



Appeal Decision

Site visit made on 20 June 2024

by Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 August 2024

Appeal Ref: APP/P0240/D/24/3339976

11 Clophill Road, Maulden, Bedfordshire MK45 2AA

- 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 C Etherington against the decision of Central Bedford Council.
 - The application Ref is CB/23/01966/FULL.
 - The development is new outbuilding to rear of dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. On 30 July 2024 the Government published a consultation on proposed reforms to the National Planning Policy Framework (2023) (the Framework). The consultation and draft Framework do not constitute Government policy or guidance. However, they are capable of being material considerations in appeals. Notwithstanding this, in relation to this appeal the aims of both sets of policies are similar. No party would be prejudiced or caused any injustice by me proceeding with the appeal in light of the consultation.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The property in question is located on Clophill Road, within a predominantly residential area comprising a mix of properties, which vary in designs and form. I observed during my site visit that some properties in the area have outbuildings.
5. The proposed development would be located to the rear of the appeal site accessed via a private road. There would be limited views of the proposed development from public vantage points.
6. The proposed outbuilding would be substantial in size, comprising a large garage, store with office and WC above. The outbuilding would be out of keeping with other outbuildings in the area due to the glazing, dormer addition, roof design and overall scale of the building.

7. I conclude that the proposed development would be incongruous and would harm the character and appearance of the area.
8. There is conflict with Policy HQ1 of the Central Bedfordshire Local Plan 2015-2035 (2021) which seeks amongst other things to ensure developments are of the highest possible quality and respond positively to their context.
9. The proposed development conflicts with the Central Bedfordshire Design Guide (2023) which confirms that all alterations and additions to existing buildings should relate well to the character and context of their surrounding area.
10. There is conflict with the Framework which seeks amongst other things to ensure developments are of good design appropriate and sympathetic to their surroundings.
11. The appellant contends that a fallback position should be given weight citing that under Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) an outbuilding could be erected. I have not been provided with substantive evidence to allow me to compare any development which could be permitted development, for instance in the form of a certificate of lawful development to allow me to consider such as development as a reasonable fallback scheme. I therefore give this limited weight.

Conclusion

12. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR