



Appeal Decision

Site visit made on 17 April 2023

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd May 2023

Appeal Ref: APP/K0235/D/23/3315918
41 Maskell Drive, Bedford MK41 0GJ

- 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 Mrs Jhall against the decision of Bedford Borough Council.
 - The application Ref 22/02375/FUL, dated 31 October 2022, was refused by notice dated 16 December 2022.
 - The development proposed is described as the removal of shrubs and the repositioning of the boundary wall with new planting.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the description of the proposal in my banner above from the application form, but have had regard to the different development description, and the site description, on the appeal form.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The host is a two storey detached house, which is prominently sited on a corner of a cul-de-sac at Maskell Drive. It forms part of a modern housing estate, with the properties arranged informally, but generally close to the road, sometimes with tall brick walls near to the edge of the carriageway. Whilst that layout provides a degree of enclosure, the streetscene is softened by vegetation both within gardens and in strips between structures and the road.
5. There is a typical, characteristic small area of landscaping opposite this site at 51 Maskell Drive. However, the vegetation that was previously present on the appeal site has been removed. It is now proposed to enclose part of that space by repositioning the boundary wall. Whilst the wall's height and materials would be typical of the area, it would leave only a narrow gap to the carriageway. Notwithstanding the depiction of low-level planting in this location on the proposed ground floor and site plan (drawing no. 3009-22-PL-02 Rev A), I consider that there would be very little space for any meaningful landscaping.

6. Whilst this scheme would be limited in scale, it would diminish the estate's planned sense of buildings and other built features set amongst strips of open land and landscaping. These landscaping strips are important to the estate's character. In my view, should the appeal be allowed, given that there are similarly located strips and borders nearby, there is a reasonable prospect of similar development being repeated. Cumulatively, such development would significantly harm the character and appearance of the area.
7. As a result, the scheme would conflict with Bedford Borough Local Plan 2030 (2020) Policy 28S (parts i, ii, iii, iv and vii), Policy 29 (parts i and ii) and Policy 30 (parts i, ii and iii) which, in general terms, require high quality locally distinctive design which complements and contributes positively to the character of the area, enhances the landscape and townscape, and contributes to the provision of green infrastructure.
8. In its favour, the scheme would provide a slightly enlarged rear garden for the occupants. However, that limited and largely private benefit would not outweigh the harm that the scheme would cause to the character and appearance of the area.
9. I have considered the site's planning history, and note that the proposed wall would extend less far towards the carriageway than in a previously refused scheme (Ref: 21/03245/FUL). However, having considered this proposal on its merits, it would conflict with the development plan when considered as a whole and, having regard to all other matters raised, the appeal is therefore dismissed.

Chris Couper

INSPECTOR