



Appeal Decision

Site visit made on 8 February 2023

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 March 2023

Appeal Ref: APP/K0235/W/22/3305534

Land adjacent 2 Voyce Way, Bedford MK42 0WD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
 - The appeal is made by Mr M Umney against the decision of Bedford Borough Council.
 - The application Ref 22/00423/FUL, dated 3 March 2022, was refused by notice dated 12 August 2022.
 - The development proposed is erection of a single-storey dwelling.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues are:

- i) The effect of the proposal on the character and appearance of the area; and,
- ii) Whether the proposal could deliver a biodiversity net gain.

Reasons

Character and appearance

3. The appeal site forms part of a newer residential development located between Canvin Way and Moulton Avenue. This is a mix of two-storey semi-detached and terraced dwellings as well as some flatted development. Most notably, this development has been designed to incorporate a good level of landscaping and space about it. In particular, along Acacia Road this newer residential development incorporates a low boundary treatment and hedge planting which enclose grassed areas. These, together with the open grass verges on the junction of Mark Rutherford Road with Acacia Road, contribute positively to the open and verdant character, which complements the built forms and supports a distinctive street scene.
4. The appeal site incorporates a similar low boundary treatment and planting adjacent to its Acacia Road frontage. Therefore, despite some planting between the appeal site and the adjacent land to the northeast, the appeal site because of its undeveloped nature and existing landscaping, is viewed as part the wider landscaped area along Acacia Road and contributes to the verdant and spacious character and appearance along here,
5. Whilst the proposed dwelling would align with the buildings along Voyce Way, it would occupy near the full width of the appeal site. Most notably the dwelling would project appreciably beyond the prevailing building line along Acacia

Road. This would bring the new dwelling uncharacteristically close to the highway and would conflict with the prevailing layout of dwellings along here. Despite the retention of some of the existing landscape, the proposed arrangement would fail to integrate with its surroundings and would therefore appear incongruous. This harmful impact of the proposal would be exaggerated by the site's prominent corner location.

6. The siting of a single storey dwelling at the appeal site would not reflect the established scale of two-storey dwellings here and would appear contrived. Furthermore, the introduction of a dwelling and associated boundary treatments, into an area that is currently free of any significant built development, would erode the spacious and verdant character and quality of the site, to the detriment of the street scene and its distinctiveness.
7. I note that the proposed dwelling would meet the minimum space standards for its size and incorporates sufficient parking and private amenity space. Nevertheless, for the above reasons, the proposal would harm the character and appearance of the area.
8. Accordingly, the proposal would be contrary to policies will 28S (i and ii) and 29 (i and ii) and 30 (i and ii) of the Bedford Borough Local Plan 2030. Together, these policies require that new development be of high quality in terms of design (which includes scale and layout) and promotes local distinctiveness. Also, these policies seek new development to secure a positive relationship with the surrounding area, integrating well with and complementing the character of the area in which the development is located.

Biodiversity net gain

9. Whilst the wording of Policy 43 of the LP requires that development proposals should provide a net increase in biodiversity. The supporting text associated with this Policy, allows flexibility on the methods for the enhancement of biodiversity depending on the nature and scale of development.
10. The submitted 'Proposed GF Plan & Hard / Soft Landscaping Plan' indicates that the existing landscaping is to be retained where possible. I see no reason why the retained landscaping along with other measures, as part of an ecological and/or biodiversity enhancement strategy could not achieve a biodiversity enhancement. This could be secured through a pre-commencement condition, should the appeal succeed.
11. Accordingly, I am satisfied that a biodiversity net gain of the site, post development could be achieved. As such, I find no conflict with Policy 43 of the LP.

Other Matters

12. The appellant asserts that the proposed dwelling has been designed with the needs of elderly and disabled occupants in mind, and therefore would be an accessible and adaptable dwelling, meeting the requirements of a Category 2 dwelling, as set out in Approved Document M Volume 1. Even so, there is no certainty that such occupants would occupy it. Furthermore, on the information before me, I am not persuaded that the proposed dwelling would meet the requirements of Policy 59S of the LP. This Policy expects developments to provide a mix of dwelling sizes and types to meet identified need based on

specific criteria. Therefore, the provision of this Category 2 dwelling does not outweigh the harm I have identified.

Conclusion

13. I have found that the proposal could secure a biodiversity net gain. On the other hand, the proposal would harm the character and appearance of the area. For this reason, and conflict with the development plan, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR