



Appeal Decision

Site visit made on 17 February 2022

by L Douglas BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th March 2022

Appeal Ref: APP/P0240/W/21/3278885

Land to the rear of 48-52 Lawrence Road, Biggleswade SG18 0LS

- 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 and Mrs G Tyrer against the decision of Central Bedfordshire Council.
 - The application Ref CB/21/00899/FULL, dated 1 March 2021, was refused by notice dated 27 April 2021.
 - The development proposed is 'Construction of new residential house, formation of access, parking, turning and garden areas'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council has adopted the Central Bedfordshire Council Local Plan 2015-2035 (2021) (the LP) since the date of its decision. The Council has advised that Policy HQ1 of the LP supersedes Policy DM3 of the Core Strategy and Development Management Policies (2009), referred to in its decision notice. The appellant had an opportunity to comment in this regard and confirmed that they did not disagree. I have therefore considered the proposed development against the LP.

Main Issue

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

Reasons

4. The appeal site is a vacant overgrown plot of land to the rear of short rows of terraced housing along Lawrence Road, most of which have long narrow rear gardens. Small bungalows and larger buildings associated with a children's home and schools are located to the south and east of the appeal site, on Lawnside. The surrounding area is therefore mainly residential in character with a mix of architectural styles and layouts.
5. Even in the context of the mixed building styles seen locally, the proposed dwelling would appear as an odd and poorly designed addition to the area on account of its contrived form and design, which would include a thin two storey side extension with shallow pitched roof. Its overall scale, as a detached two storey building covering almost the full width of the plot, would be excessive and disproportionate to the site, which would appear unduly cramped to the rear of terraced housing.

6. Although the proposed dwelling would be of similar scale to buildings on Lawrence Road, its position at the end of the rear gardens serving those buildings mean it would be seen as a prominent and unsympathetic form of development. Its two storey height amongst narrow residential gardens, and adjacent to the single storey buildings on Lawnside, would not relate well to its surroundings.
7. I note planning permission exists for a bungalow at the appeal site, which would have a lower height and would be more sympathetic in terms of scale to the appeal site's surroundings. I am not convinced that the slightly deeper garden and increased space around the proposed dwelling in comparison to the bungalow scheme would create a more attractive or appropriately designed dwelling for this location.
8. The proposed development would therefore harm the character and appearance of the area on account of its scale, form and design, contrary to Policy HQ1 of the LP and the Central Bedfordshire Design Guide (2014). These seek to ensure developments are of the highest possible quality and respond positively to their context, with their scale relating well to local surroundings, amongst other things.

Other Matters

9. The appellant has claimed that Paragraph 11 of the National Planning Policy Framework (the Framework) advises that planning permission should be granted in this case unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. However, that would only be the case where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date. I have found conflict with the LP and there is no evidence to suggest it is out of date, including through the lack of a five year housing land supply. As such, Paragraph 11(d)(ii) of the Framework is not engaged.
10. The provision of a single dwelling towards the Council's housing supply would be a modest benefit, as would the economic benefits during its construction and beyond. The Framework supports the use of windfall sites to provide housing within existing settlements and the development of under-utilised land. The appeal site is in a sustainable location, but the Framework also advises that good design is a key aspect of sustainable development. I have found that the proposal would not comprise good design, and as such it would not constitute sustainable development and would not accord with the Framework as a whole. The modest benefits of the proposal would not outweigh the harm I have identified.

Conclusion

11. The proposal would harm the character and appearance of the area in conflict with the development plan. There are no material considerations that indicate my decision should be made other than in accordance with the development plan. Therefore, I conclude that the appeal should be dismissed.

L Douglas

INSPECTOR