
Appeal Decision

Site visit made on 24 August 2021

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 September 2021

Appeal Ref: APP/P0240/W/21/3270327

41 House Lane, Arlesey SG15 6XX

- 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 Olive Tree Property Developments Ltd against the decision of Central Bedfordshire Council.
 - The application Ref CB/20/03988/FULL, dated 3 November 2020, was refused by notice dated 21 January 2021.
 - The development proposed is erection of detached 3-bedroom single storey dwelling with associated access and parking arrangements.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Central Bedfordshire Council Local Plan 2015 - 2035 (CBCLP) was adopted 22 July 2021. As a result, the Core Strategy and Development Management Policies (2009) and Policy DM3 have been superseded by the Policies HQ1 and HQ8 of the CBCLP. The appellant has had the opportunity to comment on the amended policies; I have taken these comments into account and determined the appeal accordingly.
3. In addition, on 20 July 2021, the Government published a revised National Planning Policy Framework (the Framework). Both main parties have had the opportunity to submit comments on the relevance of the Framework to this case. I have taken any comments received into consideration and I have assessed this appeal in light of the Framework.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons

5. House Lane is a largely residential area with a variety of dwelling types and styles including a mix of 1930s and post war dwellings and some more recent development.
6. No 41 House Lane is a detached bungalow with a road frontage and a good-sized rear garden. The appellant notes that the appeal property has a wider rear garden than surrounding properties, even so, adjacent properties generally have sizable rear gardens many of a similar length. Together, these

rear gardens provide a spacious backdrop to the built development within the area. Their mature and attractive appearance is apparent from surrounding properties and contributes to the area's character and appearance. I observed at my site visit that the mature and attractive appearance of the gardens is also apparent from the public footpath to the north.

7. The proposed dwelling would have a large footprint occupying a significant part of the rear garden. Although limited to single storey the overall height and massing of the proposed dwelling would be noticeably higher than the surrounding boundary treatment. It would notably intrude into the open attractive rear garden land and introduce significant built development and areas of hard surfacing. The dwelling's location would be at odds with the established neighbouring development. It would jar in its local context and appear as a prominent and incongruous feature which would detract from the open, spacious, and mature gardens. As such it would harm the character and appearance of the area.
8. I appreciate that due to its siting and design the proposed dwelling would not be a significant feature of the street scene. I also accept that the Council does not raise any significant concerns about the principle of residential development in Arlesey or the development's effect on highway safety, parking, neighbouring amenity, or ecology. In addition, I note the various references to the Council's pre-application advice and correspondence. Nevertheless, these matters do not negate the harm I have identified in terms of the effect of the proposed dwelling on the character and appearance of the area as a whole.
9. I have considered the Inspector's decision regarding the previous scheme at the appeal site¹. The Inspector concluded that the development's scale and siting would appear 'incongruous and out of keeping in this backland location'. My own views are not inconsistent with the previous Inspector's decision.
10. Overall, I conclude that the development would be detrimental to the character and appearance of the area and would conflict with Policies HQ1 and HQ8 of the CBCLP where these policies seek to ensure development responds positively to context and would not be against the pattern and grain of development in the area. It would also conflict with Policy ARL2 of the Arlesey Neighbourhood Plan 2016-2031 made October 2017 which requires development to demonstrate high quality design in keeping with the layout in the area. The development would also conflict with the Framework where it seeks to ensure development is sympathetic to local character and history, including the surrounding built environment.
11. The appellant refers to the Central Bedfordshire Design Guide: A Guide for Designing High Quality New Developments (Design Guide) and I have considered the specific paragraphs referred to. However, the Design Guide seeks to ensure that back-land development does not take place at the expense or loss of the positive aspects of the character of the area as a whole and enhances the existing positive character. For the reasons I have set out, in this respect, I conclude that the proposal would conflict with the Design Guide.

¹ Appeal reference App/P0240/W/19/3239595

Other Matters

12. The dwelling would provide a small but valuable contribution to the supply of housing and would do so by making good use of land within the existing urban area in an accessible location as advocated by the Framework. Although the Council indicates that there is no shortage of housing land supply, the Framework seeks to boost the supply of housing and supports development on suitable windfall sites. However, for the reasons I have set out I do not consider the appeal site to be a suitable site and the contribution to housing supply would be small. I therefore attach limited weight to the social and economic benefits of the provision of a single dwelling at the appeal site.

Conclusion

13. Overall, for the reasons given above, I conclude the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict. Therefore, the appeal is dismissed.

Diane Cragg

INSPECTOR