Planning Inspectorate

Appeal Decision

Site visit made on 12 August 2025

by G Sylvester BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th August 2025

Appeal Ref: APP/K0235/D/25/3367269
29 Eagle Gardens, Bedford MK41 7FE

- 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 and Mrs Brinda and Manoj Poojary against the decision of Bedford Borough Council.
- The application Ref is 25/00424/FUL.
- The development proposed is described as a "first floor side extension over existing garage and loft conversion with rear dormer (proportions deemed permitted development) and front rooflights aperture to be max 150mm".

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed first floor side extension on the character and appearance of the host property and area.

Reasons

3. Eagle Gardens is a series of cul-de-sacs fronted by relatively modern detached dwellings. Most have integral garages that follow the line of their front elevations, often contained partly within single storey side projecting wings. Several others have low rise single storey double garages that project forwards of their main two storey core at right angles to their principal front elevation.

4. Those with forward projecting double garages includes the appeal dwelling, Number 25 which fronts the shared access road within the same short row as the appeal dwelling, and Number 39 further to the east. Those garages have a visually subservient relationship with their host dwelling that reinforces its architectural order and hierarchy of elements.

5. Whilst there is some variation in roof forms the sizes and architectural styles of those dwellings are broadly comparable giving Eagle Gardens a generally cohesive and distinctive suburban character and appearance. In street level views, particularly from the end of Eagle Gardens, the appeal dwelling is visually consistent with those dwellings in the street scene, and it reflects and reinforces the character and appearance of the area.

6. The eaves and ridgeline of the proposed first floor extension's roof would be lower in height than the host dwelling, and its outer walls would be set back from some of those of the existing garage. The hipped roof form would reflect the style of the host dwelling's roof, and their roofs would be linked by a lower height element.

However, the proposed first floor extension would nonetheless add considerable high-level bulk to the appeal dwelling's low rise double garage in a prominent position forwards of its principal front elevation. In this position it would harmfully erode the subservient relationship between the garage and the main core of the dwelling and the hierarchy of its architectural order.

7. Seen in the context of other dwellings in the street scene, including the substantially similar dwellings at Numbers 25 and 39, the proposed first floor extension's elevated bulk and massing would, in combination with the relative prominence of its forwards position, be visibly intrusive. Therefore, it would be out of keeping with and harmful to the character and appearance of the host property and area.

8. Numbers 23 and 27 Eagle Gardens do not have comparable forward projecting double garages to the appeal property in either its existing or proposed extended forms. As such those dwellings are significantly different in appearance to the appeal property and are therefore of limited relevance to my considerations.

9. The proposed rooflights would have an acceptable appearance. Even if I were to agree that the rear dormer would be permitted development it would not alter my conclusions in respect of the harmful visual effects of the proposed first floor side extension.

10. The Council's design guidance[1] does not have the force of policy and is of some age. Nonetheless, it is a material consideration and the appeal proposal's conflict with its broader principles of extensions reflecting the character of the existing dwelling and harmonising with the street scene carries some additional weight against it. The appellants consider the proposal to be consistent with that guidance, however for the reasons given above I disagree.

11. For these reasons I conclude on this main issue that the proposed development would be harmful to the character and appearance of the host property and area, contrary to Policies 28S, 29 and 30 of the Bedford Borough Local Plan 2030, Adopted January 2020 ("the BBLP"), insofar as they require high quality development that respects its context and contributes positively to the character and quality of an area and local distinctiveness, with particular attention to scale, height and massing.

12. Insofar as is relevant to this case those Policies are consistent with Paragraph 135 of the National Planning Policy Framework ("the Framework"), which requires planning decisions to ensure that developments are, amongst others, visually attractive and sympathetic to local character including the surrounding built environment. For the reasons given above, the proposal would be contrary to those objectives of the Framework.

13. There is no indication in the main parties' cases that the development would have an adverse impact on the public highway or safety of its users. In my assessment there would be no conflict with the objectives of BBLP Policy 31(i) that is cited in the Council's refusal reason. However, an absence of harm would not weigh positively in favour of the proposal, nor alter my conclusion on the main issue.

[1] Residential Extensions, New Dwellings & Small Infill Developments – Supplementary Design Guidance 2000.

Other Matters

14. For the reasons given above, the appeal proposal's conflict with BBLP Policies 28S, 29 and 30, caries significant weight against the appeal proposal and is sufficient to bring it into conflict with the development plan as a whole.

15. The appeal proposal would enlarge the appeal dwelling and be expected to enhance the living conditions of the occupiers. However, the planning system is mainly concerned with the development of land in the public interest. The proposal's harmful effect on the character and appearance of the host dwelling and area would not be outweighed by the modest weight that I attach to the proposal's benefits to the existing and future occupants of the appeal property.

16. The appellants' position is that the BBLP policies most important for determining the appeal planning application are out-of-date. This appears to be disputed by the Council. However, even if I was to take the appellants' position on this matter as a best-case scenario for them, I have found that the appeal proposal would be contrary to Framework Paragraph 135 and thus would not meet the Framework's objective in Paragraph 131 of securing good design and creating high quality places. Framework Paragraph 139 states that development not well designed should be refused.

17. It follows that even if I were to consider the appeal proposal under Framework Paragraph 11.d) ii., the adverse impacts of granting the appeal proposal planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

18. The material considerations including the benefits of the proposed development and the provisions of the Framework are insufficient to outweigh the conflict with the development plan as a whole. Therefore, for the reasons given above, I conclude that the appeal proposal is unacceptable, and the appeal should be dismissed.

G Sylvester

INSPECTOR