
Appeal Decision

Site visit made on 2 October 2023

by Elaine Benson BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd October 2023

Appeal Ref: APP/K0235/D/23/3324711

28 Spring Road, Kempston, Bedford MK42 8L

- 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 Khulekani Ncube against the decision of Bedford Borough Council.
 - The application Ref 23/00059/FUL, dated 10 January 2023, was refused by notice dated 8 April 2023.
 - The development proposed is side single and double storey extension and associated works.
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Decision

1. The appeal is dismissed.

Main Issues

2. These are the effect of the appeal proposal on the character and appearance of the surrounding area, and its effect on the living conditions of the occupants of the neighbouring 24 Spring Road (No 24).

Reasons

3. The appeal property occupies a very wide plot compared to other buildings in the road. At the side of the house is a workshop which extends across the width of the side plot and is set back considerably from the front elevation. The side elevation of the main part of the house is visible for some distance along Spring Road. Its appearance is incongruous within the road which can be characterised as containing houses of various ages and designs with a broadly consistent front building line of conventionally designed housing.
4. The proposed undercroft parking arrangement would introduce an uncharacteristic open feature not found on houses in the road or the wider area. Whilst there is design variety in the locality, the lack of solidity at ground front façade level with substantial first floor development above it would appear incongruous. The absence of a strong base to the design of the extension would unbalance the appearance of the front of the dwellinghouse and the extension itself. The two-storey side extension would not 'step back and down' from the roof ridge of the host property in accordance with the Council's adopted design guidance, 'Residential Extensions, New Dwellings and Small Infill Developments (2000)' (RENDSID). However, its aim in this regard is to prevent unbalancing the appearance of a building which would occur here in any event.

5. The appeal proposal would provide symmetrically designed dual gables along the upper level of this side elevation, reflecting similar design approaches found nearby. The proposed gap between the side extension and No 24 would be broadly consistent with spacing between buildings found in the locality. However, despite these positive factors, as set out above, the proposal would not be a well-designed secondary extension to the existing dwellinghouse but would appear as an incongruous and visually jarring form of development.
6. For these reasons I conclude that the proposal would not comply with Policy 28S (i) and (ii); Policy 29 (i) and (ii) and Policy 30 (i) and (ii) of the Bedford Borough Local Plan 2030 and RENDSID Design Codes E1; E2 and E3 which, in summary and of relevance to this appeal, encourage good design which is compatible with its surroundings.
7. Turning to the second main issue, the neighbouring No 24 has French doors to a reception room which faces onto its rear garden. The first floor of the proposed extension would be 1.5m from the shared boundary as required by the SPD, Design Code E2. The neighbouring property also has a passageway to the side. The nearest part of the proposed two-storey extension would be around 5.5m high and this separation distance could potentially mitigate the adverse effects of part of the proposed two storey extension. However, due to its overall depth and height, it is also necessary to demonstrate compliance with the Council's 'light test'. There is insufficient convincing evidence that daylight and sunlight levels reaching this reception room would be preserved. Furthermore, the assertion that daylight or sunlight levels would not worsen due to the presence of the wall on the boundary with No 24 has not been technically justified.
8. In the absence of sufficient evidence to the contrary, I conclude that the siting, height and depth of projection of the two-storey extension would result in an unacceptable loss of light to the rear facing French doors at No 24 contrary to Policy 32 (i & iv) of the Bedford Borough Local Plan 2030 and Design Code E6 of the Council's adopted supplementary design guidance "Residential Extensions, New Dwellings and Small Infill Developments - January 2000" in accordance with Policy 32 (vi) of the Bedford Borough Local Plan 2030.

Other matters

9. Concerns have been raised that the proposed development would enable the use of the property as a house in multiple occupation. Whilst noted, the appeal application is for an extension to a dwellinghouse and planning permission would be required for the suggested alternative use.

Conclusion

10. For the reasons set out above, the appeal is dismissed.

Elaine Benson

INSPECTOR