



Appeal Decision

Site visit made on 29 November 2022

by A Berry MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 December 2022

Appeal Ref: APP/K0235/W/22/3298652

18 West End, Stevington MK43 7QU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Dr Canavan against Bedford Borough Council.
 - The application Ref 21/02026/FUL, is dated 19 July 2021.
 - The development proposed is the demolition of a 1950's rear extension and the erection of one and two storey extensions.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Following the submission of the appeal against non-determination, the Council has clarified the position it would have taken on the application if it had had the opportunity to make the decision. The appellant has had the opportunity to comment on this information and has therefore not been prejudiced. I have therefore determined the appeal on this basis.

Main Issues

3. The main issues are the effect of the proposed development on:
 - the effect of the proposed development on the character and appearance of the surrounding area;
 - the living conditions of the occupiers of neighbouring properties, with particular reference to outlook; and
 - highway safety.

Reasons

Character and Appearance

4. The dwelling comprises a two-storey, stone-built cottage with accommodation in the roofspace. It formerly comprised the end terrace of three dwellings, but the attached two cottages have been converted into one dwelling. The original dwelling has been extended to the rear with a single storey red/brown brick extension and a lean-to conservatory. The appeal site is located within a small cluster of buildings that are positioned either side of West End that are mixed in their age, character, appearance and proximity to the road.

5. It is proposed to demolish the existing single storey rear extensions and erect a part two-storey, part single storey extension to the side and rear. The mix of roof shapes and how they tie into one another as well as into the original roof of the dwelling, results in a haphazard arrangement that is unsympathetic and does not integrate well with the dwelling's character or appearance. The first floor extension, with the same eaves height as the original dwelling and a rear facing gable, results in a dominant and disproportionate addition. The scale of the proposed extension, occupying the full width of the plot with a significant depth, would be disproportionate to, and dominate, the dwelling.
6. The proposed extension would be visible in the gap between the appeal site and 16 West End. Design Code E3 of the "Design Guidance: Residential Extensions, New Dwellings, and Small Infill Developments", adopted 2000 (DG) requires extensions to maintain a 1.5 metre gap to the side boundaries. The proposed extension would not comply with requirement, however, due to the extension's set back from the front elevation and the gap that would be maintained between the proposal and No 16, it would not appear cramped.
7. Glimpses of the proposed development would be visible in views along West End due to its height and projection. However, it would be to a limited degree due to the siting and scale of existing dwellings. I have limited evidence in respect of the presence of a path to the rear of the appeal site and whether it is part of the public realm, or the presence of a public footpath. Therefore, I am unable to ascertain whether the proposed development would be visible in public vantage points to the rear of the appeal site.
8. The exterior walls of the proposed extensions would be constructed of buff brick. Concern has been raised that the material would not reflect the character or appearance of the existing dwelling or the surrounding area. The dwellings in the cluster of development consist of a mix of materials with the adjacent dormer bungalow (22A West End) partially constructed of buff brick. Providing the colour of the brick suitably matched the colour of the existing stonework (which could be conditioned accordingly), the use of buff brick would not unduly affect the character or appearance of the existing dwelling or the surrounding area.
9. In reference to the first main issue, the proposed development would have a detrimental effect on the character and appearance of the surrounding area, contrary to Policies 29 and 30 of the Bedford Borough Council Local Plan 2030: Planning for the Future, adopted 2020 (LP). These policies seek to ensure that, amongst other things, developments be of the highest design quality and contribute positively to the area's character and identity. The proposed development would also be contrary to the DG.

Living Conditions of Occupiers of Neighbouring Properties

10. The proposed two-storey extension would have a similar depth as the original rear elevation of 16 West End and the proposed single storey rear/side extension would have a similar depth as No 16's rear conservatory. For these reasons, the proposed extension would not adversely affect the outlook from the rear windows or rear outdoor amenity space of No 16.
11. 22 West End is attached to the host dwelling and has not been extended to the rear. The patio area for this property is positioned immediately to the rear of the property. The proposed two-storey extension would be sited closer to the

shared boundary than the existing pitched roof single storey extension with an eaves height that would match the host dwelling. The proposed single storey extension adjacent to No 22 would have a flat roof with a greater height than the conservatory it would replace and would be visible above the height of the existing boundary treatment. The depth of the proposed rear extensions, together with their proximity to the shared boundary, their height and massing, would significantly enclose the rear patio area of No 22, resulting in an overbearing effect.

12. In reference to the second main issue, the proposed development would adversely affect the living conditions of the occupiers of 22 West End by virtue of a loss of outlook. The proposed development fails to comply with Policy 32 of the Local Plan which, amongst other things, seeks to ensure that particular attention is given to factors that might give rise to disturbance to neighbours and the surrounding community. It would also be contrary to the DG.

Highway Safety

13. The existing dwelling has a driveway to the side that, at the time of my site visit, was used for the parking of two vehicles. The proposed extension would result in a reduction of one off-street parking space. There is disagreement between the parties as to the existing number of bedrooms within the dwelling and consequently, the number of off-street parking spaces the proposed development would require according to the "Parking Standards for Sustainable Communities: Design and Good Practice Supplementary Planning Document" adopted 2014 (SPD). Nonetheless, the proposed development would not comply with the parking standards detailed within the SPD.
14. West End comprises a rural road with no parking restrictions in the vicinity of the appeal site. The majority of dwellings within the cluster of development either side of West End have off-street parking, with the detached properties having large driveways that could accommodate multiple vehicles. I recognise that the two rows of cottages (including the appeal site) do not have large parking areas, however the majority have some off-street parking provision and were being used for the parking of vehicles at the time of my site visit.
15. I accept that the proposed development could lead to an increase in on-street parking due to the loss of one parking space. Furthermore, third parties have indicated that this section of West End is a pinch point for on-street parking provision. However, I have limited information before me to suggest that the existing level of on-street parking causes a highway safety issue, or that the parking of additional vehicles on the road due to the proposed development cannot be accommodated without causing a highway safety issue.
16. In reference to the third main issue, the proposed development would not result in a significant adverse impact on highway safety and therefore it would comply with Policy 31 of the LP. This policy, amongst other things, seeks to give particular attention to parking provision and safety.

Other Matters

17. I have been directed by the appellant to another property on Court Lane as an example of a similar extension. However, I have not been provided with the house number, details of the extension or its planning history. I am therefore

unable to conclude whether it is comparable to the appeal proposal. In any event, each appeal must be determined on its own merits.

18. I acknowledge the appellant's assertions that the proposed extensions would be more environmentally friendly than the extensions they would replace as they would comply with current Building Regulations, and that the existing oil central heating system would be replaced by either an air or ground source heat pump. However, compliance with Building Regulations is a neutral matter and the submitted drawings do not detail the change to the central heating system. Even if such details were provided, it would not overcome the harm identified.

Conclusion

19. I have found for the appellant in respect of the third main issue and compliance with the development plan. However, a lack of harm in this regard would not be sufficient to outweigh my findings and subsequent conflict with the development plan in respect of the first and second main issues. There are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with the development plan. For the reasons given above, and having regard to the development plan as a whole and all other matters raised, I conclude that the appeal is dismissed.

A Berry

INSPECTOR