



Appeal Decision

Site visit made on 26 January 2021

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 February 2021

Appeal Ref: APP/K0235/W/20/3262136 63 Lovell Road, Bedford MK42 0LS

- 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 Langridge against the decision of Bedford Borough Council.
 - The application Ref 20/00637/FUL, dated 16 March 2020, was refused by notice dated 6 October 2020.
 - The development proposed is erection of dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The development has been screened in accordance with the Environmental Impact Assessment (EIA) Regulations 2017 Regulations. It has been concluded that the development would not be of a scale and nature likely to result in a significant environmental impact and EIA is therefore not required.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the area; and
 - whether the proposal would give rise to highway safety issues and/or inconvenience for road users and pedestrians in the area.

Reasons

Character and appearance

4. No 63 Lovell Road is situated on a corner plot at the end of a row of two-storey semi-detached dwellings. The appeal site relates to the side garden and parking area serving No 63 which presently provides space between the two-storey built form of the dwelling and the boundary with the highway. The other buildings close to this junction on Lovell Road, Barton Road and Leith Road are also generally set away from the boundary with the highway. Consequently, the layout of buildings, together with the grassed verges and open spaces which are common in the area, combine to give the area a pleasant and spacious residential character.

5. The dwelling would sit close to the boundary with Barton Road and in that regard would contrast with the relative position of buildings to the highway in the vicinity of this junction. In addition, a detached single dwelling would be at odds with the wider semi-detached buildings in the row. The gap between the development and the dwelling at No 63 would also be narrower than the gaps generally seen between dwellings in the row. Combined with the prominent corner location, these factors would emphasise the cramped appearance of the development relative to its surroundings. Consequently, the development would not integrate well with its immediate context and would detract from the spacious characteristics of the area.
6. The appellant has raised several matters seeking to justify the development. My attention has been drawn to single storey extensions which have reduced separation distances between some of the dwellings in the area. However, I do not find this comparable to the two-storey height of the development and its close positioning and to the dwelling at No 63. Whether or not the vegetation which currently occupies the appeal site is overgrown, does not dissuade me from the fact that the site makes a positive contribution to the spacious characteristics of the area. New soft landscaping would not successfully assimilate the development into the street scene. There is no substantive evidence before me to suggest that the site currently results in significant levels of anti-social behaviour and in any case this would be unlikely to justify the harm identified to the character and appearance of the area.
7. I conclude, the development would result in significant harm to the character and appearance of the area. In that regard the development would conflict with the requirements for high quality design which complements the character of the area in Policies 28S (Place making), 29 (Design quality and principles) and 30 (The impact of development – design impacts) of the Bedford Borough Local Plan 2030 (LP) (adopted 2020).
8. The Council's decision also refers to 'Design Code N3' of the Bedford Borough Council Design Guidance: Residential Extensions, New Dwellings and Small Infill Developments (2000). I have been provided with Part 1 of this guidance which specifically relates to extensions to dwelling. Therefore, this document has not been material to my assessment. Even so, this does not override the conflict I have identified with the development plan.

Whether or not the proposal would give rise to highway safety issues or inconvenience for road users

9. Many of the dwellings in the area have off-street parking spaces although this is often limited to a single space. There are also numerous properties in the area with no off-street parking to their frontages. A bus route operates along Lovell Road and there are no on-street parking restrictions where the appeal site is located. At the time of my site, whilst I noted some instances of parking on the grass verges, there were many opportunities to park on the surrounding roads. Traffic levels were relatively low and consistent with the residential setting.
10. The proposals include 2 parking spaces for the existing dwelling and a single space for the proposed dwelling. Therefore, the number of spaces provided would be below the minimum standards in the Bedford Borough Council Parking Standards for Sustainable Communities: Design & Good Practice Interim Policy and Supplementary Planning Document (2014) (the Parking Standards) which

sets out amongst other things that a minimum of 2 vehicles spaces are required per 2/3 bedroom dwelling.

11. It is clear from the plans that there is insufficient room to provide spaces that would comply with the minimum depth for a driveway parking space of 6.0m as set out in the Parking Standards. Furthermore, to accommodate 2 spaces to the front of No 63, the width of these spaces would appear to be particularly constrained noting their relative position to each other, to the dwelling at No 63 and to the proposed boundaries. One of the spaces would also be positioned at an angle to the driveway entrance and close to a step to the front entrance. This would be likely to make manoeuvring vehicles to and from this space problematic.
12. The number and configuration of parking spaces proposed for the development and the existing dwelling at No 63 would be unlikely to function well and would be likely to add to demand for on-street parking in the area. Even so, there was not a shortage of opportunities to park on the road during my site visit. I acknowledge that my site observations only provide a snapshot of the parking situation in the area. However, my visit took place during a period of national lockdown due to the Covid-19 pandemic and therefore at a time when it is likely that many residents would have been at home. Furthermore, the Council have not provided any substantive evidence such as survey data to demonstrate that there are particularly high levels of parking stress in the area. Therefore, I am not persuaded by the evidence before me that the streets close to the appeal site could not satisfactorily accommodate any residual on-street parking that might occur as a result of the development nor that this would in itself result in an unacceptable impact on highway safety.
13. Notwithstanding the above, the depth of the proposed parking spaces could result in parked vehicles overhanging the public footway. Pedestrians, including those who are partially sighted or those using prams or wheelchairs for instance, may be forced to use the grass verges. I also noted the lamp post which sits within the grass verge close to the appeal site on Lovell Road which could combine with any overhanging vehicles to further hinder accessibility for all users of the footway. Consequently, the access and parking arrangements proposed have the potential to result in inconvenience for pedestrians.
14. The appellant contends that the Parking Standards state that most cars fit into a 2.2m x 5m notional space. However, the standards are clear that this does not allow for door opening, access past the vehicle or clearance to walls. Furthermore, Figure 7 of the Parking Standards shows that an extra 0.5m in length is required to either end of the space to ensure clearance from a public footpath where, as is the case in this instance, the far end of the vehicle space is immediately adjacent to a vertical feature. I acknowledge that the Parking Standards are guidance. However, from the plans provided and my observations on site this guidance further persuades me that the off-street parking facilities would be unduly constrained.
15. I conclude that the development would have the potential to give rise to inconvenience for users of the footway. In that regard the development would conflict with the requirements for developments to address access impacts, to give particular attention to parking provision and to promote accessibility and permeability for all in Policies 29 (Design quality and principles) and 31 (The impact of development – access impacts) of the LP. The proposal would also

conflict with Paragraph 127 of the National Planning Policy Framework which states that developments should function well and add to the overall quality of the area, not just for the short term but for the lifetime of the development

Other Matters

16. With regards to the Council's housing land supply position, the appellant has drawn my attention to an appeal from September 2020¹. However, the Council has provided a more recent appeal decision from December 2020² which confirms that there was a supply of specific deliverable sites sufficient to provide a minimum of 5-years' worth of housing against the residual housing requirement at the time of that decision. Given how recently the latter decision was made and that there is no substantive evidence before me to demonstrate that its findings cannot be relied upon, I have assessed the appeal on the basis that the Council can demonstrate a sufficient supply. The policies of the development plan can therefore be considered up-to-date and carry full weight for the purposes of decision making.
17. The "tilted balance" under Paragraph 11 d i) is therefore not engaged. In any case, whilst the dwelling would make a small but positive contribution to the Council's housing figures and would have potential social and economic benefits associated with its construction and future occupation, this does not overcome the conflict I have identified with the development plan and the Framework.

Conclusion

18. For the reasons set out, the appeal is dismissed.

M Russell

INSPECTOR

¹ Appeal Ref APP/K0235/W/19/3243154

² Appeal Ref APP/K0235/W/20/3256134