



Appeal Decision

Site visit made on 13 January 2026

by A Phillips MPlan BA CertHE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th January 2026

Appeal Ref: APP/P0240/W/25/3375901

6A and 7 Market Square, Sandy, Bedfordshire SG19 1HU

- 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 Fabel against the decision of Central Bedfordshire Council.
 - The application Ref is CB/25/01946/FULL.
 - The development proposed is for conversion of the rear attached garage to a store for the retail unit, first floor extension above with an external staircase for access to a new first floor flat (7A) including internal alterations and a front Juliet balcony, and internal alterations to existing first floor flat (6A) with alterations to the access/entrance.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has sought to amend the proposal during the appeal process to remove the Juliet balcony. The Procedural Guide: Planning appeals – England Updated 9 December 2025 states that ‘The appeal process should not be used to evolve a scheme and there are no provisions within the Rules for amendments to be submitted’. In the interests of fairness to all parties, I have not accepted the amended plan and determined the appeal based on the same plans upon which the Council determined the planning application. I am satisfied that no party has been prejudiced by my approach.

Main Issues

3. The main issues are the effect of the proposed development on the:
 - character and appearance of the area bearing in mind it would be within the Sandy Conservation Area.
 - living conditions of the occupiers of 8 Market Square, with particular reference to privacy.

Reasons

Character and appearance

4. The appeal site is within the Sandy Conservation Area. The conservation area is centred around the Market Square and adjoining roads covering the historic core of Sandy. In the centre of the Market Square is a single storey building. This is surrounded by a mix of traditional buildings primarily with Georgian and Victorian architectural styles and some modern buildings that include a flat roof two storey

building. The properties along Pleasant Place are traditional Victorian style properties face onto an informal road.

5. The Sandy Conservation Appraisal 2003 defines the Market Square as wide open with a central island occupied by buildings that are both of local interest and provide a focal frontage. It further states that more modern blocks of shops around the Market Square have a negative effect on the conservation area.
6. Thus, insofar as is relevant to this appeal the significance of the conservation area is derived from the mix of architectural styles and public spaces around Market Square, Cambridge Road and High Street and the high quality architectural detailing traditional elements.
7. The proposed 1st floor extension at the rear of the site is proposed to be of matching height to the existing two storey flat roof element of the appeal building. While there would be views from Pleasant Place and the driveway of the health centre, these views are limited by existing built form. The proposed external staircase would also be partially obscured by existing buildings. The Council has acknowledged that external staircases are not uncommon within the conservation area, though it states the one proposed here by virtue of its scale, bulk and sprawl would cause the harm.
8. However, while there are spaces in proximity such as Pleasant Place and Market Square that positively add to the local area; the rear of the site is of limited architectural merit that does not add to the overall quality or special character and appearance of the conservation area. The proposed 1st floor flat roofed extension and external staircase would blend into its context and as such would not harm the character, appearance or significance of the conservation area.
9. The proposed Juliet balcony would be located on the front elevation and is an addition to the existing glazed French doors. The modest visual changes to the appearance of the appeal building through the addition of the Juliet Balcony would have a neutral impact on the conservation area.
10. I therefore conclude that the proposal would not harm the character and appearance of the area of the conservation area as a whole. On this basis the proposal complies with Policies HQ1 and HE3 of the Central Bedfordshire Local Plan 2015-2035 July 2021 (Local Plan) that require size, scale, massing, orientation, materials and appearance to relate well to the existing local surroundings; as well as preserve the special character and appearance of heritage assets. The proposal also complies with the heritage protection aims of the National Planning Policy Framework (Framework).

Privacy of occupiers of 8 Market Square

11. 8 Market Square is located adjacent to the site. It has two windows at 1st floor level and a door onto a flat roof at the rear.
12. The existing 1st floor element of the application site has several windows that overlook 8 Market Square. In addition, the 1st floor element of the application site has both a bathroom and kitchen that both have the appearance of not being used for a significant period of time, as well as two other rooms that are being used for ad-hoc storage spaces.

13. The proposed external staircase would allow potential future occupants of the proposed flat to see into the 1st floor windows of 8 Market Square, in particularly the 1st floor clear glazed window in the rear elevation. There is no substantive evidence before me which allows me to determine what type of room this window serves. However, the fact is the proposal would afford views directly into 8 Market Square through this window.
14. I have noted the length of the landing area of the external staircase. In addition, the overall length of external landing means that potential future occupiers would be looking directly towards the neighbour's clear glazed window for an extended period. It is also noted that the Council describes this space as a balcony and given the lack of outdoor amenity space, it is foreseeable that future occupiers would spend time on the landing element of the staircase. Therefore, the proposed external staircase would cause significant harm to the privacy of the occupiers of 8 Market Square.
15. While I acknowledge the removal of one of the 1st floor windows of the appeal site, this does not overcome the harm I have identified.
16. Thus, I conclude that the proposal would harm the living conditions of the occupants of 8 Market Square with particular regard to privacy. On this basis the proposal does not comply with policies HQ1 of the Local Plan that seeks to ensure there is no unacceptable loss of privacy to neighbouring residents. Section 11 of the Central Bedfordshire Design Guide further highlights the importance of protecting neighbouring residents' privacy. This is in line with the requirements of chapter 12 of the Framework.

Planning Balance and Conclusion

17. The Council accepts that they cannot demonstrate a deliverable five year supply of housing land as required by Paragraph 78 of the Framework. Paragraph 11 d) of the Framework states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
18. The proposal would use brownfield land and substantial weight should be granted to its reuse, as detailed under paragraph 125 of the Framework. I have also considered the elements under paragraph 125 of the Framework that relate to supporting the under-utilised buildings as well as supporting development above existing commercial premises. A single new dwelling would support both services within the settlement and nearby settlements. There would also be economic benefits during the construction phase and a new would add to the Council's housing supply.

However, I have found that there would be significant harm to the privacy of occupiers of 8 Market Square. In my view this adverse impact would significantly and demonstrably outweigh all the benefits when assessed against the policies of the Framework taken as a whole.

19. 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.

A Phillips

INSPECTOR