
Appeal Decision

Site visit made on 9 September 2025

by **Mark Caine BSc (Hons) MTPL MRTPI LSRA**

an Inspector appointed by the Secretary of State

Decision date: 09 October 2025

Appeal Ref: APP/P0240/W/25/3364965

77 Canesworde Road, Dunstable LU6 3PZ

- 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 R and I Simms against the decision of Central Bedfordshire Council.
 - The application Ref is CB/24/02532/FULL.
 - The development proposed is the erection of a self-build bungalow.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of the proposed development from the Council's decision notice as it is more accurate than that provided in the application form.
3. A revised plan Ref: Drawing Number mma.477reva has been submitted with the appeal which omits a street scene elevation. I do not consider that any party would be unfairly prejudiced by me accepting it. An executed planning obligation in the form of a Unilateral Undertaking (UU) dated 5 May 2025, has also been provided with the appeal. I will return to this matter later in my decision.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal relates to a long irregular shaped side garden area of a two storey semi-detached pitched roof dwelling that is located on a prominent bend along Canesworde Road. This predominantly undeveloped area of grassland has a hedgerow and several trees planted on it. My site observations confirmed that the topography of the area is such that Canesworde Road gently rises from the northern direction up to the appeal site and beyond.
6. The immediate surroundings are residential, predominantly characterised by similar semi-detached pitched roof dwellings that are laid out in a staggered arrangement to follow a set pattern and provide an open plan layout. Visible strips of landscaping that include grassed gardens, highway verges, hedgerows, shrubs and trees, present a soft edge to the built environment. The appeal site therefore contributes positively to the pleasant, spacious and relatively green character of the locality.

7. A gap with No 75a, and a large expanse of grass land would be retained between the façade of the proposed building and the back edge of the Canesworde Road footway. I am therefore satisfied that the appeal site is large enough to accommodate the footprint of the proposed building without it appearing cramped or overdeveloped in its context. Given the set back and bend in the road, its siting would also not unduly disrupt the building line with No 75a.
8. Nonetheless, the introduction of a dwelling would inevitably increase the built form and density of development across the site. The proposal's single storey scale and uncharacteristic hipped roof form to one side, notwithstanding the fenestration arrangements and proposed materials, would also appear conspicuous, when seen in the context of the prevailing two storey scale and pitched roof forms of adjacent neighbouring properties. Its siting would also be at odds with the uniformed staggered layout of the dwellings to the south east.
9. The position of the proposed dwelling would respect the building line with No 77 and be situated in between 2 dwellings. However, the prominent exposed location of the site is such that the discordant effect of the proposal would not be masked by these properties but would be clearly visible from several public vantage points along Canesworde Road and Hurlock Close. This impact would be compounded by its elevated position, thereby drawing the eye, and further accentuating its visual prominence from certain directions.
10. These factors, along with the partial removal of the hedgerow, would thereby result in the introduction of a dominant and contrived feature that would significantly erode the spacious green character, and appear incongruous and out of context with the prevailing scale, form, layout and pattern of development in the locality.
11. Although I have been referred to bungalows at Nos 36 and 42 and their relationship with neighbouring two storey dwellings, these are a considerable distance away from the appeal site and therefore do not form a part of the immediate local context. Moreover, these properties all have hipped roofs and have a uniformed straight building line. They are therefore not in an area that shares the same characteristics that apply to the appeal proposal. I also do not have the full details of the proposed landscaping before me and therefore cannot be certain that a planning condition to secure this would provide effective permanent screening and mitigation.
12. 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 Policy HQ1 of the Central Bedfordshire Local Plan 2015-2035 (2021). This seeks, amongst other things, high quality development that relates well to the existing local surroundings and reinforces local distinctiveness, having regard to size, scale, massing, orientation, materials and appearance. It would also fail to accord with design advice contained within the Central Bedfordshire Design Guide 2023 and Section 12 of the National Planning Policy Framework (the Framework).

Planning Balance

13. The Council accepts that it cannot currently demonstrate a five-year supply of deliverable housing sites. Consequently, Paragraph 11 d) ii of the Framework is engaged, and planning permission should be granted unless the adverse impacts significantly and demonstrably outweigh the benefits of the proposal.

14. I have found that the proposed development would cause unacceptable harm to the character and appearance of the area. This harm would be long lasting and contrary to the design objectives of the Framework. With these factors in mind, I ascribe this matter substantial weight.
15. Paragraph 73 of the Framework advises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly. It has also been put forward that the proposed development would be a windfall site, an efficient use of underutilised land, and I note the location of the appeal site relative to public transport and access to local facilities and services. In addition, the proposal would generate some economic activity during the construction of the housing and would provide homes to occupiers who would spend and contribute to the local economy. Nonetheless, given that the proposal is for one dwelling, any benefits in these respects, including to housing land supply would be somewhat limited. Due to the lack of a mechanism to secure the proposed self-build nature of the proposal I have also given the provision of this, and any social benefits associated with it very limited weight.
16. Accordingly, I attach limited weight to the appeal scheme's benefits. As such, and bringing matters together, the adverse impacts of granting planning permission would, in this particular case, significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. The appeal scheme would not therefore be sustainable development for which the presumption in favour applies.

Other Matters

17. The appeal site lies within the zone of influence for the Ashridge Commons and Woods Site of Special Scientific Interest within the Chiltern Beechwoods Special Area of Conservation. The appellant has provided a signed UU to secure mitigation against the adverse effects created by increased recreational activity arising from additional residents. Nonetheless, as I am dismissing the appeal for other reasons, further consideration of this is not required.

Conclusion

18. For the reasons given above, the proposed development conflicts with the development plan and that conflict is not outweighed by other material considerations. Therefore, the appeal is dismissed.

Mark Caine

INSPECTOR