The Planning Inspectorate

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/21/3269655
36 Gold Street, Riseley MK44 1EQ

- 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 Dominic Batchelor against the decision of Bedford Borough Council.
- The application Ref 20/02495/FUL, dated 23 October 2020, was refused by notice dated 2 February 2021.
- The development proposed is a side extension to create a two bedroom dwelling.

Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. No 36 and much of the adjoining terrace is set behind grassed areas with boundary hedging. This creates a softness to the appearance of the frontage. The elevated position of No 36 in relation to the road gives it prominence in the street scene. This is emphasised by the topography of the road which slopes down towards Church Lane.

4. I note that the site is adjacent to Riseley Conservation Area and therefore forms part of the surroundings in which the Conservation Area is experienced. Whilst not in the Green Belt or open countryside but located within the village boundary, there is nonetheless in my view a semi-rural character to the area that is drawn from the lack of pavements and the mix of grass and hedge edges to both sides of the road.

5. There is variation in house styles along the street and some houses are more closely positioned to one another on the opposite side of Gold Street. However there is a pronounced gap at either end of the terrace between the building and its neighbours (especially at first floor level, accepting that 42 Gold Street has a single storey extension to the side). This space to the side of the building creates a pleasant sense of spaciousness that makes a positive contribution to the character and appearance of the area, leading to a comfortable transition to the rural surroundings of the village.

6. This spacing is similar to that around other houses in the vicinity to varying degrees. For example I observed similar gaps between the houses off the crescent road on Dag Lane, and a very similar style terrace with gaps to either

end on Church Lane (Nos 5 – 11 Church Lane). Given the characteristic nature of the space on the appeal site, the significant reduction in this gap that would result from the proposal would be detrimental to the character of the surrounding area, particularly given the prominence of the site as described above, and notwithstanding that a much smaller gap would remain. The size of the private garden of the proposed development is not in dispute. However this does not diminish the harm from infilling a large proportion of the space to the side of the site at ground and first floor level.

7. The proposed parking and turning area to the front of the appeal site would further harm the character and appearance of the area by removing a sizeable area of grass and some soft landscaping that positively contributes to the rural character of the locality. Whilst there are houses with front drives on Gold Street, these retain areas of grass or landscaping which maintains the rural character of the road. No specific examples of nearby parking areas have been drawn to my attention that lead me to a different conclusion on the harm to character and appearance here.

8. The appeal submission shows parking for two vehicles and a turning area. I am aware of discussions having taken place around the potential to incorporate a total of five vehicle spaces to provide parking for the existing property at No 36 as well as the proposed dwelling. Whilst this has the potential to provide some betterment to highway safety and reduce on-street parking, plans to show how this parking would be achieved, together with the required visibility and any other associated alterations are not before me. In any event alterations to parking and any associated benefits are not reliant on this appeal. Further, the benefits of such would be very limited and not sufficient to outweigh the harm I have identified to the character and appearance of the area.

9. In relation to the proposed development at Riseley Lower School[1], I note that the effect on character and appearance of the surrounding area was a consideration. In that instance, the proposed layout of low rise bungalows was considered appropriate. There were also some more substantial benefits, including delivery of nine new homes and retention of two heritage assets. I therefore find no justification to alter my conclusions on this appeal in light of that decision.

10. For the reasons set out above, I find that the proposal would result in harm to the character and appearance of the area. Accordingly, I conclude that the proposal would be contrary to Policy 28S of the Bedford Borough Local Plan 2030 (adopted 2020) ('Local Plan') which sets out criteria to ensure development contributes to good place-making, including complementing the character of the area (criterion ii.) and incorporating appropriate landscaping (criterion viii.).

11. Similarly it would be contrary to Policy 29 of the Local Plan which seeks to ensure development contributes positively to an area's character and identity. The development would conflict with Local Plan Policy 30 which promotes principles of good design, with reference to reinforcing local distinctiveness (criterion i.). It therefore follows that the development would be contrary to Policy 5S of the Local Plan on the basis that it is within a settlement policy area boundary but not consistent with other policies of the development plan.

[1] Council Ref 19/01765/FUL

12. In light of my reasoning above, I conclude that the proposal would not accord with the guidance in paragraph 127 of the National Planning Policy Framework, which sets out that development should be sympathetic to local character. It would also not be consistent with the aims of N1 in the Residential Extensions, New Dwellings and Small Infill Developments design guidance (2000) ('design guidance'), on the basis that the design of the proposal does not harmonise with the character of the street.

13. In relation to N3 in the design guidance, I acknowledge that the Council's application of the guidance appears to differ between the officer's report and the subsequent statement of case. In the particular circumstances of this case, it is appropriate to ensure the retention of a wider space between No 36 and No 34, to retain its positive contribution to the character and appearance of the area. The appeal proposal is therefore contrary to the aims of N3 which advocates greater distances between dwellings and their boundaries where existing properties are widely spaced.

Other Matters

14. The proposal would enable the delivery of an additional dwelling and therefore make a small contribution to housing supply. I recognise the potential value from future occupants of the proposed dwelling in generating additional demand for local goods and services. There would also be associated benefits to the local economy such as through the construction process. Nevertheless, given the small scale nature of a single proposed dwelling, the associated benefits would be similarly small, and not sufficient to outweigh the harm to the character and appearance of the area.

15. Whilst the appearance of the proposed building would be in keeping with the architectural style of the adjoining terrace, I see no evidence of environmental benefits associated with this development. The absence of harm from the proposal to the living conditions of the occupiers of the existing and neighbouring houses is not in contention. However that the proposal would not be otherwise unacceptable is a neutral effect and does not weigh in favour of the appeal. I acknowledge the additional pressure and challenges that COVID-19 has brought to local communities and economies, but this does not alter my conclusions on its limited benefits and the enduring harm from the proposal.

Conclusion

16. I have found that the development would harm the character and appearance of the surrounding area in conflict with the development plan taken as a whole. The small public benefits of the proposal would not be sufficient to outweigh the harm and there are no other 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 dismissed.

Rachel Hall

INSPECTOR