A is northeast-facing and the proposed dwelling would be sited such that a part of its footprint would be positioned directly in front of this principal elevation. Nevertheless, from internal areas of No 6A, views of the proposed dwelling would be oblique and/or heavily constrained in nature. This is particularly when noting the precise position of No 6A's various window openings and the robustness of the intervening boundary treatment.
10. Whilst the proposed dwelling would be visible from No 6A's private garden area, it would be setback from the shared boundary. When also factoring in its chalet bungalow form and relatively limited depth, I find that the proposed dwelling would not be anticipated to have an undue negative effect upon the standards of outlook currently enjoyed from No 6A's internal or external areas. Notwithstanding its proximity to No 6A, the new dwelling would not have a harmful overbearing presence considering the site circumstances to hand.
11. The intended south-west side elevation would not contain any opening at upper floor level and the intended glazed doors at ground floor level do not raise concerns in a privacy context due to their ground level. A minimum privacy distance of 18m is set out in RENDSID, but this relates to directly overlooking primary windows. Any opening to be provided within the northwest-facing

front elevation of the proposed dwelling would not provide direct overlooking of primary windows serving No 6A, but instead oblique views. When noting the precise intended position and orientation of proposed window openings relative to No 6A, I do not consider that a clear or unacceptable perceived sense of overlooking would be created.

12. For the above reasons, the proposal would not cause harm to the living conditions of neighbouring occupiers at No 6A having particular regard to outlook and privacy. The proposal accords with Policy 32 of the Local Plan and with RENDSID in so far as this policy and guidance requires particular attention to be given to factors which might give rise to disturbance to neighbours and the surrounding community, including overlooking.

Other Matters

13. I have noted objections/concerns raised by interested parties with respect to matters including overshadowing, access arrangements and parking impacts. However, as I have found the proposal to be unacceptable for other reasons, it is not necessary for me to explore these matters further here.
14. In terms of the scheme's benefits, it is the case that an additional residential unit is proposed, and 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. Nevertheless, the provision of an additional dwelling would not make a noticeable difference to the Borough-wide housing supply situation and is thus a benefit that attracts limited weight which would not outweigh the significant harm and associated policy conflict that I have identified.
15. The proposal conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

16. Whilst I have found that the proposal would not cause harm to neighbouring living conditions, I have identified that significant harm would be caused as a result of the proposal's effect upon the character and appearance of the area. That harm is the overriding consideration in this case.
17. For the reasons given above, the appeal is dismissed.

Andrew Smith

INSPECTOR