



Appeal Decision

Site visit made on 18 October 2021

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2021

Appeal Ref: APP/K0235/W/21/3266773

36 Silver Street, Great Barford, Bedford, Bedfordshire, MK44 3HX.

- 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 J Gill of J C Gill Developments Ltd against the decision of Bedford Borough Council.
 - The application Ref. 20/01948/FUL, dated 1 September 2020, was refused by notice dated 27 October 2020.
 - The development proposed is the erection of a 1-bedroom bungalow and ancillary works.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

Background and policy context

3. The appeal site lies to the rear of 36 Silver Street, which is a detached house facing this main road. The site itself fronts Pym's Close, a cul-de-sac which has the rear access and garages of a long terrace of two storey properties on its northern side and a flatted development of Shelton Court at the eastern end. The site is generally enclosed at the sides and rear by timber fencing and has an overgrown appearance. It is proposed to erect a small single bedroom bungalow and have two off-street parking spaces in a tandem layout.
4. The recent planning history of the appeal site is relevant to this appeal. Appeals were dismissed in 2016 for the erection of a two bedroom bungalow (APP/K0235/W/16/3156401); a 1.5 storey house was dismissed in 2017 (APP/K0235/W/17/3173159); and a building comprising two double garages was dismissed in 2018 (APP/K0235/W/18/3195194). I have had regard to the reasoning set out in these decisions.
5. In each of these recent appeals the inspector concluded that the then proposed building would have a poor visual and spatial relationship with its surroundings and an adverse effect on the character and appearance of the area. Moreover, in the 2016 and 2018 decisions, the bulk and footprint of single storey building proposed was not dissimilar to the present scheme.

6. The appellant says that these appeal decisions were made in a different local and national policy context and I have considered the appeal in relation to the policies within the Bedford Local Plan, as adopted in January 2020, and the 2021 version of the National Planning Policy Framework (the Framework).
7. The relevant Local Plan policies for the proposal are Policy 28S (i) and (ii), Policy 29 (i) and (ii) and Policy 30 (i) and (ii). In summary, these seek to ensure that new development contributes to good place making, has a positive relationship with its surroundings and integrates well with and complements the character of the area; and is of the highest design quality which respects the context of the site.

Effect on Character and appearance

8. The street scene of Pym's Close comprises the rear elevations and garages of two storey properties on the northern edge and the two storey development of Shelton Court on the eastern end. However, in visual terms the appeal site is read in conjunction with the rear gardens of the properties fronting Silver Street, which have a combination of hedges and timber fences along the pavement edge on the southern flank of the road. Although there are other buildings at the western end of the Close these are of a simple ancillary nature to the houses on the return element of the Close. Therefore, the immediate environs of the appeal site are formed by the verdant character of the surrounding rear gardens generally subdivided by fencing, notwithstanding that the appeal site itself has been fenced off at the rear and is presently overgrown.
9. To my mind the small detached single storey dwelling would look cramped in its surroundings and out of place here as it would appear as an intrusive building mass in the context of the generally open neighbouring gardens but it would also appear at odds with the height, mass and design of the two storey development on the opposite side and end of the Close.
10. In assessing the impact of the proposed dwelling, the Council refers to informal guidance in the Design Code N3 of the RENDSID¹ which states that in new development rear garden depths should exceed 13m, whereas the appeal bungalow would be sited between 1m and 2.1m from the rear boundary although the side (main) garden would be 8.7m in width. The appellant suggests that this design guidance relates more to the layout of large scale housing schemes, but I note that this section of the guidance refers to new 'individual dwellings or infill schemes' and this would apply to the appeal proposal. The early adoption of this guidance in 2000 prior to the Framework, and the presumption in favour of sustainable development, reduces the weight that can be given to it, nonetheless, the lack of compliance with the standard gives a further indication of the overall cramped nature of the proposed building on the available site.
11. Overall on this issue I find that the proposed dwelling would appear visually cramped in the immediate surroundings of the site on the southern side of Pym's Close and be visually out of place in the streetscape, and not integrate successfully with it. The proposal conflicts with the policy requirements for new development mentioned in paragraph 7 above.

¹ Residential Extensions, New Dwellings & Small Infill Developments – adopted by the Council in 2000.

Planning balance

12. On the main issue I have found the proposal would harm the character and appearance of the area and would not accord with the relevant policies in the development plan. This constitutes a significant adverse effect but it has to be balanced with the benefits of the development.
13. The proposal would add a single small dwelling to housing supply which the government seeks to boost, however I have no reason to doubt the Council's claim that it can demonstrate a five year supply of new housing land at the moment and the Local Plan is recently adopted. The Framework also indicates that new development should also help make effective use of land, but as set out in paragraph 124 of the Framework this must be balanced with the desirability of maintaining an area's prevailing character. For the reasons given above I find that the proposal would not achieve this nor result in a well-designed place.
14. Overall I find that the other factors that arise do not outweigh the conflict with the development plan and this indicates that the appeal should not be allowed.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

David Murray

INSPECTOR