



# Appeal Decision

Site visit made on 4 July 2023

**by Nichola Robinson BA (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 18 August 2023**

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**Appeal Ref: APP/K0235/W/22/3313037**

**12 and 12A Vicars Close, Biddenham MK40 4BG**

- 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 Ian Laing and Dr Hugh Laing against the decision of Bedford Borough Council.
  - The application Ref 22/02154/FUL, dated 29 September 2022, was refused by notice dated 14 November 2022.
  - The development proposed is construction of a new dwelling (adjacent to the existing two houses under construction pursuant to permission 22/00119/S73 dated 27th April 2022)
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

## Reasons

3. The appeal site comprises a vacant parcel of land which is located between 12 and 12a Vicars Close. The open fields behind the site are clearly visible through the existing gap between these dwellings which, at the time of my site visit, were under construction. The site is a roughly triangular plot set back from the highway and increases in width towards the rear of the plot.
4. There is some variation in plot width and shape and property siting, orientation and architectural style on Vicars Close, and dwellings in the southwest corner of the Close are more close-knit than elsewhere within the Close. Nonetheless, properties on Vicars Close comprise large properties within substantial plots set back from the highway which are clearly visible from the highway between gaps in and over vegetation. Mature vegetation within gardens, boundary hedges and wide grass verges and the connection to the open fields to the south contribute to a well-ordered, green and spacious character to the area.
5. The proposed 2 storey dwelling would be located between numbers 12 and 12a. The site would be accessed via an existing agricultural access running between the 2 properties. The proposed dwelling would be consistent in design, scale and palette of materials with the neighbouring properties and would not reduce the size of plots 12 and 12a or result in harm to the living conditions of the occupiers of these dwellings. Due to the semi staggered nature of the building line here and the site's location on a bend in the road, the proposed

dwelling would be visible from the Close and views of the proposed dwelling from public rights of way to the south would be limited.

6. The proposed dwelling would be provided with a garden of adequate size. Nonetheless, whilst the amount of separation between dwellings in the Close varies, the proposed dwelling would be located within a smaller plot than the neighbouring properties and others in the surrounding area. There would be limited separation between the proposed dwelling and number 12, and between the proposed dwelling and the site boundaries. This limited separation would be clearly perceptible from the street scene, in particular in views looking south. Whilst the visual impact of the dwelling would be softened by existing and proposed landscaping, this would not fully screen the dwelling in views from the Close. The dwelling would therefore be visible in views from the Close where the limited separation would be perceptible, and it would appear cramped and at odds with the current sense of spaciousness within the surrounding area.
7. Furthermore, whilst it would be offset to the west of the agricultural access, nonetheless the proposed dwelling would inhibit views of the open fields to the east when viewed from the Close. It is stated that the consent for the erection of numbers 12 and 12a<sup>1</sup> created this gap between the properties. Whilst this gap and the views it permits appear to be a recent feature, nonetheless it makes a positive contribution to the green and spacious character of the area, and the infilling of this gap and severing of this visual link with the open countryside would be harmful to the character and appearance of the surrounding area.
8. I acknowledge the appellants' reference to an appeal at The Berries, in which it is stated the Inspector found that a proposal for development at depth would not be harmful to the grain and character of the settlement or local distinctiveness. However, I have not been supplied with the particular details of this case and thus am unable to draw comparisons with the appeal proposal.
9. I also acknowledge the appellants' reference to an application for residential development at number 16<sup>2</sup> which, it is stated, has less separation between dwellings than that proposed between the appeal property and number 12, and reference to a development at land to the east of number 16<sup>3</sup>, which, it is stated, would also incorporate development at depth on a corner plot. The full details of these permissions are not before me. Nonetheless, based on the information that has been supplied by the appellant, these dwellings appear to be situated within larger plots and, by virtue of their siting within the Close, views of these dwellings from within the street scene would be limited. Thus, these cases are not directly comparable to the case before me.
10. For the above reasons, I conclude that the proposal would harm the character and appearance of the surrounding area and so would not accord with the design principles set out in Policies 28S, 29 and 30 of the Bedford Borough Local Plan (2020) which require all new development to be of the highest quality and contribute positively to the area's character and identity and take account of the principles of good design.

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<sup>1</sup> Application reference 22/00119/S73

<sup>2</sup> Application reference 22/00989/OUT

<sup>3</sup> Application reference 21/02608/FUL

## **Other Matters**

11. I acknowledge that the proposal is likely to meet relevant national and local planning policies with regards to access, car parking, cycle parking, refuse storage and collection, quality of the proposed residential environment and the effect on living conditions of neighbouring residents. Nonetheless, compliance with these matters would be required in any event and thus these matters do not weigh in favour of the proposal.
12. I acknowledge that the appellant entered into pre-application discussions with the Council and that the appeal submission followed this advice and has sought to address the Council's concerns. Nonetheless, these comments were made on an informal basis, and do not overcome the harm I have identified in relation to the main issue.

## **Conclusion**

13. I have found conflict with the development plan and there are no material considerations which have been shown to have sufficient weight to warrant a decision otherwise than in accordance with it. Therefore, the appeal is dismissed.

*Nichola Robinson*

INSPECTOR