



Appeal Decision

Site visit made on 12 November 2025

by **D Ellis MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 9th February 2026

Appeal Ref: APP/P0240/W/25/3371661

Hill House, Wood Lane, Aspley Guise, Central Bedfordshire MK17 8EJ

- 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 Dearman & Carey Developments Limited against the decision of Central Bedfordshire Council.
 - The application Ref is CB/25/00891/FULL.
 - The development proposed is demolition of a two storey side extension and rear conservatory and erection of a two storey rear extension. Erection of a new two storey infill dwelling and provision of a new shared access with closure of the existing access.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application form and the Planning, Design, Access & Heritage Statement (dated March 2025) both refer to the postcode of the appeal site as MK17 8EJ. However, the decision notice, appeal form, other application documents and the appellant's appeal documents refer to the postcode as MK17 8ES. Google Maps shows that both postcodes apply to parts of the appeal site, with the majority of the site including the existing house covered by the former postcode. I have therefore used the former postcode in the banner header above.
3. The proposal originally included a replacement garage for the existing dwelling, however this was removed from the proposal during the application stage. In the banner header above I have therefore used the description of development from the decision notice and appeal form, which omits the replacement garage.

Background and Main Issue

4. A previous planning application for the demolition of the existing dwelling, garage and outbuilding and the erection of three new dwellings with garages, associated access and landscaping¹ was refused. A subsequent appeal² was dismissed on the grounds of inappropriate development in the Green Belt, harm to the openness of the Green Belt, harm the character and appearance of the area, the proposal would not preserve or enhance the character or appearance of the Aspley Guise Conservation Area (CA), harm to their living conditions of the occupants of neighbouring properties, and highway safety.

¹ Planning application ref. CB/21/01362/FULL

² Appeal ref. APP/P0240/W/21/3288099

5. The appeal proposed seeks to retain the existing dwelling and replace the existing side extension with a rear extension, and to erect one new dwelling. The Council have not objected on the grounds of the Green Belt, the living conditions of the occupants of neighbouring properties or highway safety.
6. Therefore, the main issue is the effect of the proposal on the character and appearance of the area bearing in mind it would be within the CA and within the setting of the grade II listed Westbank Cottages.

Reasons

7. The appeal site is within the CA, although the properties south of the site in Green Lane and along the eastern side of Wood Lane are outside of the CA. The CA has a mix of building types, including detached residential buildings set back in large plots with fine mature trees. The appeal property is an attractive and distinctive historic building with traditional architectural features. Insofar as is relevant to this case, in my view the significance of the CA is founded on the historic and architectural detailing of the buildings and the verdant character.
8. Wood Lane consists of predominantly large detached houses with a variety of designs. Many of the dwellings on Wood Lane are set back from the road and located within spacious plots. The area is heavily vegetated with mature hedges and trees which provides an attractive verdant character and appearance, with the residential plots nestled within the vegetation. The dwellings on the eastern side of Wood Lane, including the appeal site, are largely screened by the hedges and trees, with gaps in the trees for vehicular accesses providing limited views of the dwellings. On my site visit I observed that there were a number of mature trees and hedgerow present at, or on the boundary of, the appeal site. These were well-established and positively contributed to the mature canopy and verdant character and appearance of the plot and the area and could continue to do so for many years. The properties in Wood Lane therefore accord with the prevailing character and appearance of the CA and contribute strongly to its significance.
9. The Grade II listed Westbank Cottages are a row of three late-C18 cottages with mid-C19 additions, set back from the street with hedging and trees to the front. The building has a variety of high quality traditional architectural features such as casement windows with glazing bars. Insofar as is relevant to this appeal, the significance of Westbank Cottages is founded on their age, traditional architectural detailing and their verdant setting. Westbank Cottages are adjacent to the appeal site and as such the proposal would be within the setting of the listed buildings.
10. The Arboricultural Impact Plan Rev D shows that, along the front boundary, three trees – two silver birches and a yew – and the Group H section of hedgerow would be removed as a result of the proposal. A cherry tree, which is set back from the road, would also be removed. A new section of hedging and one tree would be planted to fill in the existing access in the southern part of the site, with two additional new trees planted at the front of the site. However, it would take a long period of time for the new trees to reach the size and visual impact of the existing trees. Consequently, the removal of the existing trees and hedging would result in a significantly wide area of openness in the central part of the site frontage. Other replacement planting would be to the rear of the existing and proposed dwellings and thus would not have a noticeable effect on the street scene.

11. The removal of the two-storey side extension to the existing dwelling would restore the symmetry of the original building, and the proposed new dwelling would complement the street scene. However, this would be outweighed by the openness in the frontage, which would be at odds with the heavily vegetated appearance of the street and therefore would harm to the verdant character and appearance of the area. It would fail to preserve the character or appearance of the CA harming its significance. It would also harm the setting and significance of Westbank Cottages.
12. The harm to the listed building and the CA combined would be less than substantial and towards the lower end of any range. However, it is still of considerable importance and weight. In these circumstances, the National Planning Policy Framework (the Framework) states that the harm should be weighed against the public benefits of the scheme.
13. The proposal would provide one additional unit which would make a small contribution to the existing housing supply. Economic advantages would also arise from the construction and occupation of the new dwelling. The new access would provide improved visibility of vehicles and pedestrians on Wood Lane. Furthermore, the Council is satisfied that the proposal would provide a Biodiversity Net Gain or more than 10%. These are significant public benefits which weigh in favour of the scheme. However, they are insufficient to outweigh great weight I afford to the harm to the designated heritage assets.
14. The proposal would therefore conflict with Policies HQ1, HE3 and EE4 of the Central Bedfordshire Local Plan (2020) (LP). These policies seek, amongst other things, for development to respond positively to its context, reinforce local distinctiveness, and complement the existing natural environment; preserve, sustain and enhance the special character, significance, appearance and setting of heritage assets; and for existing hedgerows and trees to be incorporated to enhance developments and to reinforce hedgerows and treed boundaries.

Planning Balance

15. The Council state that they can currently demonstrate a 4.85-year supply of housing sites. This is below the minimum level required and with reference to paragraph 11 d) of the National Planning Policy Framework (the Framework), consideration of the presumption in favour of sustainable development is needed.
16. The proposal would cause harm to the character and appearance of the area, fail to preserve the character or appearance of the CA harming its significance, and harm the setting and significance of a listed building. It would, therefore, conflict with LP policies HQ1, HE3 and EE4 in this regard.
17. I am satisfied that the proposal would conflict with the development plan as a whole. The aforementioned development plan policies are generally consistent with the Framework and so these conflicts carry substantial weight.
18. Section 16 of the National Planning Policy Framework has regard to conserving and enhancing the historic environment. In particular, paragraph 202 of the Framework states that heritage assets should be conserved in a manner appropriate to their significance, and paragraph 212 states that great weight should be given to the asset's conservation. In this instance, the application of policies in the Framework that protect areas or assets of particular importance

would provide a strong reason for refusing the development proposed. Paragraph 11 d) i) of the Framework would apply in this case and the proposal would not constitute sustainable development.

Conclusion

19. I conclude that the proposal conflicts with the development plan as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. The appeal should therefore be dismissed.

D Ellis

INSPECTOR