



Appeal Decision

Site visit made on 21 January 2026

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 16th February 2026

Appeal Ref: APP/K0235/W/25/3375984

25 Top End, Renhold, Bedford MK41 0LR

- 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 Kevin Hill against the decision of Bedford Borough Council.
 - The application Ref is 25/00336/FUL.
 - The development proposed is the demolition of existing commercial unit and replacement with chalet bungalow dwelling.
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Decision

1. The appeal is allowed, and planning permission is granted for the demolition of existing commercial unit and replacement with chalet bungalow dwelling at 25 Top End, Renhold MK41 0LR in accordance with the terms of the application, Ref 25/00336/FUL, subject to the conditions in the attached schedule.

Preliminary Matters

2. An appeal at the same site was recently dismissed¹. Whilst there are some similarities between the scheme such as the quantum of development, the layout and design of the proposals vary. I have considered the previous appeal decision in so far as it relates to the scheme before me.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - whether there are any other considerations that indicate a decision other than in accordance with the development plan.

Reasons

Character and appearance

4. The area is rural, surrounded by opening countryside. Whilst the majority of development in the area consists of road fronting residential properties, there are a limited number of backland buildings, with a range of uses such as residential and agricultural. This portion of Top End is characterised by detached and semi-detached dwellings predominantly single storey in height, with many containing

¹ Appeal Reference: APP/K0235/W/24/3338435

rooms in the roof space. The dwellings are set centrally within spacious, verdant plots.

5. The appeal site comprises No 25 Top End, a large bungalow, an agricultural style commercial premises in a back-land position and the expansive, surrounding garden land with mature trees and hedges. Despite its backland position, due to the existing commercial building's location, size and design it does not appear harmfully intrusive to the appearance of the area being set against verdant trees and hedging with fields beyond.
6. The proposed dwelling would utilise the existing shared access and replace the existing backland structure. The chalet style dwelling would be in keeping with the appearance of other dwellings along Top End. Whilst the proposal would be taller than the closest dwellings on Top End, its chalet design with first floor within the roof space, position lower down the existing slope and sufficient separation distances, would mean that it would not be perceived to be significantly larger and would not appear at odds with Nos 25 and 27 against which it would be viewed.
7. Nevertheless, it would introduce a substantial dwelling in a position which would not reflect the prevailing pattern and grain of development along Top End, establishing domestic paraphernalia across the entirety of the site. Although the existing and proposed screening would soften the appearance of the proposal, it would be distinctly residential in comparison to the existing structure, encroaching into the countryside abutting Top End.
8. Therefore, I conclude that the proposal would harm the character and appearance of the area. It would be contrary to Policies 28s, 29 and 30 of the Bedford Borough Local Plan (January 2020) (BLP) Amongst other things these seek to ensure, that proposals contribute positively to the character and identity of the settlement. There would also be conflict with the National Planning Policy Framework (Framework) where it requires development to be sympathetic to local character and setting.
9. For similar reasons, it would also conflict with the aims of the Bedford Borough Design Guidance: Settlements and Streets and the Supplementary Planning Document: Residential Extensions, New Dwellings, and Small Infill Developments.

Other considerations

10. The parties agree that the Council is only able to demonstrate a 3.35 year housing land supply. This is well below Government expectations. The proposal would bring an underutilised plot back into use, making efficient use of land. It would provide an additional house on previously developed land, in a relatively accessible location. It would not be isolated, and it would contribute to the districts housing supply. Short term employment would be provided during the construction and in the long term the future occupiers would benefit the local economy and community. Whilst the proposal would only deliver one dwelling this would nonetheless be valuable in boosting the housing stock in circumstances where there is a significant shortfall.
11. Concerns have been raised that the proposal would set a precedent for other backland development within the area. However, the appeal site comprises previously developed land as opposed to other backland sites within the vicinity. As such, I cannot conclude that the proposal would set a precedent for future development.

12. The proposal would result in the loss of several trees, nevertheless a landscaping scheme could be conditioned. Concerns have been raised regarding strain on village infrastructure; however, I have no substantiated evidence before me to suggest the infrastructure would be unable to cope with additional residents from one dwelling. There would be additional noise and disturbance during the demolition and construction, however given the scale of the proposal and the location of the appeal site, this would be short lived. Similarly, the proposal would have ample separation from neighbouring properties and would not harm the living conditions of surrounding residents.

Planning Balance

13. The proposal would harm the character and appearance of the area, conflicting with the development plan as a whole. However, because of the housing land supply position, paragraph 11 d) of the Framework is engaged.
14. I have concluded that the proposal would deviate from the prevailing pattern of development and would encroach into the surrounding countryside. Nevertheless, the proposal would replace an existing structure within the landscape, with an overall design that would be in keeping with those on Top End. Therefore, the conflict is moderate.
15. The proposal would deliver an additional housing unit in a borough that is falling well short of the level of housing supply required by national policy. One dwelling would make a minor but useful contribution as indicated by paragraph 73 of the Framework. Furthermore, the dwelling would be located in a sustainable location, make efficient use of previously developed land and contribute to a prosperous rural economy and help to maintain local services and facilities, such as the Renhold primary school in line with the provisions of the Framework. As such, the benefits of the proposal are moderate.
16. My attention has been drawn to other recent appeals in the area². However, there are substantial differences in between them, including their location and the effects on designated heritage assets, ecological interests and neighbouring residents living conditions. As such, they have not altered my findings as above.
17. When assessed against the policies in the Framework as a whole, the adverse impact on the character and appearance does not significantly and demonstrably outweigh the benefits of an additional home on previously developed land in an accessible location which would contribute to the local economy. Consequently, the presumption in favour of sustainable development applies and this indicates that permission should be granted.

Conditions

18. I have considered the conditions put forward by the Council against the Framework and where necessary I have amended the wording in the interests of effectiveness and precision.
19. Aside from the statutory condition required to set the necessary time limit for development [1], a condition is required to indicate the approved plans to provide certainty [2]. Due to the history of the land, pre-commencement conditions are

² Appeal References: APP/K0235/W/25/3369661, APP/K0235/W/25/3366177, APP/K0235/W/25/3360261

required to ensure the safety of future users and safeguard any archaeological assets [3,4].

20. As the proposal is rurally located within a sensitive setting, further details of the proposed materials are required to ensure the quality of the materials and that the proposal is in keeping with the appearance of the area [5]. To ensure satisfactory drainage, a surface water drainage scheme is required [6].
21. To conserve and enhance biodiversity and to minimise the effect of the proposal on the health of the retained trees, a condition is required to ensure compliance with the ecological and arboricultural recommendations within the submitted reports and the biodiversity gain plan [7]. In addition, in the interests of biodiversity and to ensure the landscaping scheme is fully implemented, I have imposed several conditions related to landscaping and ecological enhancements and external lighting [8,9,10].
22. Conditions are reasonable and necessary to provide suitable parking for future occupants and appropriate cycle and refuse storage facilities [11,12,13]. To ensure the long-term sustainability and functionality of the dwelling, conditions securing water efficiency and high-speed internet are necessary [14,15].
23. While Planning Practice Guidance states that conditions restricting the future use of permitted development rights often do not pass the test of reasonableness or necessity, given the sites rural location, in this instance, I am satisfied that it is necessary to prevent future enlargements, improvements or alterations, the provision of buildings etc incidental to the enjoyment of the dwellinghouse and the erection of any fences, walls or gates in order to safeguard the character of the area [16].
24. There is also no need to impose a condition requiring submission of a Biodiversity Net Gain Plan. This is because the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ('the biodiversity gain condition') that development may not begin unless: (a) A Biodiversity Gain Plan has been submitted to the planning authority, and (b) The planning authority has approved the plan. Based on the information available this scheme is one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements apply.

Conclusion

25. The proposal conflicts with the development plan as a whole. However, the presumption in favour of sustainable development applies. In this particular case, material considerations indicate that planning permission should be granted, notwithstanding the conflict with the development plan. Therefore, for the reasons given above, the appeal is allowed.

K Allen

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos: L-01 Rev B, L-02 and L-03 Rev A.
- 3) No development shall take place until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency, Land Contamination Risk Management (LCRM) (or equivalent British Standard and Model Procedures if replaced), has been submitted to and approved in writing by the local planning authority. If any contamination is found, no development shall take place until:
 - i) i. a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the local planning authority;
 - ii) ii. the site has been remediated in accordance with the approved measures and timescale; and
 - iii) iii. a verification report has been submitted to and approved in writing by the local planning authority.

If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended until:

- i) additional measures for the remediation of the site have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority; and
 - ii) ii. a verification report for all the remediation works has been submitted to and approved in writing by the local planning authority.
- 4) No development shall take place until an archaeological strategy for evaluation and if necessary, a further mitigation strategy based on the outcome of the evaluation, have been submitted to and approved in writing by the Local Planning Authority.

The archaeological mitigation strategy shall include a timetable and the following components:

- i) fieldwork and/ or preservation “in situ” of archaeological remains;
- ii) a post-excavation assessment report (to be submitted within six months of the completion of fieldwork);
- iii) a post-excavation analysis report, preparation of site archive ready for deposition at a store approved by the Local Planning Authority, completion of an archive report, and submission of a publication report (to be completed within two years of the completion of fieldwork).

The archaeological mitigation strategy shall be carried out in accordance with the approved details and timings.

- 5) No development, above ground level, shall take place until details of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 6) No development above ground level shall take place until a scheme for the management of surface water has been submitted to and approved in writing by the local planning authority. The dwelling shall not be occupied until the drainage scheme has been provided in accordance with the approved details.
- 7) The development shall be carried out in accordance with the details set out within the Arboricultural Impact Assessment and the Arboricultural Method Statement, prepared by BHA Trees Ltd dated 24 January 2025, the Preliminary Ecological Appraisal, prepared by Hawthorne Ecology, dated 5 February 2025 and the approved Biodiversity Gain Plan.
- 8) No development, above ground level, shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
 - i) any trees and hedges to be retained or removed;
 - ii) new planting, giving location, species, number, density and planting size;
 - iii) surface materials, including areas of grass turfing or seeding;
 - iv) depth of topsoil to be provided;
 - v) boundary treatments;
 - vi) maintenance scheme; and
 - vii) an implementation programme.

The landscaping works shall be carried out in accordance with the approved details and implementation programme. The completed scheme shall be maintained in accordance with an approved scheme of maintenance

Any trees, hedges or plants (existing retained or proposed) that, within a period of ten years after planting (or replanting if previously failed), are removed, die or become, in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved.

- 9) No development, above ground level, shall take place until a scheme of ecological enhancement has been submitted to and approved in writing by the local planning authority. The scheme shall include details of bird and bat box installation, hedgehog connectivity, other enhancements and an implementation programme. The scheme shall be carried out in accordance with the approved details and implementation programme.
- 10) Prior to first occupation, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - i) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding

sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

- ii) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specification) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

- 11) Prior to first occupation, the parking and turning areas shown on drawing: L-01 Rev B, shall be provided. The parking and turning area shall thereafter be retained for that specific use.
- 12) Prior to first occupation, details of bin storage/collection point(s) shall be submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the storage/collection points have been provided in accordance with the approved details and thereafter retained.
- 13) Prior to first occupation, details of a scheme for cycle parking (with access thereto) in accordance with Bedford Borough Council's Parking Standards for Sustainable Communities: Design and Good Practice 2014 has been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be occupied until the cycle parking areas have been provided in accordance with the approved details and thereafter retained.
- 14) Prior to first occupation, appropriate open access fibre optic infrastructure shall be provided, unless evidence is submitted which demonstrates that providing the required infrastructure is not feasible or economically viable.
- 15) The new dwelling shall achieve and maintain the higher water efficiency standard in the Building Regulations as set out in Approved Document G: Sanitation, hot water safety and water efficiency, 2015 edition, DCLG October 2015 (or similar replacement standard).
- 16) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended), or any amending Order, the enlargement, improvement, or other alteration of the dwellinghouse, the provision of buildings etc incidental to the enjoyment of the dwellinghouse or the erection of any fences, walls or gates as described in Schedule 2, Part 1, Classes A-E and Part 2 Class A of the Order shall not be undertaken without the prior written permission of the local planning authority.

*****End of Conditions*****