



Appeal Decision

Site visit made on 8 February 2023

by S. Hartley BA(Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 22nd February 2022

Appeal Ref: APP/K0235/D/22/3310289
39 Shakespeare Road, Bedford MK40 2DX

- 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 and Mrs Allwright against the decision of Bedford Borough Council.
 - The application Ref 22/01523/FUL, dated 2 September 2022 was refused by notice dated 7 September 2022.
 - The development proposed is the proposed conversion of the loft including a hip to gable conversion, the installation of dormer windows and the conversion of the garage to living accommodation
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Decision

1. The appeal is allowed, and planning permission is granted for conversion of the loft including a hip to gable conversion, the installation of dormer windows and the conversion of the garage to living accommodation at 39 Shakespeare Road, Bedford, MK40 2DX in accordance with the terms of the application ref 22/01523/FUL, dated 2 September 2022, subject to the following conditions: -
 - i. The development hereby permitted shall begin no later than three years from the date of this decision.
 - ii. The development hereby permitted shall be carried out in accordance with the following approved plans: 44265_01 and 44265_02 Rev4.
 - iii. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. The appellant has commented that amended plans were submitted to the local planning authority (LPA) just before it made its decision. However, that decision was not made based upon such plans. I do not have any details of the revised plans before me and therefore I have determined this appeal in accordance with only the plans that formed the basis of the Council's reason for refusal.

The Main Issues

3. The main issues are (i) whether the development would preserve or enhance the Bedford Conservation Area (CA) and (ii) the effect of the proposal upon highway safety.

Reasons

Effect upon the Conservation Area

4. The appeal property is located within the CA which is an urban area consisting of Georgian and Victorian architecture and more recent editions. It is sited in sub-area 8 (the Poets), developed as part of the area's late 19th century expansion. Buildings differ in age, form and styles and they include large villas set back from the road and in a verdant setting.
5. No 39 Shakespeare Road is a detached building, dating from the 20th century, built in brick and tile with a hipped roof, and with a side attached garage. It is set back from Shakespeare Rd, with a landscaped, bosky front amenity space and with a brick boundary wall. The LPA, in its officer report, considers that it *'does not make a positive contribution to the historic or architectural interest of the area'*. I consider that, while the dwelling itself has a neutral effect, its verdant setting and its boundary wall add to the pleasant quality of the CA.
6. The proposed development includes the replacement of the hipped roof by gables. The area has a mix of hipped and gabled roofs and on my site visit I was able to see that the adjoining properties have gabled roofs.
7. The appeal property stands in a mature landscape curtilage which limits views of the dwelling. In addition, the building is set back from the public domain, and within its curtilage the hipped roof does not appear as a major defining characteristic of the building or that of the area. Its replacement by gables would not detract from the character and appearance of the CA. It would add to the bulk of the building, but not excessively or adversely.
8. Three individual dormer windows are proposed for the rear elevation. While the LPA has some reservations about their design, it notes that *'given the location to the rear of the property there would be limited visibility of these and therefore a minor impact only resulting from them'*. I agree. Moreover, the dormers would be appropriate to the general design and appearance of the dwelling and would not detract from the character or appearance of the CA.
9. The proposed front porch would be partly open, and timber framed on a brick plinth. I agree with the LPA that it would *'preserve the existing neutral contribution which the building makes'*.
10. Therefore, I conclude that the proposed development would preserve the character and appearance of the CA and hence would accord with policies 28, 29, 30 and 41 of the Bedford Borough Local Plan 2020 (BBLP) and the provisions of paragraph 202 of the National Planning Policy Framework 2021, all of which require development to protect or enhance the CA.

Highway safety

11. The proposed development would result in the dwelling becoming a four-bedroom property and in accordance with the BBLP, it would require three car

parking spaces. On my site visit, I noted the existence of 3 parking spaces and also room for vehicles to enter and leave in forward gear.

12. Therefore, I conclude that the proposed development would accord with policy 31 of the BBLP which aims to prevent any significant adverse impact upon access to the public highway.

Conditions

13. I have imposed the standard time condition and a condition to ensure the development is in accordance with the approved plans in the interests of certainty. In the interests of good design, it is necessary to impose a condition relating to external materials.

Conclusion

14. For the reasons outlined above, I conclude that the appeal should be allowed.

S. Hartley

INSPECTOR