



Appeal Decision

Site visit made on 3 January 2022

by D Wilson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th January 2023

Appeal Ref: APP/K0235/W/22/3304384

54 Bedford Road, Great Barford, Bedford MK44 3JF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Mr James Gill on behalf of J.C. Gill Developments Ltd against the decision of Bedford Borough Council.
 - The application Ref 22/00515/REM, dated 28 March 2022, sought approval of details pursuant to condition No 2 of a planning permission Ref 21/01816/OUT, granted on 15 December 2021.
 - The application was refused by notice dated 7 July 2022.
 - The development proposed is the erection of a single dwelling with double garage and all ancillary works.
 - The details for which approval is sought are: external appearance of the development; landscaping of the site; layout of the development; scale of the development and access.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Amended plans altering the roof to a hipped roof, increasing the distance of the proposed dwelling from the boundary with 56 Bedford Road and reducing the overall floorspace were submitted with the appeal. I understand that the purpose of the amended drawings are to address some of the concerns raised by the Council during the consideration of the planning application. However, the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the Council, and on which interested people's views were sought. Whilst the Council have seen sight of these amended plans and chosen not to accept them during the planning application process, they have not had an opportunity to formally comment upon the amended scheme prior to the appeal being lodged and, for that reason, I consider that they, along with any interested parties, would be prejudiced if I determined this appeal on the changes. Accordingly, I have determined this appeal based on the plans originally submitted with the planning application, on which the Council made its decision.

Main Issue

3. The main issues are the effect of the proposed development upon:
 - the character and appearance of the area,

- the living conditions of the occupiers of 56 Bedford Road with particular regard to outlook; and
- highway safety.

Reasons

Character and appearance

4. 54 Bedford Road is a single storey house located on the edge of Great Barford and accessed off the main road by a small slip road. The appeal site is currently a vacant parcel of land which has been separated from the rear garden of No.54 by a fence.
5. The appeal site is accessed via a private driveway immediately next to No.54 which also gives access to a farm as well as a small development of houses, known as Coopers Close which are located immediately opposite the appeal site.
6. Bedford Road is residential and contains a mix of houses of varying styles, scales and ages which results in a linear street scene. There are some examples of L shaped dwellings as well as single storey and 2.5 storey dwellings nearby. Neighbouring dwellings 56 and 58 Bedford Road have long rear gardens and the majority of dwellings located near the site have open, spacious frontages which gives the area an open feel.
7. As described above, outline planning permission was granted in 2021 for a single dwelling. The principle of residential development of the site has therefore been established and are not matters before me.
8. The proposed dwelling sits within an area of relatively dense development however the proposal would have a large footprint which combined with a smaller plot would result in a cramped appearance. I note the adjacent infill development at Coopers Close and whilst the dwellings are large and may have a higher built form, the dwellings relate to their plots more appropriately, which along with the open frontages, integrates with the open character of the area.
9. The proposals scale and mass is much larger than the neighbouring dwellings, especially those at Coopers Close. As a result, the proposal would appear visually dominant, particularly when viewed against the dwellings at Coopers Close where the proposed dwelling will be clearly visible. Whilst there would be no direct views from the open countryside or rural paths, the proposal would be visible from Bedford Road, on approach to Coopers Close and when leaving Hare Meadow. Its prominence would therefore erode the open character of the area and appear inharmonious in the wider, linear street scene.
10. There are instances of L shaped dwellings that occupy a larger footprint than the proposal however these are located on the main street frontage rather than at depth. These also have much larger gardens which allow the dwellings to fit within the plot more comfortably and contribute to the open character of the street scene.
11. I note that the proposal includes traditional design and finished appearance which compliments the varied mix of styles, periods and materials in the locality. Including the dwellings at Coopers Close, in particular the two storey

and one and a half storey elements, however this does not overcome the inharmonious footprint, scale and mass of the proposal.

12. For the above reasons, the proposed dwelling would harm the character and appearance of the area. Consequently, the proposal would conflict with Policies 28S, 29, 30 and 31 of the Bedford Local Plan 2030 (2020) (LP), Policy D1 of the Great Barford Neighbourhood Plan (NP) and the Council's design guidance Residential Extensions New Dwellings and Small Infill Developments (2000) (Design Guide). These policies seek, among other matters, for development to promote local distinctiveness and contribute positively to the character of an area. It would also conflict with the design objectives of the National Planning Policy Framework (the Framework).

Living conditions

13. The appeal proposal would be located some distance away from the neighbouring dwelling at No.56 therefore direct overlooking as well as loss of light to habitable windows would be limited. The facing elevation of the proposal would have 2 windows at first floor level which are proposed to be obscured and 3 rooflights, which are unlikely to lead to any overlooking.
14. Notwithstanding this, the neighbouring dwelling at No.56 has a long rear garden, which is not uncharacteristic for the area. The appeal proposal will be located within close proximity of the boundary and its orientation will mean that the bulk of the proposal will be facing the garden of No.56. This, along with the depth and height would create a dominant and oppressive feature which would have an overbearing effect upon outlook from the back garden.
15. I appreciate that the Inspector who considered the appeal for the refusal of consent for 2 dwellings on the site previously¹ did not identify harm to the occupiers of No.56. However, I can only consider the merits of the proposal in front of me which are different.
16. I noted during my site visit that there is some screening on the boundary which included trees and general shrubbery which is proposed to be retained and a 2-metre-high fence to be erected. However, this would only provide limited screening due to the overall bulk and mass of the proposal as well as the proximity to the boundary.
17. I have no reason to conclude contrary to the Council's assessment that the development would not result in any adverse harm to living conditions to the occupiers of 1 Coopers Close and 54 Bedford Road. However, this does not overcome the harm identified to the occupiers of 56 Bedford Road.
18. For the above reasons, the proposal would have a harmful effect upon the living conditions of the occupiers of the neighbouring residential property at No. 56, with particular regard to outlook. Consequently, the proposal would conflict with Policy 32 of the LP and the Council's Design Guide. This includes the requirement for development to take into account and minimise factors which might give rise to disturbance to neighbours. It would also conflict with the Framework, which seeks to ensure a high standard of amenity for existing and future users.

¹ Appeal reference APP/K0235/W/21/3279138

Highway safety

19. The proposal's location is some distance away from Bedford Road. As the access road is private, any future occupiers would need to drag their bins down to the access road closer to Bedford Road. The proposed bin store is shown to the rear; however, this could be moved closer to Bedford Road to reduce this distance. Whilst the bin drag distance is some way it is not uncommon in the area, notably the residents of Coopers Close immediately opposite drag their bins a comparable distance. I am therefore satisfied that the distance would not be inconvenient or contrary to what other residents nearby are already doing.
20. Notwithstanding the above, I witnessed during my site visit that there is no formal bin collection point and therefore residents are placing their bins on the verge or pavement at the bottom of the drive, within the visibility splay of motorists exiting the access drive. Whilst I appreciate the proposal is only for a single dwelling, a further bin would contribute to the clutter around the access causing further detriment to motorist's visibility upon leaving the drive.
21. The footpath next to the verge where the bins are located is narrow and as such the provision of a further bin would also result in additional hazards and obstruction to users of the pavement.
22. I appreciate that the slip road is unlikely to have a significant amount of traffic. However, it does still serve a fair number of dwellings, as a result there is likely to be a reasonable number of comings and goings and use of the pavement to access local facilities. Furthermore, it is not uncommon for bins to be placed out ready for collection the night before or left after collection which could lead to obstructions being present for some time.
23. I note the Council does not appear to have required a bin presentation area for those dwellings at Coopers Close, which is at a comparable distance from the road. I can also see the potential for a tarmacked/paved area to become unattractive over time rather than a grass verge; however, these matters do not address the harm I have identified to highway safety.
24. For the above reasons, the proposed dwelling would lead to hazards and obstructions to users of the highway which would result in adverse highway safety impacts. Consequently, the proposal would conflict with Policies 29 and 32 of the LP. These seek, among other matters, for development to not have a significant impact on an access to the highway and take in account arrangements for dealing with waste.

Other Matters

25. I note that the NP has allocated a large area of land for 500 homes nearby. However, I am not aware this scheme has been brought forward yet and, in any event, each case must be considered on its own merits.
26. I have had regard to a condition requiring a hipped roof. However, it would not be appropriate to modify the development so as to make it substantially different from that proposed without the Council or interested parties being able to comment formally.

Conclusion

27. For the reasons set out above, having had regard to the development plan as a whole and all other material considerations, I conclude that the appeal should be dismissed.

D Wilson

INSPECTOR