

Appeal Decision

Site visit made on 20 September 2022

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th October 2022

Appeal Ref: APP/K0235/D/22/3303766

201 High Street, Clapham, Bedford, Bedfordshire MK41 6AJ

- 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 N Briggs against the decision of Bedford Borough Council.
 - The application Ref 22/00624/FUL, dated 18 March 2022, was refused by notice dated 3 May 2022.
 - The development proposed is a detached garage with hobby room over, following demolition of existing garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on the character and appearance of the area; and the effect on the living conditions of neighbouring residents with regard to outlook.

Reasons

3. The proposal is for a large garage with accommodation above in the rear garden of this property. It would be a substantial building and its eastern elevation would have the appearance of a dwelling rather than a garage. However, it would have limited wider prominence and its domestic appearance would not be out of keeping in this residential area. I do not find conflict with the design requirements of Policy 28S or Policy 30 of the Bedford Borough Local Plan 2030 (LP). I also do not find conflict with LP Policy 32 which relates to disturbance and pollution impacts.
 4. The new building would replace an existing large garage but would extend the footprint closer to the boundary with 203 High Street. Given the proposed use however, there is no objection to the principle of a replacement building. The proposal would however be significantly higher and would be situated close to both the side and rear boundaries.
 5. With regard to 203 High Street, the proposal would be screened, to a large extent, from the rear facing rooms of that property by the buildings within that garden. Being to the south, it would not significantly reduce sunlight to the rooms of the house as the sun would be at its highest point at this time. It
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would however create shade within the rear part of the garden of the neighbouring property during the mornings and it would represent a dominating structure given its considerable height and position close to the side boundary. The neighbouring residents have their main outdoor seating area close to the rear of their house and the proposal would have only a limited impact on this particular area. However, when in the rear of their garden and in their seating area close to the boundary, the proposed roof form would be extremely dominant and would be unacceptably overbearing.

6. To the rear, the residential park home at 100 Folly Park is located close to the boundary. It has windows and a door in the closest elevation. It has its main aspect to the west and east and the larger parts of its garden are also to the east. The relatively narrow space to the north, adjacent to the appeal property, is of limited size and appears to have less functional use than the areas to the three remaining sides. The high, end gable of the proposal would however entirely dominate the adjacent plot. I find that the height and proximity of the structure would be entirely overbearing for those residents. It would in this respect represent poor design given the lack of consideration for the living conditions of the adjoining residents.
7. The proposal would unacceptably harm the living conditions of the residents of both 203 High Street and 100 Folly Park due to the loss of outlook that would result if this overbearing structure were to be built. It would also increase shading within the rear garden of number 203. It would therefore conflict with Policy 29(ii) as it would fail to respect the context within which it sits. It would also conflict with the *National Planning Policy Framework* which requires that developments achieve a high standard of amenity.
8. In conclusion, whilst the proposal would not harm the character of the area, it would be unacceptably overbearing and intrusive for the neighbouring residents. Whilst I have had regard to the information put forward by the appellant and I note the lack of objection from 100 Folly Park, I do not find that there are any matters that outweigh my concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR