



Appeal Decision

Site visit made on 29 January 2024

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 February 2024

Appeal Ref: APP/K0235/D/23/3331346

3 Edwards Close, Shortstown, BEDFORD MK42 0WN

- 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 Jamie Carson against the decision of Bedford Borough Council.
 - The application Ref 23/00787/S73A, dated 21 April 2023, was refused by notice dated 8 August 2023.
 - The development proposed is a garden room and lean-to at rear.
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Decision

1. The appeal is dismissed insofar as it related to the garden room. The appeal is allowed insofar as it related to the lean-to canopy and planning permission is granted for this element at 3 Edwards Close, BEDFORD MK42 0WN in accordance with the terms of the application, Ref 23/00787/S73A, dated 21 April 2023, and the plans submitted with it, so far as relevant to that part of the development hereby permitted.

Preliminary Matters

2. The proposed works have already been undertaken. I have removed reference to this from the proposal's description of development as this does not describe development.
3. The proposed lean-to is a simple wooden frame structure, with clear polyester roof sheets. This covers the width of the rear elevation of the dwelling. The Council has raised no objection to this part of the proposal. I concur with the Council that based on its size, light weight form and relationship to the dwelling its overall impact on the site and surrounding area would be neutral. This element is clearly severable from the garden room and would not harm the character and appearance of the area and thus is approved.
4. There is also a small shed outside the rear garden to the side of the house, the Council identifies that this does not form part of the proposal. I have therefore removed the reference to 'shed' in the description to avoid confusion.

Main Issue

5. The main issue is the effect of the proposed garden room on the character and appearance of the streetscene and surrounding area.

Reasons

6. Edwards Close is within a large residential estate of modern houses. The housing is of various two-storey designs, predominantly consisting of brick

elevations and pitched roofs. Three and 5 Edwards Close are corner plots. These are either side of an access road off the Close, leading to a car parking area and further houses. The car park area provides open views over boundary fencing to the rear elevations of several dwellings. From this semi-public vantage I was able to observe that many neighbouring gardens were occupied by sheds. These were small structures with only a slight proportion protecting above fence lines.

7. In contrast, the erected garden room is a wide, tall, flat roofed structure that stands substantially above the plot's rear boundary fence. This can be seen from several public vantages. In such a context the structure is not deemed to be a typical garden building in scale or form. Furthermore, being at the end of the garden, it appears divorced from the dwelling and isolated in its setting.
8. The structure is clad in timber boarding and appears relatively modest from the rear outlook of the host dwelling. Although the timber boarding would weather in time, this would not substantially affect its scale or overall visual impact. Accordingly, its scale and prominence result in a form of development that is both overt and obtrusive as viewed from outside the site. Furthermore, the imposition of conditions, seeking a revision to the roof or cladding materials, would not significantly alter the identified visual impact.
9. Although new development need not necessarily imitate surrounding built form, it must complement its context. The garden room does not complement the design or style of the existing dwelling, being a different form and consisting of different materials. The existence of nearby outbuildings and canopies, within the local area, have been identified in evidence. However, these examples do not appear to be of sufficient similarity to enable me to conclude that the proposed garden room would be a complementary addition to the area and, in any event, each case must be considered on its own merits.
10. It is noted that the proposal did not receive objections from the local community and would not affect neighbour's living conditions, highway safety, flood risk. However, an absence of harm in these respects can only be considered as neutral factors in the planning balance. The garden room provides additional residential space for the occupiers, but the benefits garnered by the scheme to the occupiers would be of private benefit of limited weight only.
11. Accordingly, the proposed garden room would fail to complement the character and appearance of the area. Consequently, this would conflict with policies 28S, 29 and 30 of the Bedford Borough Local Plan [2020]. These include to seek development that would have a positive relationship with the surrounding area and respect its context.
12. As the proposed lean-to has already been erected, no conditions would be necessary. For the above reasons, the appeal is part allowed and part dismissed.

Ben Plenty

INSPECTOR