



Appeal Decision

Site visit made on 21 November 2024

by E Catcheside BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th December 2024

Appeal Ref: APP/K0235/D/23/3327742

12A Galloway Close, Kempston, Bedford, Bedfordshire MK42 7DX

- 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 Mrs K Kaur against the decision of Bedford Borough Council.
 - The application Ref is 23/00698/FUL.
 - The development proposed is single storey side extension.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Kamaljit Kaur against Bedford Borough Council. The application for costs is the subject of a separate decision.

Preliminary Matter

3. A separate appeal for an alternative development at the site was dismissed on 11 January 2024¹. I have had regard to that appeal decision insofar as it is relevant to the main issues in this appeal. However, I have necessarily considered the appeal scheme on its own merits.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area, with particular regard to the design and size of the proposal and the removal of an on-site tree.

Reasons

5. The host bungalow lies on the corner of Galloway Close, but its principal elevation addresses White Lodge Close. The private amenity space lies to the front and side of the property and is exposed to public views from both streets. The garden is largely laid to grass which creates a sense of openness on this prominent corner, despite the built-up character of the area. The on-site tree lies close to the road and features in public views from the surrounding area.
6. The extension would add substantial bulk and mass to the host property which, due to the shape of the plot, would sit uncharacteristically close to the street frontage. Consequently, whilst a small garden area would be retained, and there would be some separation space between the extension and

¹ Appeal Decision Ref. APP/K0235/D/23/3330320, dated 11 January 2024.

neighbouring buildings, the development would detract from the open character of this prominent corner.

7. Although the extension would be lower in height than the ridge of the host property, it would have an awkward appearance due to the incongruent angle of the roof slope. Moreover, due to its width, and the lack of set-back from the front elevation, the extension would be disproportionately large when compared to the modest size of the host bungalow. Therefore, whilst it would have matching materials, the proposal would lack subordination to the existing building. It would therefore fail to accord with Design Code E1 of the Residential Extensions, New Dwellings & Small Infill Developments Supplementary Design Guidance (January 2000), which expects extensions to appear secondary to the existing building. There would also be conflict with the National Planning Policy Framework (the Framework) insofar as it seeks to secure high-quality design that is sympathetic to local character.
8. The on-site tree makes a positive contribution to the verdancy of the street scene due to its height, siting, and canopy spread. However, a letter from an Arboricultural Consultancy states that the tree is diseased and that it has a limited safe life expectancy. Consequently, there is no reason to depart from the previous Inspector's conclusion that it would be appropriate to secure replacement tree planting through a condition if the appeal were to be allowed. The development would, therefore, accord with the Framework insofar as it would incorporate tree planting.
9. Overall, I conclude that the proposal would cause harm to the character and appearance of the area due to the design and siting of the proposed extension. Therefore, there would be conflict with Policies 28S, 29, and 30 of the Bedford Borough Local Plan 2030 (January 2020) (LP) which, taken together, expect developments to be of a high-quality design that contributes positively to local character. However, because the on-site tree could be replaced, I find no conflict with Policy 39 of the LP which requires developers to consider opportunities to retain trees of high amenity value.

Other Matters

10. The proposal would increase the size of the living accommodation, to the benefit of its occupiers. However, the evidence is not persuasive that there is a particular need to enlarge the property in the manner proposed, so as to justify the harm to local character. No harm has been identified in respect of highways matters, accessibility to services and facilities, living conditions, or flooding, and there is limited evidence of third-party objections. The absence of harm is a neutral matter that does not weigh in favour of the scheme.

Conclusion

11. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above the appeal should be dismissed.

E Catchside

INSPECTOR