



Appeal Decision

Site visit made on 8 June 2021 by Darren Ellis MPlan

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 September 2021

Appeal Ref: APP/P0240/D/21/3270490

12 Walnut Close, Blunham, MK44 3NB

- 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 David Brown against the decision of Central Bedfordshire Council.
 - The application Ref CB/21/00096/FULL, dated 11 January 2021, was refused by notice dated 1 March 2021.
 - The development proposed is a conservatory to rear and detached single garage.
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Decision

1. The appeal is allowed and planning permission is granted for a conservatory to the rear and detached single garage at 12 Walnut Close, Blunham MK44 3NB subject to the conditions below:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans in the site location plan project name 09524, document reference 1511/21A dated January 2021, and the drawing named 'Street Scene'.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on the planning application form and the approved plans.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The Central Bedfordshire Local Plan (LP) was adopted in July 2021, after the original application was determined by the Council. The LP has superseded the Core Strategy and Development Management Policies (2009) against which the original application was assessed. The LP now forms part of the development plan, and as such this appeal will be determined in accordance with LP. Both the Council and the appellant have had the opportunity to provide their comments on the relevant policies of the LP and are not therefore prejudiced by my consideration of it.
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4. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework. Accordingly, and in light of the reference made to the previous iteration of the Framework within the submitted evidence, the parties have been provided with a further opportunity to make submissions in respect of the publication. Any comments which have been received have been addressed within the appeal decision.

Main Issue

5. The Council has raised no issue with the proposed conservatory in terms of its design or impact on neighbouring residents and no other objections have been received in respect of that element of the proposal. Having viewed the location and design, I see no reason to take a different position.
6. Consequently, the main issue is the effect of the proposed garage on the character and appearance of the area.

Reasons for the Recommendation

7. The appeal site comprises a detached bungalow, which forms part of a recent extension to Walnut Close, and an associated driveway which is adjacent to the garage to the rear of 10 Walnut Close. Most of the bungalows have garages to the rear, however the appeal property and 14 Walnut Close do not have a garage. The design and layout of this recently built group of bungalows maintains some views of the agricultural land to the north of the properties and overall the street scene has a cohesive and spacious appearance that contributes positively to the character and appearance of the area.
8. The proposed garage would be sited next to and have a similar scale and design to an existing single garage. It would effectively fill in the gap between that garage and another double garage which is situated to the front of 4 Walnut Close. To the front of that garage is a run of what appears to be communal parking spaces. Consequently, the immediate vicinity, at the junction between the original Walnut Close estate and the new development, has a functional appearance, being dominated by existing garages and car parking.
9. The site of the proposed garage would effectively continue the theme and would not look out of place in that context. Its scale, design and roof pitch would complement the adjacent garage serving No 10. Although the garage would reduce the separation between the existing garages, that small gap does not contribute significantly to the open character of the area and it is the degree to which the garages are set back from the carriageway that provides the feeling of a spacious entrance to the new estate. The garage would replicate the building line of the garage serving No 10 and would not unduly impact on the open character of the estate.
10. I understand that the original plans for the new estate included a double garage but this was amended to a single garage serving No 10 at the request of the Council during the application stage. That may be the case but the fact that amendments were secured is not an indication that the proposal would cause harm. I am still required to consider the proposal on its merits.
11. For the reasons given, I am satisfied that the garage would complement the existing character and appearance of the area in terms of its location, design

and scale. As such, the proposal would comply with the aims of Policy HQ1 of the LP, which seeks, amongst other things, to ensure that development is of the highest possible quality and that development proposals relate well to the existing local surroundings.

Other Matters

12. I note that the Council states in their delegated report that proposed garage would have an overbearing impact on the occupiers of No 4 Walnut Close. However, this matter was not cited in the reasons for refusal and no policy conflict was identified. The Council's position is therefore somewhat unclear. However, the garage is separated from the front of No 4 by the front garden of the property. The degree of separation, limited height of the proposed garage and the fact that mature plants occupy the intervening space, is such that the impact would be within acceptable limits.
13. Comments were made to the Council at the application stage from a neighbouring resident regarding potential difficulties in maintaining the side elevation of the existing garage if the new structure was built. It is not clear what private rights of access exist at present. However, such access arrangements are private matters that sit outside the planning system and would not amount to a material planning consideration that would warrant permission being withheld.

Conditions

14. Conditions 1 and 2, as listed above, would ensure the compliance with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004 and specify the plans that are approved and that the development shall be undertaken in accordance with these.
15. In the interests of the character and appearance of the appeal property and the street scene, it is necessary to attach a condition that requires the materials of the external surfaces of the development to match the external materials listed in the planning application form and the submitted drawings.

Conclusion

16. For the reasons given above and having had regard to all other matters raised, I therefore recommend that the appeal is allowed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall allow the appeal and grant planning permission subject to the conditions set out.

Chris Preston

INSPECTOR