



Appeal Decision

Site visit made on 25 January 2022

by **P. D. Biggers** BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 February 2022.

Appeal Ref: APP/K0235/D/21/3287026 **2 Tewkesbury Road, Elstow MK42 9GD.**

- 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 Dr Chambers against the decision of Bedford Borough Council.
 - The application 21/01303/FUL, dated 22 April 2021, was refused by notice dated 26 August 2021.
 - The development proposed is converting the garage into habitable space and adding a side extension for a new garage and home office.
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Decision

1. The appeal is dismissed in respect of the side extension.
2. The appeal is allowed and planning permission is granted in respect of the conversion of the garage into habitable living space at 2 Tewkesbury Road, Elstow MK42 9GD in accordance with that part of the application 21/01303/FUL, dated 22 April 2021 relating to the conversion of the garage and the following conditions:
 - 1) The development hereby permitted shall be begun no later than the expiration of 3 years from the date of approval.
 - 2) The development hereby permitted shall be carried out in accordance with the submitted documents and the following approved plans as far as they relate to the conversion of the garage only: Block Plan; 0021-01 Existing Plans; 0021-02 Proposed Plans; 0021-03 Existing Elevations; 0021-04 Proposed Elevations.
 - 3) The materials to be used in the construction of the external surfaces of the garage conversion hereby permitted shall match those used in the existing building.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and its surroundings on Tewkesbury Road and Waltham Drive.

Reasons

4. The appeal property sits on the north side of Tewkesbury Road on a corner plot on the junction of Tewkesbury Road and Waltham Drive. The property, as with most of the others in the vicinity is a large, detached, two storey house built in brick and tile with integral garage and front and rear gardens. As in a number of locations in the estate a grassed and landscaped side garden open to the road lies between the back of footpath line and the current rear garden boundary wall on the west side of the property. Although, this lies within the ownership of the appellant and is private ground it plays a role in the openness of Waltham Drive

and complements the extensive grassed and treed verge between the highway and the footpath.

5. I have been referred to two other extensions in the vicinity which have been granted and which the appellant considers justifies allowing the appeal proposal. Whilst on the site visit I took the opportunity to look at these extensions. With respect to No 6 Tewkesbury Road, the side extension, granted on appeal, is attached to the gable wall of the main house and does not extend in depth in the way proposed at No 2. Regarding No 3 Tewkesbury Road which was permitted recently and not yet built, the plans show that the two storey element of the extension would be restricted to the gable wall of the main house and the single storey extension would be more modest in depth than that proposed at No 2. I do not therefore consider these examples are comparable to the appeal proposal and I will determine it on its own merits.
6. The side extension on the gable end of the house would have a lean-to roof from the main house over the proposed garage but which then would continue virtually the full depth of the rear garden under a double pitched roof. The whole of the side extension extends beyond the building line on Waltham Drive which is established by the gable wall of No 2 and the garage of the dwelling to the north of No 2 on Waltham Drive. It would therefore be prominent and obtrusive in the street scene.
7. The depth of the extension extending approximately 10 metres beyond the rear elevation of the house would be excessive and disproportionate to the main house. Even screened by landscaping as proposed, the positioning of the side extension, almost on the back of footpath line, and, notwithstanding the treed verge to the highway, would have the effect of reducing the sense of openness on this side of Waltham Drive. I have been referred to No 7 Waltham Drive opposite which has a two storey gabled elevation and garden boundary wall on the back of footpath line which the appellant considers has a similar effect to what would be the result at No 2. However, in the case of No 7, this appears to be the original design for the property and the effect of its positioning on the back of footpath line simply reinforces the fact that a similar approach at No 2 Tewkesbury Road would further reduce the open character on this prominent corner.
8. It has been put to me that there is a 'fallback position' which the appellant could carry out without permission and which they consider would result in a similar impact to the proposed side extension – namely the relocation of the boundary wall to the rear garden westwards to the back of footpath line on the highway. I accept this could be done but it could only be rebuilt to a maximum height of 1.8 metres without permission. The height to eaves of the proposed extension would be about 2.5 metres and to ridge on the side extension about 3.4 metres. Therefore, the visual impact of the extension would be significantly greater than a relocated boundary wall. I therefore conclude that the fallback is not relevant.
9. In terms of the proposed garage conversion to habitable space, provided the installation of windows and the new brickwork is carried out in the same materials as the existing house (which can be conditioned), there would be no direct impact on the character and appearance of the house or its surroundings. There would be a loss of garage accommodation for cars but the forecourt to the property could accommodate an additional vehicle and therefore the proposal would not reduce parking beyond the level required for the size of house. The parking of an additional vehicle would have some impact on the appearance of the frontage but not significant as the vehicles would not be a permanent fixture in the street scene. This element of the proposal would therefore not conflict with *Bedford*

Borough Local Plan (BBLP) Policy 31 dealing with the access impacts of development.

10. It is open to me to issue a split decision where different elements of a proposal are not physically or functionally linked and one element is acceptable whilst the other is not. That would be the case here where the garage conversion could take place independently of the side extension without adverse impact on character and appearance or highway safety.
11. The *National Planning Policy Framework* (the Framework) at paragraph 130 requires that developments must be sympathetic to local character to create high quality buildings and spaces amongst other things and at paragraph 134 that development that is not well designed should be refused. Policies 28S and 29 of the *Bedford Borough Local Plan* (BBLP), on place making and design quality respectively, reflect the Framework in requiring high quality design that integrates with and complements the character of the area and takes opportunities to enhance that character. In addition, BBLP Policy 30 in requiring development to be designed to contribute to townscape and landscape qualities and to be compatible with the scale, massing, height, layout and materials of the context in which it sits is also consistent with the Framework. The Council, in order to assist householders in designing extensions and alterations has prepared the *Residential Extensions New Dwellings and Small Infill Developments Supplementary Planning Document* (RENSID). The RENSID stresses in Extensions Design Code No 3 the importance of space around buildings when designing extensions and I am not satisfied that due regard has been paid to this aspect in designing the appeal proposal.
12. For the reasons above the proposed side extension to the property as a result of its positioning and excessive length would be disproportionate to the scale and form of the original building and detrimental to its character and appearance as well as detrimental to the open character of Waltham Drive. Rather than enhance the character of the estate at this point the proposed side extension would conflict with the objectives of BBLP Policies 28S, 29 and 30 and the RENSID guidance.
13. However, as set out above, whilst I will dismiss the appeal in respect of the proposed side extension I will allow the conversion of the garage and grant permission for that element.

Other Matters

14. I understand the appellant's wish to achieve additional family accommodation and private home work space through the conversion and side extension and in that way make sustainable and effective use of housing land, an objective which is encouraged by the Framework in Section 11. However, paragraph 124 in the same section of the Framework states that this should not be at the expense of maintaining an area's prevailing character and setting. As such, sustainable and effective use of the dwelling to create workspace in a side extension would not outweigh the harm to the character and appearance of the original dwelling and Tewkesbury Road and Waltham Drive as a result of the proposal.

Conclusion

15. In reaching my decision I have had regard to the matters before me and, for the reasons above, the appeal in respect of the side extension should be dismissed but allowed in respect of the garage conversion and planning permission granted.

P. D. Biggers

INSPECTOR