



Appeal Decision

Site visit made on 7 March 2022

by K Winnard LL.B Hons

an Inspector appointed by the Secretary of State

Decision date: 30 March 2022

Appeal Ref: APP/P2040/D/22/3291044

44 Redwood Glade Leighton Buzzard Bedfordshire LU7 3JT

- 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 Stephen Light against the decision of Central Bedfordshire Council.
 - The application Ref CB/21/04945/FULL, dated 3 November 2021, was refused by notice dated 4 January 2022.
 - The development proposed is a first floor side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension at 44 Redwood Glade Leighton Buzzard Bedfordshire LU7 3JT in accordance with the terms of the application, Ref CB/21/04945/FULL, dated 3 November 2021 and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2021/0905/01, 2021/01905/02, 2021/0905/03, 2021/0905/04, 2021/0905/05 and CBC-001.
 - 3) All external works hereby permitted shall be carried out in materials to match as closely as possible in colour, type and texture, those of the existing building.
 - 4) The facilitation pruning works to Tree 1 (Silver Birch) (as referred to in the arboricultural report of RGS Arboricultural Consultants dated October 2021) shall be carried out in accordance with British Standard BS3998 (2010) 'Tree Work- Recommendations' (or an equivalent British Standard if replaced).
 - 5) The tree protection fencing shown on the plan in Appendix 3 of the arboricultural report of RGS Arboricultural Consultants dated October 2021 shall be erected in accordance with the details contained in the afore mentioned report before any equipment, machinery or materials are brought onto the site for the purposes of the development. The fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas

shall not be altered, or any excavation be made, without the prior written consent of the local planning authority.

Main Issue

2. The main issue in this appeal is the effect of the development on the character and appearance of the host dwelling and the area with particular reference to its impact on protected trees.

Reasons

3. The appeal property is a large 2 storey detached dwelling on a loop road estate with similar dwellings located in a woodland setting. Some of the dwellings have been extended in a similar way to that proposed. The estate has an open, verdant and spacious character enhanced by the presence of mature trees in the gardens of the dwellings.
4. By not providing a set back from the main front elevation and a set down from the main ridge line the proposed extension would not meet the recommendations as set out in the Central Bedfordshire Design Guide (Design Guide). However, the Design Guide indicates that extensions should not dominate the existing dwelling and recognises in relation to side extensions to detached dwellings that there is greater flexibility in their design. Whilst the design features recommended within the Design Guide have not been provided, they are not a common feature in the characteristics of the dwellings on Redwood Glade.
5. The roof line of the proposed extension together with that of the existing building would be substantial as a result of the proposal however it would not unnecessarily harm the integrity of the host dwelling or the area. The host dwelling has a strong linear form, and the proposed extension would be sympathetic to the architecture of the dwelling and appropriate to the size of the plot. The design would reflect that of other dwellings on the estate and as such would not appear at odds with them. Nor would it create a terracing effect given the spaciousness between the appeal property and its neighbouring dwelling. Accordingly, the proposed extension would not result in unacceptable harm to the character and appearance of the host property and the area as a whole.
6. The nearest protected tree to the proposal is a Silver Birch, specified as T1, within the report prepared by the appellant's arboricultural adviser, which is within the garden of the adjacent dwelling, 54 Redwood Glade. The proposed extension would be built over the existing garage so no groundworks impacting on the tree would be involved. Some pruning works would be required to facilitate the proposed development. These works would be of a minor scale such that they would not prejudice the integrity of the tree or significantly affect its appearance or contribution to the wider area.
7. The Council's principal concern is the likely effect of the extension on the tree resulting in pressure for further future applications to prune it. I acknowledge the potential for such pressure to occur especially in relation to potential nuisances, overhanging and light. However, the appellant's arboricultural adviser indicates that future growth potential will be minimal. The proposed bedroom would benefit from dual aspects through windows to the front and rear of the dwelling. Further, levels of daylight are less imperative for a

bedroom where there is less occupation during daylight hours than for a living area. Nor is there any indication that the tree's deposits would cause a continual nuisance requiring more frequent maintenance of the appeal property as a result of the proposal. In the circumstances, I am not persuaded that the living conditions in the proposed extension would be significantly any different than those in the existing dwelling. Therefore, any increased pressure for significant future works beyond those necessary in conjunction with good management practice would be unlikely to occur.

8. Therefore, I conclude that the proposal would not result in unacceptable harm to the character and appearance of the host property and the area. Nor would it have an unacceptable impact on the relationship between the treescape character of the area and the impacted tree. Accordingly, the proposal would be in accordance with Policies HQ1 of the Central Bedfordshire Local Plan 2015-2035 (LP) which requires development to be of a size and scale to relate well to existing local surroundings and reinforce local distinctiveness. Nor would it conflict with Policy EE4 of the LP which requires development to ensure that existing trees are within a suitable landscape setting to ensure longevity. It would also be in accordance with the overall objectives of the Design Guide which provides that the success of an extension is determined by the style, character and appearance of the existing property and where there is greater flexibility for extensions to detached properties.

Conditions

9. I have imposed conditions in respect of timescales and approved plans as these are necessary to provide certainty. Conditions regarding the materials to be used are necessary to ensure that the appearance of the development is satisfactory. Conditions relating to the proposed pruning works, and for tree protection measures are also necessary.

Conclusion

10. For the reasons given above and having regard to all matters raised, the appeal is allowed as set out in the formal decision above.

K Winnard

INSPECTOR