



Appeal Decision

Site visit made on 17 April 2024

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14.05.2024

Appeal Ref: APP/K0235/D/24/3338040

16 Ouseland Road, Bedford, MK40 4NX

- 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 M Bains against the decision of Bedford Borough Council.
 - The application Ref 23/02385/FUL, dated 30 October 2023, was refused by notice dated 18 December 2023.
 - The development proposed is one and two storey side and rear extensions and replacement single storey outbuilding in rear garden.
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Decision

1. The appeal is allowed and planning permission is granted for one and two storey side and rear extensions and replacement outbuilding in rear garden at 16 Ouseland Road, Bedford, MK40 4NX, in accordance with the terms of the application, Ref 23/02385/FUL, dated 30 October 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 1623/P1; Drawing No. 1623/P2; Drawing No. 1623/P3 and Drawing No. 1623/Appeal 1.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

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

Reasons

3. The appeal property is a two storey semi-detached dwelling, which is situated with a densely developed area of Bedford. Ouseland Road comprises a mix of mainly semi-detached and terraced dwellings that vary in terms of their age and appearance. The spaces between the properties vary and there is no consistent pattern to the streetscene. Several of the dwellings have been altered and extended and I note that an extension, which is similar to the appeal proposal, has been constructed at the side and rear of number 5, on the opposite side of Ouseland Road.

4. The proposal is to construct extensions at the side and rear of the dwelling. A single storey rear extension would project 6m beyond the original rear wall of the property. It would occupy an area that is partly covered by an existing extension. A two storey extension would also be constructed at the side of the dwelling. It would comprise a 'car port' on the ground floor with an extended bedroom and bathroom above. The side of the first floor section would be 1m from the side boundary, whilst the side of the car port would be built up to the boundary. The extension would be set back 0.33m from the front wall of the existing dwelling.
5. In addition, the proposal also includes the erection of a single storey outbuilding at the end of the rear garden. It would replace an existing outbuilding, which is in a poor condition.
6. The Council contends that the proposal would result in an overdevelopment and cramped form of development and that the absence of a meaningful set-back from the side boundary would diminish, what it considers to be, an important visual gap between properties.
7. The Council cites a conflict with Policy 28S (i) and (ii), Policy 29 (i) and (ii) and Policy 30 (i) and (ii) of the adopted Bedford Local Plan. These policies generally require the design of new development to be of high quality, to complement the character of the area and respect the site's context.
8. In addition, the Council refers conflict with Design Codes E1 and E3 of its Supplementary Planning Guidance – Residential Extensions, New Dwellings and Small Infill Developments 2000 (SPG). Amongst other things, these advise that extensions should harmonise with the street and that two storey extensions in tightly developed areas should be at least 1.5m away from side boundaries.
9. In addition, the Council Officer's report states that the development would unacceptably increase the amount of built development on the site, which would be in excess of that advised in the Council's SPG.
10. Regarding the replacement outbuilding, the new building would have a smaller footprint than the existing structure. It would be sited at the bottom of the garden and would not impact on the streetscene or the general character of the area. Likewise, the single storey rear extension would not appear out of character and it would only project slightly less than 2m beyond the existing extension that it would replace.
11. Whilst the side extension would conflict with the Council's Design Code, because it would not be at least 1.5m from the side boundary, there would still be a gap of driveway width between the appeal property and the neighbouring dwelling, notwithstanding the fact that most of the space would be within the neighbouring site. Given the varying widths of spaces between properties along Ouseland Road, I am not persuaded that the proposal would be unacceptably harmful.
12. Furthermore, the fact that an almost identical extension has been built at number 5 Ouseland Road is a material consideration. The Council considered that to be acceptable in terms of its relationship with the side boundary and the appeal proposal is not significantly different.

13. Turning to site coverage, the appellant has submitted a site plan (Drawing No. 1623/Appeal 1), which shows that a rear open space, measuring 8.35m x 10.0m, would be retained between the single storey extension and the replacement outbuilding. Irrespective of plot ratios, I consider that this amount space would not be out of character in relation to its surroundings and it would provide adequate amenity space for the occupiers of the dwelling.
14. For the above reasons, I consider that the proposal would not be an overdevelopment of the site and it would not be harmful to the character and appearance of the area.

Conditions

15. The Council has suggested conditions in the event of the appeal being allowed. In addition to the standard condition requiring that the development commences within 3 years, a condition specifying the approved plans is also necessary. A condition requiring the use of matching external facing materials is also imposed. This is necessary to ensure a satisfactory external appearance.

Conclusion

16. For the reasons given above, it is concluded that the appeal be allowed.

Ian McHugh

INSPECTOR