



Appeal Decision

Site visit made on 2 December 2025

by N Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th December 2025

Appeal Ref: APP/P0240/D/25/3370869

Church Cottage, Stanbridge Road, Tilsworth, Leighton Buzzard LU7 9PN

- 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 & Mrs S Barker against the decision of Central Bedfordshire Council.
 - The application Ref is CB/25/01546/FULL.
 - The development proposed is a part two storey, part single storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - 1) whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework and relevant development plan policies including the effect of the proposal on the openness and purposes of the Green Belt, and
 - 2) whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Effect on the Green Belt

3. The appeal site is located within the Metropolitan Green Belt wherein policy SP4 of the Central Bedfordshire Local Plan 2021 (CBLP) sets out that there is a general presumption against inappropriate development. Under the policy, development proposals within the Green Belt will be assessed in accordance with government guidance contained in the National Planning Policy Framework (the Framework) and Planning Practice Guidance (PPG). The Framework explains at paragraph 154 that Development in the Green Belt is inappropriate unless one of certain exceptions applies. Paragraph 154 c) is one such exception – the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
4. What counts as a disproportionate addition is not defined in either the CBLP or Framework, however the Central Bedfordshire Design Guide 2023 (CBDG) suggests a maximum of 60% of footprint, floorspace and volume. It also notes that the impact of the extension in terms of massing and design will also be considered.

5. The Council has nominated that the proposal would result in extensions to the original property by 64% in floorspace terms and the appellant does not disagree with this assessment. I have not been provided with an indication of the volumetric increase. I accept this 64% increase is not far off the 60% suggested in the CBDG. However, I must also be mindful of the visual effect of the proposed extension. In this regard I am mindful that the proposed extension is not dissimilar to a scheme which was dismissed at an earlier appeal¹ (the February decision). There are differences between the two schemes in that the current proposal has removed the previous twin gabled roof form in favour of a single gable and altered the dimensions of the proposed extension including set-back elements to the upper floor. This proposal still occupies a similar siting and features a roof form which, whilst still lower than the existing roof ridge, is taller than the previous scheme.
6. As a result of this, and notwithstanding the reduction in floorspace, the visual effect of the extension remains largely comparable to that considered in the February decision. The previous Inspector found, at paragraph 12, that it “would involve introducing built form where none currently exists and the proposal would have a footprint that would occupy open space on the ground. Furthermore, the proposed extension would be a substantial two-storey, three dimensional structure that would have floor area, height, mass, bulk and volume.” I must conclude that the same reasoning applies to this proposal. Aside from the slight reduction in floorspace and alteration to design, the substantive issues persist and there would be harm to the openness of the Green Belt in a spatial and visual dimension.
7. I therefore conclude on this point that the proposal would be harmful to the openness of the Green Belt in both a spatial and visual dimension and would thus conflict with policy SP4 of the CBLP, advice in the CBDG and the Framework.

Other considerations

8. My attention has been drawn to a previously granted Lawful Development Certificate² (LDC) for a two-storey rear and single storey side extension. Such works having been determined to benefit from deemed planning permission under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). It is put forward that, having regard to the judgement of *Mansell v Tonbridge & Malling Borough Council (2017) EWCA Civ 1314*, this represents a fallback position and is therefore a material consideration in the determination of this appeal. I agree. Given the appellants clear desire to construct an extension to the property as evidenced by the planning history, there is a greater than a theoretical possibility that the development might take place.
9. However, in order for me to attach significant weight to this fallback position, the fallback would need to be equally, or more, harmful than the scheme for which planning permission is sought. Again here, I refer back to the conclusions of the Inspector in the February decision. At paragraph 17 the Inspector found that the lawful development certificate scheme “comprises two separate extensions on different elevations of the building which are not linked internally or externally. This would physically and visually break up their bulk and massing. Due to the dwelling’s open aspect and elevated position, the front and side elevations of the dwelling are highly visible from the nearby Community Hall car park and when travelling west through the village. The LDC scheme would have a single storey

¹ APP/P0240/D/24/3343608

² Council ref: CB/23/03475/LDCP

side extension that would have limited visual impact on openness, and a simpler roof form that would reduce bulk and massing.”

10. As I have set out above, the design of the proposed extension is not sufficiently dissimilar to that which was previously assessed in the February decision, and I can find no reason to reach a different conclusion. The proposed development would be more harmful in terms of its effects on the Green Belt. Therefore, whilst I recognise the fallback position, as it is less harmful it cannot carry significant weight.
11. I have noted the appellant’s suggestion that were permission to be granted, the removal of permitted development rights could ensure both extensions (or other works) were not implemented concurrently. However, as I have found the lawful development certificate scheme to be less harmful than this proposal, this does not need to be explored further.

Other Matters

12. In reaching my conclusions here, I have considered the proximity of the site to the Grade I listed All Saints Church however, given the separation between the site and this heritage asset together with intervening buildings and vegetation, I am satisfied that the proposal would not have an effect on the setting of this listed building. The site is also in proximity to archaeological remains and were permission to be granted, further consideration as to the effects of the proposal on potential remains would have to be explored. However, as the proposal is to be dismissed on other grounds, I do not need to explore this further here.

Green Belt Balance and Conclusion

13. The proposed development would represent a disproportionate addition to the original dwelling and would be harmful to the openness of the Green Belt in a spatial and visual dimension. The fallback position and other material considerations are of insufficient weight to warrant such a form of inappropriate development in the Green Belt. The proposal thus 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.

N Bowden

INSPECTOR