



Appeal Decision

Site visit made on 12 August 2025

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 28 August 2025

Appeal Ref: APP/K0235/W/25/3365370

Carwash Centre, Dallas Road, Bedford MK42 9EJ

- 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 Yahya Rezaei against the decision of Bedford Borough Council.
 - The application Ref is 24/00969/FUL.
 - The development proposed is described as 'Demolition of existing three units (Sui Generis) and erection of one new industrial unit (Comprising B2 Industrial)'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the area and the living conditions of the residents of 2 Bedford Road with particular regard to light and outlook.

Preliminary Matter

3. At the time of my site visit development was taking place within the curtilage of No 2. I have not been provided with any plans or details of planning permissions at this site, and it was unclear what was being carried out. For the avoidance of doubt, I confirm that my determination of the appeal is based on the drawings submitted and the evidence before me.

Reasons

Character and appearance

4. The appeal relates to an irregular shaped, predominantly hard surfaced piece of land that contains several single storey structures that are in operation as a vehicle repair garage and hand car wash. It is situated on a prominent corner location next to the junction of Bedford Road and Dallas Road.
5. Whilst there may be some commercial properties in the vicinity, the prevailing character of the immediate area is residential. The adjacent properties on the southern side of Bedford Road comprise a mixture of two storey detached and semi-detached houses that have similar sized plots and are laid out in a roughly linear manner.
6. The appeal site shares a boundary with No 2, a two storey detached property that has a long rear garden area. At the time of my site visit, security hoardings had also been erected around the neighbouring site on the opposite side of Dallas

Road, which has been cleared in preparation for the construction of 340 residential properties.

7. The proposed building's functional shallow roof profile would ensure that it would be of a lower height than No 2. It would also be of a smaller scale than several of the approved buildings on the adjacent housing development, some of which would be up to seven storeys in height. However, the appeal site is separated from this development by the Dallas Road highway and the approved plans for this scheme have been submitted by the Council to demonstrate that a large area of open space is to be sited directly opposite to the appeal site, thereby retaining a sense of spaciousness.
8. Moreover, despite being set back from Bedford Road, the proposal would increase the built form and scale of development across the site. Its uncharacteristic 'L' shaped configuration would result in it running along most of the shared boundary with No 2 and spanning almost the full width of the site. It would thereby dominate the plot and have a much greater footprint, mass, and visual presence along Bedford Road than the existing structures on the site and neighbouring properties in the immediate area.
9. As a result of its scale, massing, exposed gateway location and proximity to the shared boundary with No 2, it would thereby appear as a dominant, bulky, and conspicuous feature that would be at odds with the predominant layout and prevailing pattern of development in the area.
10. The use of the proposed materials and landscaping would not provide sufficient mitigation to overcome this harm. Furthermore, whilst the proposal may replace some unattractive buildings on the site this does not in itself justify the grant of permission for an otherwise unacceptable proposal. My site observations also confirmed that the nearest industrial/commercial units are a considerable distance away from the appeal site on the opposite side of the railway line on Cauldwell Walk. As such, they do not form a part of the immediate context.
11. I therefore find that the proposed development would cause unacceptable harm to the character and appearance of the area. As such, it would conflict with Policies 28S, 29 and 30 of the Bedford Borough Council Local Plan 2030 (2020) (Local Plan). Amongst other matters, these require development to have a positive relationship with the surrounding area, to integrate well with and complement the character of the area in which it is located, and to be sensitively designed. The proposal would also fail to accord with the design objectives of the National Planning Policy Framework (the Framework), as advised in Section 12.

Living conditions

12. I appreciate that the rear habitable windows of No 2 and its rear garden area already experience a loss of daylight from the existing structures on the site in the morning hours. There are also no windows or openings within the proposed elevation facing No 2, so no undue loss of privacy to the occupiers of this neighbouring property would occur.
13. Nonetheless, although it would be set back from the frontage of the site the proposal would result in a substantial continuous elevation, at around 6.4 metres in height, that would span a significant amount of the shared boundary with No 2, including the entire length of its rear garden area. At such close quarters to the

shared boundary and rear garden area of this neighbouring property the additional mass and bulk of the proposal would visually dominate the outlook from it and have a significantly enclosing, oppressive and overbearing effect.

14. The proposal would also create more shade than the existing structures, due to its height, depth, and orientation. Whilst I noted that No 2's first floor side windows are obscurely glazed, the proposal would result in its ground floor side and rear window and rear garden being shaded for more of the morning than at present. Although the proposal may only reduce sunlight for a relatively small proportion of the day, the morning is still an important time for residents to use their rooms and private amenity space. Consequently, the loss of sunlight would also cause material harm to the living conditions of the occupiers of No 2.
15. Accordingly, the proposed development would have an unacceptably harmful effect on the living conditions of the residents of No. 2, arising from the lack of light and outlook. It would thereby conflict with Policy 30 of the Local Plan, which amongst other things, requires development to have a positive impact upon amenity. In addition, conflict would arise with the design advice contained within paragraph 135 of the Framework, insofar as it requires a high standard of amenity for existing and future users.

Other Matters

16. It has been put to me that the Council have not found the principle of the redevelopment of this underutilised land to be objectionable. Nor has it or any other consultees raised concerns in respect of noise, highway safety, waste and recycling, ecology, biodiversity and contamination. I have also been made aware that the site is previously developed land with no conservation designation and lies within Flood Zone 1. However, the lack of harm in these respects does not weigh in favour of the proposal.
17. Several economic and social benefits have been put forward by the appellant in support of their case. Paragraph 85 of the Framework advises that significant weight should be placed on the need to support economic growth through the planning system, taking account of local business needs and wider opportunities for development. Nonetheless, there is little substantive information before me to demonstrate how the proposal would maintain and support the viability of the existing business, or to substantiate how this would result in an increase in employees. Whilst I have also considered the appellant's reference to other development plan policies and sections of the Framework, including in relation to urban regeneration, these, nor any of the other factors above would overcome or outweigh the harm that I have identified.
18. Although I am aware that the scheme was amended to overcome the Council's previous reasons for refusal, I therefore continue to find that it fails to comply with local and national policies.

Conclusion

19. For the reasons given above, the proposed development conflicts with the development plan and there are no material considerations that warrant taking a decision otherwise than in accordance with it. The appeal should therefore be dismissed.

Mark Caine INSPECTOR