



Appeal Decision

Site visit made on 4 January 2024 by T Bennett BA(Hons) MSc MRTPI

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 April 2024

Appeal Ref: APP/P0240/D/23/3328906

113 High street, Meppershall, Bedfordshire SG17 5LZ

- 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 Cheryl Martin and Mr Ryan Martin against the decision of Central Bedfordshire Council.
 - The application Ref CB/23/02119/FULL, dated 25 June 2023, was refused by notice dated 09 August 2023.
 - The development proposed is single storey front, side & rear extension, part two storey side and rear extension, loft extension and conversion.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. Planning permission was granted (LPA Ref: CB/21/02290/FULL) in October 2021 for a single storey front, side & rear extension, part two storey side extension, loft extension and conversion. The development the subject of this appeal incorporates the previous form of development with modifications to the two-storey rear extension projecting out to the side. In this regard, whilst the whole scheme is before me, considering the extant planning permission, this appeal is focussed on the modifications, namely the part two storey side and rear extension, which is the sole focus of the decision notice issued by the Council.

Main Issues

4. The main issues are the effect of the proposed part two storey side and rear extension on:
 - the character and appearance of the dwelling and street scene; and
 - the living conditions of the neighbouring occupiers at 115 High Street (No 115) with particular regard to massing.

Reasons for the Recommendation

Character and Appearance

5. The appeal property is a two-storey detached dwelling with previous single storey extensions that are visible within the street scene. High Street is characterised by a mix of single and two storey residential properties of varying ages, design, and material finishes, all of which add to the varied character of the area.
6. The proposed part two storey rear extension would extend beyond the existing side wall of the host property and would be visible from public vantage points at the front of the property. However, it would be significantly set back from the front elevation, behind a single storey projection. The use of matching materials, a pitched roof reflecting the angle of both the front gable and single storey projection, along with the set back from the boundary, would ensure that the proposal would not appear unduly conspicuous within the varied street scene nor appear visually awkward when viewed in the context of the host dwelling.
7. When observed from the rear, the two-storey gable end extension would appear large compared to the original host dwelling. However, the ridge line is set lower than the host property and when viewed in conjunction with the proposed large single storey rear extension, the two-storey element is of a commensurate scale.
8. For the reasons above, the proposal would not be materially harmful to the character and appearance of the host dwelling or street scene. It would therefore comply with Policy HQ1 of the Central Bedfordshire Local Plan (2021) (LP) in so far as it seeks high quality development, where the size, scale and appearance respect the local context. It would also accord with the Framework which has similar aims.

Living Conditions

9. No 115 is a detached two storey dwelling sited south of the appeal site and has a conservatory close to the shared boundary with No 113.
10. The proposed part two storey extension would have an increased roof height and width compared to the extant permission. This would result in the proposal being located closer to the shared boundary with No 115. Whilst this would accord with the Design Guide (2014) which requires, as a minimum, a setback of 1 metre at first floor level, it is a minimum threshold and therefore indicates an element of discretion dependant on the site context.
11. The two-storey extension would span approximately half the length of the shared boundary, roughly aligning with the rear elevation of the conservatory at No 115. While the orientation of the proposal would not lead to a material loss of sunlight to the neighbouring garden or conservatory, the increased mass of the proposal, combined with the closer proximity to the shared boundary compared to the extant permission, would consequently have a significant and detrimental overbearing effect for the occupiers of No 115 when using their conservatory or garden.
12. For the reasons above, I conclude that the proposal would materially harm the living conditions of the neighbouring occupiers at No 115 by reason of

overbearing effects. This would conflict with Policy HQ1 of the LP in so far as it seeks to ensure that proposals do not give rise to unacceptable adverse impacts on amenity.

Other Matters

13. I acknowledge that the proposal would provide increased bedroom and bathroom space for the family. However, this benefit does not outweigh the harm that I have identified to living conditions.
14. In support of the proposal, the appellant has stated that No 115 has an extension similar to what is being proposed. Whilst I observed this on my site visit, I have no details on the circumstances which lead to its approval. In any case, each appeal is decided on its own merits. Furthermore, it does not provide for a compelling reason why planning permission should be granted for an otherwise unacceptable development, which I have found would have a harmful impact on living conditions.

Conclusion and Recommendation

15. I have not found the proposed development to cause any harm to the character and appearance of the dwelling, or the street. However, there would be material harm to the living conditions of the neighbouring occupiers of No. 115 High Street.
16. For this reason, the appeal scheme would conflict with the development plan, taken as a whole. There are no material considerations worthy of sufficient weight that would indicate a recommendation other than in accordance with it. Therefore, I recommend that the appeal should be dismissed.

T Bennett

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Martin Seaton

INSPECTOR