



Appeal Decision

Site visit made on 7 July 2022

by Nichola Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26TH July 2022

Appeal Ref: APP/K0235/D/22/3299113

34 The Buntings, Bedford MK41 7LA

- 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 M Ali against the decision of Bedford Borough Council.
 - The application Ref 22/00802/FUL, dated 2 April 2022, was refused by notice dated 11 May 2022.
 - The development proposed is a two storey side/rear extension with single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side/rear extension with single storey rear extension at 34 The Buntings, Bedford, MK41 7LA in accordance with the terms of the application, Ref 22/00802/FUL, dated 2 April 2022, 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: A21-28-2.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed side extension on the character and appearance of the area.

Reasons

3. The appeal property is a two storey semi-detached dwelling with an attached garage to the side. The appeal property comprises one in a row of similar properties, and the large, regular gaps between dwellings contribute to the spacious character of this part of the street. Within this row of similar dwellings there are no extensions to the side elevation, except for 30 The Buntings, which has been extended at two storeys to the side.
4. Design Code E3 of the Council's adopted Residential Extensions, New Dwellings and Small Infill Developments Supplementary Design Guidance (2000) (SDG) states that 'in tightly developed areas with minimal gaps between the sides of houses two storey side extensions should be at least 1.5 metres away from any side boundary'. The SDG also states that in areas where existing properties are widely spaced the distance of extensions from the boundary should be

increased to reflect the character of the area. The proposed two storey extension would be located approximately 1 metre from the site boundary and the proposal therefore falls short of the separation distance sought by Design Code E3 of the SDG. The Council consider that the recommended separation from the boundary should be increased to reflect the widely spaced character of the area.

5. The extension would be set back at first floor level with a lower ridge height than the host dwelling. The extension would appear subservient and would not dominate the host dwelling or create a cramped or overdeveloped appearance. A clear design break would remain between the appeal property and the neighbouring dwelling. The extension would not close the characteristic gap between the dwellings or create a terrace with the neighbouring property. I note that 30 The Buntings has a similar relationship to the neighbouring property and has been extended at two storeys to the side elevation. I find that this extension does not adversely affect the spacious character of the area and the dwellings remain widely spaced. Consequently, I find that the spaciousness between the dwellings would be retained. Furthermore, I consider it unnecessary to retain a larger gap to the site boundary to reflect the character of the area.
6. An appeal at the same property for a two-storey side/rear extension with single storey rear extension was dismissed in 2022 (ref APP/K0235/D/22/3290142). The appellant has sought to address the issues raised by the Inspector by setting the whole side extension in 1 metre from the boundary. I find that the amendments to the design have overcome the harm identified by the Inspector. Consequently, the proposed extension does not result in the same effect on the character and appearance of the area.
7. On balance I conclude that, despite the small shortfall in respect of the Council's preferred separation distance from the boundary, the proposed two storey side extension would not have an unacceptable impact on the character and appearance of the area. Therefore, although there would be a conflict with Design Code E3 of the SDG, the proposal would comply with those aims of Policies 29 and 30 of the Bedford Borough Local Plan (2020) which seek development of the highest design quality which contributes positively to the area's character and identity.

Conditions

8. In addition to the standard implementation condition, it is necessary, in the interests of precision, to define the plans with which the scheme should accord. In the interests of the character and appearance of the area, a condition is also necessary requiring external materials used in the construction of the proposed extension to match the existing dwelling.

Conclusion

9. For the reasons set out above, the appeal is allowed.

Nichola Robinson

INSPECTOR