



Appeal Decision

Site Visit made on 26 May 2021

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 14 June 2021

Appeal Ref: APP/K0235/D/20/3260480

19A Ivy Road, Bedford MK42 0QD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Mr Stephen Singh against the decision of Bedford Borough Council.
 - The application Ref: 20/01469/FUL, dated 9 July 2020, was refused by notice dated 4 September 2020.
 - The development proposed is single storey side extension to existing home office at rear.
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Decision

1. The appeal is allowed and planning permission is granted for single storey side extension to existing home office at rear at 19A Ivy Road, Bedford MK42 0QD in accordance with the terms of the application, Ref: 20/01469/FUL, dated 9 July 2020, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in strict accordance with the following approved drawings: 3042 BSC A 098 Rev B Site Location Plan; 3042 BSC A 099 Rev B Site Block Plan; 3042 BSC A 100 Rev A Existing Plans & Elevations; 3042 BSC A 200 Rev D Proposed Plans & Elevations.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues in this case are:
 - The effect of the proposal on the character and appearance of the area;
 - The effect of the proposed development on the living conditions of neighbouring occupiers of Nos 17 and 17A Ivy Road, with particular regard to outlook from and enclosure of private outdoor amenity space; and
 - Whether the proposal would be ancillary to the residential use of the dwelling at 19 Ivy Road.

Reasons

Character and appearance

3. The appeal property is a semi-detached dwelling located in a mainly residential, suburban area. The appeal site is at the apex of a block of residential land on the northern side of Ivy Road which is bounded on one side by a highways depot and on another by a business park. The street mainly comprises two storey, brick and render dwellings with pitched roofs.
4. The host block of land comprises the host pair of semis and land to the east. The majority of the block of land to the east of the host pair has a noticeably more spacious character due to the extent of garden space free from buildings. Within this context, the host pair of properties is relatively atypical in the locality given the following combination of factors. The older, two storey cottage style building and compact yard space at No 17A already convey an intimate scale and character. Given the proximity, the combination of the nearby highways depot and business park also has a visual influence on the suburban setting of the appeal site.
5. Within this context, the following combination of factors would help the proposed enlarged building to assimilate into its setting. With the proposed extension, the enlarged building would appear subservient to the main dwellinghouse at No 19. The height of the proposed extension would be contained, with a flat roofed profile, to around 0.5m higher than the site's existing perimeter fence. Furthermore, the comparatively larger mass of other elements in the vicinity, in the form of dwellings at neighbouring Nos 17 and 17A Ivy Road and the development mass of the neighbouring highways depot and business park, would contribute to the experience of the resultant ancillary building as a relatively subservient element within the neighbourhood. Also, the sense of spaciousness to the sides of the core of the host pair of semis, as conveyed by the garden space of Nos 13 and 19A, would endure.
6. Therefore, the proposal would not appear overly cramped and out of character within its setting.
7. In conclusion, the proposal would not harm the character and appearance of the area. As such, it would not conflict with Policies 28S, 29 and 30 of the Bedford Borough Local Plan 2030 (2020) (LP), design criterion E3 of Bedford Borough Council Design Guidance Residential Extensions, New Dwellings & Small Infill Developments (2000) (DG) or Bedford Borough Council Design Guidance Achieving Quality in Residential Layouts (1997). Together the policies and guidance seek to ensure, among other things, that development complements local character.
8. Policy 32 of the LP focuses on disturbance and pollution impacts and is not engaged in respect of the main issues in this case.

Living conditions of neighbouring occupiers

9. As the proposal is an attic storey lower than the scheme dismissed on appeal in 2020¹, the height impact of the current scheme would be less than previously proposed.

¹ Appeal Ref: APP/K0235/D/20/3251105.

10. Given the single storey height and location of the proposal to the north-west of the neighbouring yard space of Nos 17 and 17A, there would not be significant reduction to light received at these neighbouring properties. Moreover, the single storey height and flat roof profile of the proposed extension is such that the quality of view above fence level from these rear yards would not significantly change. The neighbouring yard space of Nos 17 and 17A is already of a relatively intimate scale and character, and the experience of this would not significantly alter as a result of the proposal. Consequently, the proposal would not have an overbearing effect on nor unreasonably enclose the neighbouring yard space.
11. I therefore conclude that the proposal would not harm the living conditions of neighbouring occupiers of Nos 17 and 17A Ivy Road, in terms of outlook from and enclosure of private outdoor amenity space. As such, it would not conflict with Policies 28S, 29 and 30 of the LP, which together seek to ensure that development is of sufficient design quality to assimilate satisfactorily within its context, in order, among other things, to safeguard the living conditions of residents. Nor would the proposal conflict with design criterion E7 of the DG which seeks to avoid overbearing development.

Whether an ancillary use

12. The appeal building's previous planning permissions indicate that it was conceived as a home office. The Council is sceptical of the assertion of need for the proposed increase in the building's mass to provide additional storage to free up workable home office in the central section. The Council considers that the proposal would result in a building so enlarged as to likely be used as primary accommodation, considering past refused proposals for residential development and the building's bungalow type external appearance.
13. However, the following combination of factors points to the proposal being ancillary to the residential use of the main dwelling house at No 19 Ivy Road.
14. The proposed enlarged building would in mass, height and scale continue to appear subservient to the main dwelling house. The appeal building shares an access with the main dwelling house, in the form of a driveway to the side of the latter. Given the constraint of the neighbouring depot and its access, this appears unlikely to change. At around 15m distance, the appeal building is sufficiently separate yet close to function as an ancillary home office building.
15. Furthermore, I find no reason to presume that occupiers of the house of multiple occupation at No 19 would not find access to a home office building useful. Also, while not solely decisive, the indicated use of rooms is for library, storage and home office use.
16. Moreover, no separate dwelling proposal is before me. If the structure were not built or used as proposed, or if there were a material change of use in the future to create a separate dwelling, then a separate grant of planning permission would be required, and the building would be at risk of enforcement action if such permission were not granted.
17. In conclusion, the proposal would result in a building ancillary to the main dwelling house rather than an independent residential unit. As such, it would not conflict with the good place-making, contextual design focus of Policies 28S 29 and 30 of the LP.

Other Matters

18. Resident concern has been expressed about an increase in local parking pressure and refuse on the street. However, given the modest scale and ancillary nature of the proposal it is unlikely to result in such harm.

Conditions

19. In addition to the standard commencement condition, a condition is necessary requiring that the development is carried out in accordance with the approved plans, in order to provide certainty. A condition covering materials is necessary in the interests of safeguarding the character and appearance of the area.

Conclusion

20. The proposed development would adhere to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal succeeds.

William Cooper

INSPECTOR