

Appeal Decision

Site Visit made on 7 September 2021

by Luke Simpson BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 September 2021

Appeal Ref: APP/K0235/D/21/3272696

98A High Street, Riseley MK44 1DF

- 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 Mrs Draper against the decision of Bedford Borough Council.
 - The application Ref 20/02332/FULL, dated 6 October 2020, was refused by notice dated 16 February 2021.
 - The development proposed is first floor side extension, single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for first floor side extension, single storey rear extension at 98A High Street, Riseley, MK44 1DF in accordance with the terms of the application, Ref 20/02332/FULL, dated 6 October 2020, 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 accordance with the following approved plans: JJ20-098 (002) and JJ20-098 (001 Rev A).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building.

Preliminary Matters

2. The revised National Planning Policy Framework (the Framework) was published on 20 July 2021. In relation to the main issue of this appeal, the approach taken in the revised Framework is consistent with the previous version. As such, it is not necessary to seek any additional representations from the parties and neither party has been prejudiced by this approach.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the host property and surrounding area.

Reasons

4. The host property is a two-storey detached dwelling which has a relatively traditional appearance. The surrounding area predominantly comprises of residential development, which varies in architectural style. The layout, orientation and scale of development in the surrounding area is not particularly

uniform, albeit development is typically linear, and there is variation in the size of gaps between properties.

5. The site is also located within the Riseley conservation area, which is characterised by a range of older properties, some of which are listed. There are also more modern dwellings located throughout the conservation area, including the host property. The host property is located within the setting of a Grade II listed building at 95 High Street (No 95), which is situated on the opposite side of the highway. The effect of the proposed development on these heritage assets is discussed in relation to 'other matters'.
6. The host property currently includes a relatively small single storey element adjacent to the boundary with the neighbouring dwelling at 98B High Street (No 98B). The proposed development includes a first-floor extension which would sit above this single storey element. The extension would have a much lower height than the maximum ridge height of the host property. It would also be set back further from the street scene than the existing single storey element and would incorporate a modest width. In this regard the extension would be a subservient feature of the host property. Taking into account the existing set back from the highway, it would certainly not be prominent in the street scene and the visual impact from the side would not be readily perceived from the surrounding area.
7. Whilst the design of the extension would not reflect the mono-pitched roof form of the existing single storey element, it would reflect the dual pitched roof form of the host property. The front facing window, whilst larger than that at ground floor level, would not jar with the existing appearance of the property, given the larger windows incorporated elsewhere on the dwelling. The proposed extension would therefore be in keeping with the appearance of the host property.
8. The proposed first floor extension would reduce the gap between the host property and No 98B at first floor level. However, the development would not extend any further towards the boundary than the existing dwelling. Furthermore, given that the extension would be subservient to the host property and would be significantly set back from the front elevation, the visual impact of the extension on the existing gap would be negligible when perceived from surrounding areas.
9. Design Code E3 of the Design Guide¹ (2000) states that 'In tightly developed areas with minimal gaps between the sides of houses, two storey extensions should be at least 1.5m from any side boundary'. The surrounding area is not 'tightly developed' and gaps between properties vary significantly, with no particular uniformity in this regard. Furthermore, the existing gap between the two properties is not considered to be 'minimal', with reasonable gaps retained between the respective properties and the boundary between them. Therefore, the parameters detailed within Design Code E3 are not applicable in this instance. In any case, a sufficient gap would be retained between the two properties, such that there would not be a harmful visual impact. As such the proposed development would not conflict with Design Code E3.
10. The proposed development would therefore be in keeping with the character and appearance of the host property and surrounding area. As such, it would

¹ Design Guidance – Residential Extensions, New Dwellings & Small Infill Developments (2020)

comply with Local Plan² Policies 28, 29 and 30, which in part require that development is of a high-quality design which is in keeping with Local Character.

11. The proposed development would also comply with Design Codes E1, E2 and E3 of the Design Guide, which require that the design of development reflects the shape and scale and detailed character of the host property and ensures sufficient space around buildings, respectively.
12. The proposed development would also comply with Framework Paragraph 130(c), which seeks to ensure that development is in keeping with local character.

Other Matters

13. The appeal site is located within the Riseley conservation area and within the setting of No 95 (Grade II listed building). Under section 66 (1) and section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I am obliged to have special regard to the desirability of preserving the listed building, its setting and any features of special architectural or historic interest. In addition, under section 72 (1) of the same Act, I am obliged to pay special attention to the desirability of preserving or enhancing the character and appearance of the conservation area.
14. The conservation area predominantly derives its significance from a range of attractive historic architectural styles, linear patterns of development and primarily verdant character. No 95 derives its significance from its historic architectural features, including timber framed construction, sash windows and clay tile roof. The proposed development would not result in any harm to the setting of either of these heritage assets, given the considerations outlined above in relation to the main issue. As such, the proposed development would preserve the setting of these heritage assets.

Conclusion

15. The proposed development would accord with the development plan taken as a whole. There are no material considerations which indicate that a decision should be made other than in accordance with the development plan. As such, I conclude that the appeal should be allowed, subject to the conditions listed at paragraph 1.

Luke Simpson

INSPECTOR

² Bedford Borough Local Plan 2030 (January 2020)