



Appeal Decision

Site visit made on 25 January 2023

by Benjamin Clarke BA (Hons.) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 February 2023

Appeal Ref: APP/P0240/W/22/3298905

Hollington House, Flitton Hill, Flitton MK45 2BE

- 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 George Gendy against the decision of Central Bedfordshire Council.
 - The application Ref CB/22/00157/FULL, dated 13 January 2022, was refused by notice dated 29 April 2022.
 - The development proposed is an extension to annexe.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr George Gendy against Central Bedfordshire Council. This application is the subject of a separate decision.

Procedural Matter

3. The development has been constructed prior to my site visit. Therefore, I am considering this appeal retrospectively.

Main Issue

4. The main issues relevant to this appeal are:
 - the effect of the development upon the character and appearance of the surrounding area; and
 - whether the proposed development represents a self-contained dwelling.

Reasons

Character and appearance

5. The appeal site contains an existing dwelling and, to the side, an annexe building. The annexe is not physically connected to the dwelling. As originally constructed, the annexe has the appearance of an ancillary building. The vicinity of the appeal site features a predominantly open and rural character, where the presence of buildings is generally at a low level.
6. The development has resulted in an increase in the overall size of the building. This means that it has a significantly elongated form and greater mass than originally constructed. In consequence, the overall effect of the development

has been to erode the more rural and less-developed character of the site's surroundings.

7. In addition, this is of concern due to the relative absence of buildings in the surrounding area. Furthermore, the appeal scheme would be physically divorced from the existing dwelling. In result, the proposed development has eroded the more rural character in the surrounding area owing to the overall increase in built form. This adverse effect has arisen even though the palette of materials harmonises with the existing dwelling.
8. Such matters are of concern owing to the general prominence of the appeal site and the fact that it has created a more urban character. The development is viewable from the entrance to the site and the road directly adjacent to the site's entrance. In consequence, the development has the potential to be experienced by a greater number of people and is therefore prominent. This would render the proposed development strident and discordant.
9. I acknowledge that there is a dense hedge close to the siting of the appeal development. Although this prevents a number of views of the development, the screening effect of this hedge has the potential to vary depending on health. Therefore, there is likelihood that, in time, the development could become more prominent and would be more detrimental to the character of the surrounding area. Given that the hedge is a living item, it would not be possible to impose a condition that would require the hedge to be retained throughout the life of the development.
10. Although the existing dwelling is of a large scale, the development, in conjunction with the previously constructed annexe and existing house creates a more urbanising effect that erodes the generally rural character of the wider surrounding area.
11. The development has been constructed to a palette of materials and style consistent with the original annexe at the property. However, the effect of the development is to create a more urbanised effect in the countryside. Therefore, the palette of materials does not overcome my concerns and the adverse effects arising from the scale of the proposed development.
12. I therefore conclude that the development has had an adverse effect upon the character and appearance of the surrounding area. The development, in this regard, conflicts with the requirements of Policies HQ1 and S7 of the Central Bedfordshire Local Plan (2021) (the Local Plan); and the Central Bedfordshire Design Guide (2014). Amongst other matters, these seek to ensure that new developments relate well to the existing local surroundings and reinforce local distinctiveness; and recognise the intrinsic character and beauty of the countryside.

Whether a self-contained dwelling

13. The development comprises an extension to the previously constructed annexe. The annexe, following the construction of the extension, has the potential to be occupied by a multiple number of people. The annexe is not physically attached to the original dwelling.
14. Although not physically attached to the dwelling, the occupiers of the annexe would share some facilities with the occupiers of the main dwelling. This includes the garden area of the property, in addition to the access points and

the vehicle parking and manoeuvring spaces. This means that the annexe, although not physically attached to the main house would be intrinsically operationally linked to the main dwelling.

15. Therefore, owing to the presence of such shared facilities the development would not form a separate self-contained dwelling. In consequence, the development would not necessarily function independently of the existing, main dwelling.
16. In addition, the planning application was submitted on the basis of it being an ancillary addition to the dwelling. Therefore, had I been minded to allow this appeal, any forthcoming planning permission would have been granted on the same basis. I could also have imposed a condition to this effect to ensure that the building remains associated with the existing dwelling.
17. This means that should the usage of the annexe change to such a degree, the need for a separate planning application would be stimulated. This would mean that the Council would have the appropriate opportunity in the future to assess the merits of using the annexe as a separate dwelling.
18. Therefore, I conclude that the development does not represent a separate, self-contained dwelling. The development, in this regard, complies with Policy HQ1 of the Local Plan. Amongst other matters, this seeks to ensure that new developments have an inclusive design; there is not an unacceptable adverse impact upon nearby existing uses; and well connected to surrounding areas.

Other Matters

19. My attention has been drawn to a previous appeal decision. I do not have the full information regarding the planning circumstances of this, which means that I can only give it a limited amount of weight. Nonetheless, I note that this appeal proposal relates to a different location to the scheme before me. In addition, it is likely to have different relationships with neighbouring buildings and the wider, surrounding, area. In result, the findings of the previous appeal decision do not overcome my previous concerns.
20. Whilst I have given the personal circumstances of the appellant careful consideration, I am mindful that, in general, planning decisions regarding land uses need to be made in the public interest. Therefore, I find that these circumstances do not outweigh my previous findings.

Conclusion

21. Although I have found that the proposed development would not represent a self-contained dwelling, this is outweighed by the adverse effect upon the character and appearance of the surrounding area. The proposal would therefore conflict with the development plan taken as a whole. There are no material considerations, including the Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

Benjamin Clarke

INSPECTOR