



Appeal Decision

Site visit made on 3 February 2022

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23RD February 2022

Appeal Ref: APP/P0240/W/21/3280725

16 Snow Hill, Maulden, BEDFORD, MK45 2BN

- 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 Jamie Nicholas against the decision of Central Bedfordshire Council.
 - The application Ref CB/21/01048/FULL, dated 8 March 2021, was refused by notice dated 27 May 2021.
 - The development proposed is the erection of a detached bungalow.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed bungalow on the character and appearance of the area around Snow Hill.

Reasons

3. The appeal site comprises a small parcel of land to the rear of No 16 Snow Hill. No 16 is a semi-detached house situated on the northern side of the road. There is a narrow, largely unsurfaced lane to the side of the house that provides access to land at the rear of Nos 6 - 16 Snow Hill. The lane separates the small enclosed rear gardens of the houses on its south side from amenity/parking areas associated with each house on its north side. The plot for the proposed bungalow currently forms an amenity/parking area for No 16.
4. The proposed bungalow would be a small, one bedroom/one person dwelling measuring some 7.5 metres in depth by 6 metres in width and 3.9 metres in height. It would have a pitched roof. There would be a parking space to the side for one car and a small garden to the rear. The site currently benefits from a planning permission for the erection of a detached double garage, on the same footprint as the proposed bungalow but with a flat roof and an overall height of a little under 2.5 metres.
5. Policy HQ1 of the Council's recently adopted Local Plan: 2015-2035 (LP) indicates that the Council will ensure that all developments are of the highest possible quality and respond positively to their context. Development proposals will be permitted where they take account of opportunities to enhance or reinforce the local distinctiveness of the area and create a sense of place and where the size, scale, massing, orientation, materials and appearance relate well to the existing local surroundings and reinforce local distinctiveness.

6. Policy HQ8 of the LP indicates that proposals for the development of back-land sites will be resisted where they are against the existing pattern and grain of development and the character and appearance of the area would be harmed. Proposals will be expected to secure high-quality design.
7. The Council contends that the proposed development is of a siting, size, scale, form and design which would result in a cramped form of back-land development, out of keeping with and harmful to the spacious character of the site and the pattern and grain of development in the surroundings.
8. The appellant contends that the proposed bungalow would not be significantly bigger than the previously approved double garage on the same footprint; that the appeal site is separated from the curtilage of No 16 by an access lane; that the site does not represent back-land; that it would not conflict with the pattern and grain of development in the surrounding area; and that there are other examples within the District of residential development that has been permitted on land to the rear of properties that have a road frontage.
9. That part of Snow Hill in which the appeal property is situated is a continuation west from Ampthill Road. Beyond No 16, the road turns sharply north to become a quieter residential road. Nos 6 -16 form a row of identical semi-detached pairs of houses with hipped roofs, following a common building line. The dwellings from No 18 onwards, on the eastern side of Snow Hill, are a mix of detached and semi-detached houses and bungalows, that also initially follow a largely common building line. The character and appearance of the area surrounding the appeal site is, therefore, of dwellings of similar scale, design and materials, fronting Snow Hill with established building lines, and thereby creating a prevailing pattern and grain of development.
10. To the west and north of the appeal site are the rear gardens of Nos 18 and 20 Snow Hill. To the east are the amenity/parking areas serving Nos 6 – 14 Snow Hill, and to the south is the access lane and the rear garden of No 16. All of the amenity areas to the north of the access lane are used for a combination of uses, including small garden sheds/greenhouses, outbuildings, parking and general amenity space. At the time of my visit, the appeal site appeared to be in use for the parking of up to two vehicles and as a garden/play area. Although these areas are separated physically from the enclosed rear gardens of the dwellings, they retain something of a functional link to the host curtilages and have a generally open feel.
11. I acknowledge that the appeal site has permission for a double garage on a footprint the same as that proposed for the bungalow. However, with regard to development of a garage, the rest of the land would remain as amenity space for No 16, in common with all of the other areas to the rear of Nos 6 -16. The development of the bungalow would result in the creation of a new, somewhat cramped residential plot, and the dwelling itself would be 1.5 metres higher with a pitched roof, front door and window that would mark it out visually from the road as a separate residential property. Whilst the difference visually would be small, and only viewed from a narrow area of road frontage, nevertheless, it would appear incongruous in the context of the surrounding houses. Moreover, it would be a dwelling on an uncharacteristically small plot at the rear of those surrounding houses, out of context with the pattern and grain of development established by the properties fronting Snow Hill.

12. The background and justification for Policy HQ8 of the LP notes that back-land development refers to the development of land which sits behind the existing building line with little or no frontage onto the public highway, for example residential gardens. The Council does not object to all back-land development, but it must be ensured that it is well designed, suitable to the existing character and context, and would not have a detrimental impact on the character of the area or depart significantly from the grain of development. In this case, the proposed bungalow would sit behind the building line with no direct frontage to Snow Hill. I do not consider that it would be sympathetic, or respond positively, to the existing character and context of its immediate surroundings, and it would depart from the grain of development.
13. I note the examples of recently permitted developments referred to by the appellant, including that of the small residential complex at No 1 Snow Hill opposite. However, these represent different contexts, and the site opposite is apparently the redevelopment of a demolished public house with a planned group of dwellings on the whole site. I do not consider this, or the other examples, to be precedents for the current proposal in this particular situation. In addition, whilst every proposal must be assessed on its own merits, to allow this development could encourage the submission of further similar proposals which would be progressively more difficult for the Council to resist and which could cause cumulative harm to the character of the area.

Other Matter

14. The Council has indicated that the submitted plans show a one-bedroom bungalow with a bedroom that meets the National standard size for a single-bedroom, but that a double bed symbol is used within that bedroom on the floor plans. However, all of the plans, along with the planning statement, note that the proposal is for a one-bedroom/one-person dwelling, and I accept that this is what is intended. In any event, I do not consider it relevant in this case what specific type of bed the occupier decides to put in the room.

Conclusion

15. In conclusion, I find that the proposed bungalow would represent a cramped development on a back-land site. It would not relate well to its surroundings and would not respect the established grain and pattern of development around this part of Snow Hill. On this basis, I find that it would be harmful to the character and appearance of Snow Hill, and would conflict with Policies HQ1 and HQ8 of the LP. Accordingly, I dismiss the appeal.

J D Westbrook

INSPECTOR