



Appeal Decision

Site visit made on 24 October 2022

by K Winnard LL.B (Hons) Solicitor

an Inspector appointed by the Secretary of State

Decision date: 7th November 2022

Appeal Ref: APP/K0235/D/22/3305715

50 Carnoustie Drive Great Denham Bedford MK40 4FF

- 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 Andrew Murphy against the decision of Bedford Borough Council.
 - The application Ref 22/00825/FUL, dated 1 April 2022, was refused by notice dated 1 June 2022.
 - The development proposed is a single storey rear extension to existing garage to form gym and spa.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council amended the description of the development and I note that the applicant's agent has also utilised this description on the appeal form. I have used the Council's description as this provides a more accurate description of the development.

Main Issues

3. The main issue in this appeal is the effect of the proposed development (i) on the character and appearance of the area and (ii) the living conditions of the occupiers of No 48 Carnoustie Drive (No 48) with reference to outlook and any overbearing impact.

Reasons

Character and appearance

4. The appeal property, 50 Carnoustie Drive, (No 50) is situated in a residential development where the predominant form is of large detached dwellings with associated garages set in a spacious plots. There is a footpath adjoining an area of open space which runs parallel to the rear of the dwellings sited on this part of Carnoustie Drive. The double garage proposed to be extended is a substantial building set back from the road close to the side boundary of No 48. The design of the garage extension would, in line with the Council's 'Residential Extensions, New Dwellings and Small Infill Developments' Supplementary Design Guidance (RENDSID), mirror the existing high pitched roof and would

match the character of the existing garage and house. However, the length of the extension, running to a point near the rear boundary fence, would more than double the size of the existing garage. This together with its height would add considerable bulk to what is already a sizeable building. Due to it being to the rear of the garage, it would not be particularly prominent in views from Carnoustie Drive. However it would be clearly visible from the footpath to the rear of the dwellings. It would introduce a bulk form of development in this location which would draw the eye to users of the footpath in what is otherwise a verdant open aspect. As such it would cause unacceptable harm to the character and appearance of the area.

5. On this point, I therefore conclude that the development would cause harm to the character and appearance of the area. As such the development would not be in accordance with Policies 28S, 29 and 30 of the Bedford Borough Local Plan 2030 (Local Plan). Together these policies require, amongst other things, development to be in keeping with the scale and character of the area and the site's wider setting and location.

Living conditions

6. The double garage is sited adjacent to the high timber boundary fence between Nos 48 and 50. Although the roof of the proposed extension would be pitched and would slope away from the boundary, the overall height and length of the extension would be substantial. Because of the bulk and closeness to the boundary fence with No 48, the overall impact of the proposal would have an overbearing and domineering effect for the occupiers of No 48. As such it would fail to safeguard the amenities of the occupiers of No 48.
7. Whilst the Council refers to shadowing of the garden from mid to late afternoon as a result of the proposal, I note that the rear gardens of Nos 48 and 50 in any event predominantly face north. In this respect any overshadowing caused by the proposed extension would be minimal in my view and as noted by the appellant's agent, limited to a small part of the mornings. Consequently I do not consider that the proposal would result in an undue loss of sunlight or daylight. Rather it is the height and mass of built form close to the boundary fence which would create the harmful effects in this case.
8. I appreciate that in designing the proposed extension, the appellant has sought to have regard to guidance within the Design Code to RENDSID in relation to amongst other matters, shape and scale, character, space, privacy and daylight and sunlight. Nonetheless at Design Code E7, guidance is also given that the scale, massing and proximity of extensions should avoid an overbearing effect on another property. It indicates that if so, the design will not be acceptable even if it complies with other criteria within the Design Code. This is also confirmed in the supporting text to the Design Code where each scheme needs to be judged on its own individual circumstances. Given my conclusions as to the harmful effects in this instance the design as proposed would not accord with the RENDSID guidance as a whole.
9. The appellant's agent also points to other significant large extensions elsewhere on Carnoustie Drive close to neighbouring properties. Whilst I noted these extensions on my site visit, I am not aware of the particular circumstances of these cases. However the relationship, plot sizes and juxtapositioning of these properties to their neighbouring properties is such

that direct parallels to the appeal scheme are not easily drawn. In any event I must determine the current appeal on its own merits.

10. Therefore I conclude that the proposal would cause unacceptable harm to the living conditions of the occupiers of No 48. As such the proposal would not be in accordance with Policy 32 of the Local Plan which requires development proposals to minimise and take account of the effects on neighbours.

Conclusion

11. For the reasons given and having regard to all matters raised, I hereby dismiss the appeal.

K Winnard

INSPECTOR