



Appeal Decision

Site visit made on 11 June 2024

by C Carpenter BA MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 June 2024

Appeal Ref: APP/K0235/W/23/3334907

Flat 2, 10-12 Hawkins Road, Bedford MK42 9LS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Conev & Ms Taseva against the decision of Bedford Borough Council.
 - The application Ref is 23/02202/FUL.
 - The development proposed is roof extension to form loft conversion.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (the Framework) was updated in December 2023, during this appeal. However, insofar as the contents are relevant to it, the Framework has not changed. Therefore, I am satisfied no party would be disadvantaged by not having the opportunity to comment on the revised Framework.
3. I understand the Council is preparing a Draft Local Plan. I am not aware of the exact stage it has reached, the extent of unresolved objections or whether its policies will be considered as consistent with the Framework. Consequently, in accordance with Framework paragraph 48, I give it little weight.

Main Issues

4. The main issues are:
 - the effect of the proposal on the character and appearance of the host building and surrounding area; and
 - whether future occupiers would be likely to experience acceptable living conditions, with particular regard to internal living space.

Reasons

Character and appearance

5. The appeal site is in a suburban area with a compact pattern of development mainly laid out in regular street blocks. The terraced homes have a generally consistent, traditional appearance, with gabled roofs and few visible roof extensions. Most have rear outriggers and relatively short rear gardens, resulting in proximity between adjacent dwellings.

6. 10-12 Hawkins Road is a modest two-storey detached block of flats, located between and opposite terraced homes. The building is largely congruent in scale and roof style with the rest of the street, although its front elevation differs somewhat from that of its neighbours. At the rear, its outrigger is similar in form but wider and higher than those surrounding it.
7. The side dormers proposed for the host building's rear outrigger would raise its ridge line above that of the main part of the building and change the pitch of the outrigger's gabled roof. Consequently, the outrigger would no longer be subservient to the main building and, on the evidence before me, the resulting protrusion would be visible from the front of the site. This would detract from the building's simple front elevation and erode consistency in the street scene.
8. At the rear, the side dormers would appear bulky, and the new form of the rear outrigger would deviate even more markedly from the pattern prevailing in surrounding properties. Bearing in mind the tight grain of development and proximity of homes, the extended roof would be dominant and overbearing when viewed from neighbouring gardens and windows. This would diminish the regular character of the street block from this perspective, notwithstanding that this is not a public vantage point.
9. Whilst matching materials could be secured by condition were the appeal to be allowed, this would not be sufficient to mitigate the dominant scale and incongruous form of the proposal.
10. Whether or not the proposed dormers are akin to those more typically associated with permitted development in residential dwellinghouses, this consideration would not outweigh the harm I have identified. I have assessed the proposal on its individual merits.
11. For the above reasons, I conclude the proposal would have a harmful effect on the character and appearance of the host dwelling and surrounding area. This is contrary to Policies 28S, 29 and 30 of the Bedford Borough Local Plan 2030 (BBLP), which together require high quality design that complements the character of the area, giving particular attention to considerations including scale, massing and height.
12. It is also contrary to the Bedford Borough Council Residential Extensions, New Dwellings & Small Infill Developments Design Guidance, which supports extensions that step down and back from the existing building and appear secondary to it. It is also contrary to the Framework, which seeks developments that are sympathetic to local character, including the surrounding built environment.

Living conditions

13. In its second reason for refusal, the Council identifies a conflict with the 'Technical housing standards – nationally described space standard' 2015 (NDSS). According to Planning Practice Guidance¹, where a local planning authority wishes to require an internal space standard, they should only do so by reference in their Local Plan to the NDSS. On the evidence before me, the NDSS is not referred to in the BBLP.

¹ Paragraph: 018 Reference ID: 56-018-20150327

14. Nevertheless, the NDSS is a material consideration and provides a relevant point of reference for consideration of the living conditions proposed in the appeal scheme.
15. According to the plans before me, no part of the internal area of the proposed roof extension would achieve 2.3 metres between floor and ceiling, and in some parts the height would be considerably below this. The NDSS seeks a minimum floor to ceiling height of 2.3 metres for at least 75 per cent of the Gross Internal Area in newly created dwellings. Having regard to the NDSS as guidance, I consider the limited floor to ceiling height on the upper floor of the reconfigured flat would result in cramped accommodation with a restricted area of useable space. This could have a detrimental effect on the health and wellbeing of future occupants of the home.
16. I acknowledge the proposed enlarged floor area of the flat would exceed the minimum NDSS standard for a two-storey, one bedroom, two-person dwelling. Nevertheless, the useability of some of this space would be restricted for the reasons given. Consequently, the enhancement to living conditions resulting from this additional space would not be sufficient to outweigh the harm I have found.
17. For the above reasons, I conclude future occupiers would not be likely to experience acceptable living conditions, with particular regard to internal living space. This is contrary to BLP Policies 2S and 30, which require development to be designed to promote health and take account of the principles of good design. It is also contrary to the Framework, where it seeks development that promotes health and well-being, with a high standard of amenity for existing and future users.

Conclusion

18. I have found the proposal conflicts with the development plan, read as a whole. No other material considerations, including the Framework, have been shown to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal should be dismissed.

C Carpenter

INSPECTOR