



Appeal Decision

Site Visit made on 18 May 2021

by Rachel Hall BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2021

Appeal Ref: APP/K0235/W/21/3268148

12 Ridge Road, Kempston MK43 9BP

- 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 and Mrs Darlow against the decision of Bedford Borough Council.
 - The application Ref 20/02154/FUL, dated 22 September 2020, was refused by notice dated 23 December 2020.
 - The development proposed is erection of one dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of one dwelling at 12 Ridge Road, Kempston MK43 9BP in accordance with the terms of the application, Ref 20/02154/FUL, dated 22 September 2020, and the plan submitted with it, subject to the conditions in the attached Schedule.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. Ridge Road is comprised of two-storey semi-detached houses fronting on to the road with good sized gardens to the rear. There are also bungalows at the end of Ridge Road and along Wootton Road in the vicinity of the site. Houses on The Chase appear in views between buildings on Ridge Road and Wootton Road. Similarly, the existing garage and more substantial outbuilding on the appeal site are partially visible from Ridge Road in glimpsed views between houses.
4. The proximity of existing houses to their boundaries varies, however there are many examples of properties being close to their boundaries and other buildings including properties on Ridge Road and Wootton Road. The prevalence of this type of layout in the area, combined with the visibility of built development in views between buildings, creates an existing character and appearance of relatively high density housing.
5. Due to the location of the site, being tucked away from Ridge Road and Wootton Road, and behind the existing garage on the appeal site which is to be retained, it would only be partially visible in any one view. This would limit the effect of the development on the character of the surrounding area and ensure it would not appear unduly large in comparison to nearby bungalows. Where visible, the proposal would appear close to its boundaries, however given the

proximity of many other houses and bungalows to their boundaries in the immediate vicinity, this would not appear out of character for the area.

6. Whilst the proposal would have a considerably larger footprint than the existing outbuilding, it would be single storey throughout and only slightly taller at its highest point at the ridge. This would also limit its dominance in views from the surrounding roads and properties. Given the presence of other bungalows in the immediate vicinity, it would appear in keeping with the surrounding built form.
7. The development would be set further back from Wootton Road, and slightly further from the boundaries of the properties on Wootton Road, than the existing outbuilding. Together with the removal of the existing office that adjoins the garage, this would have a positive effect on the appearance of the site from Wootton Road and adjacent gardens there, creating a greater sense of space whilst making efficient use of its L-shaped plot. The residential nature of the building and the size and shape of its garden would also be wholly in keeping with the character of the surrounding area.
8. For these reasons I find that the proposal would not appear at odds with the positioning of other houses to their boundaries nearby, nor the general character of the area, and would be a positive addition to the site. As the design of the bungalow is in keeping with others in the vicinity and follows key characteristics of the locality it is in line with N2 in the Residential Extensions, New Dwellings and Small Infill Developments design guidance (2000) ('design guidance'). Given the prevailing character and density of housing in the surrounding area, it is also consistent with the minimum distances between side boundaries as set out in N3 of the design guidance.
9. I therefore conclude that the proposed development would not be harmful to the character and appearance of the area. The proposal would be in accordance with Policies 6, 28S, 29 and 30 of the Bedford Borough Local Plan 2030 (adopted 2020), Design Codes N1, N2 and N3 of the design guidance and the National Planning Policy Framework which seeks development to contribute positively to the character of the settlement, be of suitable form and high quality design, and integrate with the character of the locality

Other Matters

10. That there is considered to be sufficient available housing stock in the area does not weigh against the proposal. It is located in a settlement where development is supported in principle where it contributes positively to the area. Whilst only a small contribution to housing supply this weighs in favour of the development.
11. As the limited width of the site access would prevent access by a fire tender, the relevant Building Regulations, which will need to be complied with in any event, make suitable provision in respect of fire attenuation.
12. I have had regard to concerns raised by local residents including matters relating to living conditions, access and parking, and the planning history of the site. I have given careful consideration to these matters, some of which the Council have not raised any objections to, but they do not lead me to a different overall conclusion on the main issues nor do they amount to harm that would justify withholding planning permission.

Conditions

13. The Council has suggested conditions in the event the appeal is successful. I have amended these as necessary without altering their aims, having regard to relevant policies of the development plan, tests within the Framework, national Planning Practice Guidance and statute. It is necessary to specify the approved plan as this provides certainty. Details of existing ground and proposed floor levels are required to ensure a satisfactory relationship with surrounding development.
14. Details of external materials and landscaping need to be approved in the interests of the character and appearance of the area. Biodiversity enhancement details are required in order that the proposal achieves a net increase in biodiversity. I have amended the timing of the landscaping and biodiversity conditions to be prior to occupation, as a pre-commencement provision does not meet the test of necessity in this instance.
15. I have combined conditions on provision of cycle parking, car parking and manoeuvring space. Along with a condition on surfacing of the access, these are required to satisfy policies on access and accessibility. As an access gate is already in place and no alterations are before me, a condition on provision of an access gate is not necessary. Details of electric car charging are required in compliance with Policy 89 of the Local Plan.
16. Submission of an energy statement is necessary to confirm measures implemented to reduce carbon emissions in line with Local Plan Policy 54. A condition requiring higher water efficiency measures is necessary in line with Local Plan Policy 52. A condition relating to installation of fibre optic broadband technology is required in accordance with Local Plan Policy 94. Finally, a condition removing permitted development rights for alterations to the building is appropriate in this instance, to protect the character and appearance of the locality.

Conclusion

17. I have found that the proposal would not be harmful to the character and appearance of the surrounding area and instead would be a positive addition. It would therefore accord with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. For the reasons given, I conclude that the appeal should be allowed.

Rachel Hall

INSPECTOR

Schedule of 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 accordance with the following approved plan: JJ20-0012 001 Rev D.
- 3) No development shall take place until full details of the finished levels, above ordnance datum, of the ground floor of the proposed building, in relation to existing ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.
- 4) No development above slab level shall take place until details of the materials to be used in the construction of the external surfaces (to include walls, roof, doors, windows and external gutters and pipework) shall have been prepared for inspection (on site where possible) and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 5) Prior to first occupation of the new dwelling hereby permitted a scheme of landscape works shall be submitted to and approved in writing by the Local Planning Authority, which shall include details of the following:
 - a) New planting proposals giving location, species, number, density and planting size.
 - b) Areas of grass turfing or seeding and other surface materials.
 - c) Depth of topsoil to be provided where necessary and the measures to be taken to maintain the new planting for the required period.

All planting, seeding or turfing comprised in the approved details of landscape works shall be carried out in the first planting and seeding seasons following the completion of the development. Any trees or plants, which within a period of 5 years from the completion of the tree planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. For the purpose of this condition a planting season shall mean the period from November to February inclusive.
- 6) Prior to first occupation of the new dwelling hereby permitted a Biodiversity Enhancement Scheme (to include details of protection and management of habitats and species and incorporating opportunities for the enhancement of existing and the creation of new habitats on site) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details.
- 7) The areas to be used for car and cycle parking in connection with the development hereby permitted and the turning space for vehicles illustrated on the approved plan shall be made available for use before the development is occupied and shall be kept available at all times for these purposes.
- 8) The new dwelling hereby permitted shall not be occupied until the access / driveway have been surfaced in a stable and durable manner with a hard bonded material across the entire width of the access for a distance

of 5.0m measured back from the Highway footway edge or 5.0m from the Highway boundary whichever is greatest. Surface water from the access must not drain to the public highway.

- 9) The new dwelling hereby permitted shall not be occupied until an energy statement relating to the new dwelling has been submitted to and approved in writing by the Local Planning Authority. The energy statement shall include:
 - (a) An assessment of the actual effect on carbon dioxide emissions demonstrating the measures previously agreed as part of the energy audit have achieved a reduction of at least 10% in carbon emissions below the normal requirement set by the Building Regulations.
 - (b) A statement of how the layout, orientation, design and materials used in the development have been influenced by the energy audit.
- 10) The new dwelling hereby permitted shall not be occupied until a scheme of electric car charging points has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and operated in accordance with the approved scheme.
- 11) The new dwelling shall achieve and maintain the higher water efficiency standard in the Building Regulations as set out in Approved Document G: Sanitation, hot water safety and water efficiency, 2015 edition, DCLG October 2015 (or similar replacement standard).
- 12) The new dwelling shall be served with an appropriate open access fibre optic infrastructure to enable high speed and reliable broadband connection unless evidence is submitted which demonstrates that providing the required infrastructure is not feasible or economically viable.
- 13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no walls, gates, extensions, additions, alterations or enlargements to the roof, or outbuildings (Classes A - E of Part 1 and Class A of Part 2, Schedule 2 of the GPDO) shall be erected or constructed within the curtilage of the dwelling house without the specific grant of planning permission by the Local Planning Authority.