



Appeal Decision

Site visit made on 11 May 2022

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th May 2022

Appeal Ref: APP/K0235/D/22/3295030
60 Hamble Road, Bedford MK41 7XW

- 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 Chana against the decision of Bedford Borough Council.
 - The application Ref 21/02782/FUL, dated 12 October 2021, was refused by notice dated 11 January 2022.
 - The development proposed is a double storey rear extension, a single storey side extension and a first floor side extension over the garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - The character and appearance of the area;
 - The living conditions of adjacent occupiers, with particular regards to the outlook from, and loss of light to, 58 Hamble Road; and
 - The safety and convenience of highway users.

Reasons

Character and appearance

3. The houses along this part of Hamble Road are typically detached or linked by single storey sections. Many are arranged in straight rows, in contrast to the curving road, with some therefore closer to the highway than others. Nevertheless, the houses are mostly set well back from the pavements, thus giving the area a fairly spacious character.
4. The host property occupies a large and prominent corner plot on the outside of a bend at the junction with a short cul-de-sac. The front corner of the proposed single storey extension would virtually abut the pavement, with its long side face angled away from it. As a result, in this highly visible location in the streetscene, it would significantly diminish the area's characteristic sense of spaciousness.

5. That impact would be exacerbated by the proposed first floor and two storey side extension which would be located within about 1 metre of the plot's northern boundary. That would be contrary to the advice at Design Code E3 of the Council's Residential Extensions, New Dwellings and Small Infill Developments Supplementary Design Guidance 2000 ('SDG') which, having regard to the character of the streetscene, normally requires a two storey extension to be at least 1.5 metres from any side boundary.
6. Although the adjacent property at 58 Hamble Road ('No 58') has had a first floor side extension which is close to the boundary with the appeal site, I understand that that was granted prior to the adoption of the SDG, and its presence contributes to my concerns regarding this scheme's impact on the area's overall character.
7. Whilst I observed garages close, or adjacent, to the highway at 63 and 67 Hamble Road, as they are detached structures their impact on the streetscene is significantly less than the overall impact of this scheme; and they do not diminish the area's spaciousness to the same degree as this scheme would. Additionally, the houses on those plots, and the extended dwelling at 72 Hamble Road, are set further back from the highway than this house would be.
8. For the above reasons the proposed extensions would significantly harm the character and appearance of the area. The scheme would therefore conflict with Policies 28S, 29 and 30 of the Bedford Borough Local Plan 2030 (adopted 2020) ('LP') which in general terms, and amongst other things, require development to promote local distinctiveness and to complement the character of the area. Whilst the basic shape of the extensions would satisfy Design Code E1 of the SDG, they would conflict with its stance at E3 regarding the space around buildings.

Living conditions

9. No 58 is set slightly in from the side boundary and has two windows and a door at ground floor facing the site. However, one of those windows is small and obscurely glazed, whilst the other is a secondary window serving a habitable space which has its main outlook towards that property's large rear garden.
10. Consequently, the proposed first floor and two storey side extension, which would also be set in slightly from the boundary, would not have a significant overbearing impact on those occupiers. For similar reasons, and from the evidence before me, notwithstanding No 58's south-facing side elevation, it would not cause them a significant loss of light.
11. On this issue the scheme would not therefore conflict with those parts of LP Policy 32 which seek to prevent disturbance to neighbours, nor with the SDG's Design Codes E6 and E7 which require consideration of the light impact of extensions and whether they would be overbearing. LP Policy 30 is of limited relevance on these specific matters.

Safety and convenience of highway users

12. The proposed single storey side extension is depicted on the drawings as a garage space, although the appellants state that it would be used for storage. Additionally, although not shown on the drawings, they state that a low brick wall would be built along the property's frontage.

13. Should the extension be so occupied, or the wall built as suggested, the Council's concerns regarding cars reversing over the pavement onto the carriageway to access the garage would be addressed. As such, there would be no conflict with LP Policies 29 and 31 which require functional needs, such as car parking, to be provided and appropriately integrated. In any event, given my findings on the first main issue, this matter has not been determinative in this appeal.

Other matters

14. I have noted the appellants' dissatisfaction with the Council's handling of their application. However, I have dealt with the scheme on its planning merits.

Conclusions

15. For the above reasons, the scheme would not impact adjacent occupiers' living conditions to a harmful degree, and subject to the appellants' proposed modifications, I am not persuaded that it would cause significant harm to the safety and convenience of highway users.
16. However, it would significantly harm the character and appearance of the area. As a result, it would conflict with the development plan and, having regard to all other matters raised, the appeal is therefore dismissed.

Chris Couper

INSPECTOR