



Appeal Decision

Site visit made on 21 January 2026

by K Allen MEng (Hons) MArch PGCert ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 17 February 2026

Appeal Ref: APP/P0240/W/25/3376302

Land South of Faynes Court, Sandy SG19 1HX

- 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 Faynes Developments Sandy Ltd against the decision of Central Bedfordshire Council.
 - The application Ref is CB/25/02532/FULL.
 - The development proposed is the erection of four dwellings, associated access and works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Additional drawings have been submitted with this appeal. The drawings indicate swept path analysis for the site. Although the appeals process should not be used to evolve a scheme, in this instance, the submitted drawings provide supplementary information, pertinent to the main issues rather than a design evolution. The Council have been able to provide comments, and I am satisfied that accepting the drawings would not prejudice any party. Therefore, I have considered Drawing Nos. 3228-001 and 3228-002.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the area, having particular regard to whether the development would preserve or enhance the character of appearance of the Sandy Conservation Area;
 - whether the proposal would provide adequate living conditions for future residents, with particular regard to outlook, privacy and outdoor amenity space; and
 - the effect of the proposal on highway safety, with particular regard to parking provision and turning space.

Reasons

Character and appearance

4. The appeal site is a vacant area of land on the edge of Sandy town centre, adjacent to the Sandy Conservation Area (CA). The immediate area is

predominantly characterised by residential development, including low rise flats, such as Faynes Court, terraces and detached houses and bungalows.

5. As a vacant piece of land, the appeal site makes little contribution to the setting or significance of the CA. The council's CA map encourages the enhancement of the area to the west. The Afnan library lies immediately to the west of the appeal site within the CA and is noted as a building of local interest. The library is positioned in isolation from the surrounding built form and appears prominent within the street scene. It benefits from several large, attractive arched windows which address the appeal site.
6. The flats and houses along Pleasant Place and along Sunderland Road create active frontages with doors and windows facing towards the appeal site. The site forms part of a pleasant transition between the denser development within the CA and the more spacious area to the north. In so far as is relevant to this appeal, the CA derives its significance from its pattern and density of development, and the character of and relationship between the buildings within it.
7. The density of development and separation distances between the proposed dwellings and the site boundary would be comparable to the properties to the south, reflective of the more dense grain of development seen within the CA. Whilst the parties agree that the design of the dwellings themselves would be in keeping with the area, Plot 1 would be positioned in close proximity to the Afnan library, altering its relationship with the surrounding built form. Although the library would still be appreciated from views outside of the appeal site and Plot 1 would be lower in height and scale, its proximity to the library would harmfully reduce the library's prominence within the street scene, detrimentally affecting the significance of the CA.
8. The proposal would be accessed via the existing parking area. Although the areas of hardstanding would be more dispersed in comparison to the previously refused scheme¹, they would still fill a significant proportion of the site, which would be exacerbated by the position of the replacement parking spaces F5 and F9. Due to the position of these parking spaces, they would effectively join the existing and proposed hardstanding, appearing as one large expanse. There would be an active frontage, however, when viewed in combination with the existing parking, the area would be dominated by hardstanding, appearing unsympathetic to its surroundings.
9. Consequently, the proposal would fail to preserve or enhance the character or appearance of the CA, resulting in a limited amount of less than substantial harm as referred to in the National Planning Policy Framework (Framework). Where development proposals would lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal.
10. As set out below, the public benefits of the proposal include the construction of four dwellings in an accessible location on previously developed land and the associated economic gains. Nevertheless, I find that the great weight I attach to the identified harm with respect to the designated heritage asset would not be outweighed by the benefits of the proposal and the development would conflict with the Framework.

¹ Appeal Reference: APP/P0240/W/23/3333240

11. Therefore, I conclude that the proposal would harm the character and appearance of the area and fail to preserve or enhance the character or appearance of the CA. In this regard, the development conflicts with Policies HQ1 and HE3 of the Central Bedfordshire Local Plan (July 2021) (CBLP) and the Central Bedfordshire Design Guide (CBDG) (August 2023), which amongst other things require that development is of the highest possible quality, responds positively to their context and preserves the setting of heritage assets. There would also be conflict with the Framework, where it requires development to be visually attractive as a result of good architecture and layout and sympathetic to local character and history.

Living conditions

12. As set out above, the density and separation distances surrounding the proposed dwellings are acceptable in terms of character and appearance of the area. However, due to the minimal separation distances, the outlook from the primary living spaces of Plots 2,3 and 4 would be extremely restricted with the short views afforded to the residents, limited to the adjacent high-level fencing. Bedroom 3 of Plot 4 would directly overlook one of the plots parking spaces, whilst this would not be the most pleasant outlook, the residents would have some control over the space, and it would be sufficient for a bedroom.
13. There would be mutual overlooking between plots 2/3 and 3/4, due to the limited separation distances between the proposed dwellings and the position of the first-floor bedroom windows, to the detriment of the residents' privacy. The appellant suggests that the side facing windows within plots 2 and 3 are only to provide additional light and could be conditioned to be obscurely glazed. However, the only other windows within this space are small rooflights and as such, if the side facing windows were obscure, the outlook from these bedrooms would be severely limited.
14. The rear gardens would meet the minimum area requirements of 60sqm. Although the gardens would not meet the minimum depth of 12m, the guidance makes clear that this depth is prescribed to ensure privacy and adequate levels of light. In this instance, although the prescribed depth would not be provided, I am satisfied that there would be no issues related to privacy or light within the gardens. Moreover, even though the gardens feature narrow sections, the overall space would be functional with hard and soft landscaping and sufficient space for day-to-day activities such as drying clothes or sitting out in warm weather.
15. Overall, though I am satisfied with the provision of outdoor amenity space, I conclude that the proposal would fail to provide adequate living conditions for future residents, with particular regard to outlook and privacy. The proposal would fail to accord with Policy HQ1 of the CBLP, the CBDG and the Framework, which collectively seek to ensure that developments are high quality, promote healthy lifestyles through design and layout and provide a high standard of amenity for future users.
16. The Council have referenced Policy H2. I am satisfied that subject to an appropriately worded condition, the proposal would accord with this policy which requires specific internal space standards, including the provision of adaptable homes.

Highway safety

17. The access to the appeal site would be taken from the Faynes Court car park. A width equivalent to approximately three car parking spaces would be lost within the existing parking area to facilitate the access.
18. The drawings indicate two replacement spaces, F5 and F9, would be provided perpendicularly on the new access. Although not explicitly noted, it appears that the final replacement space would be provided by removing an existing area of grass and kerb within the Faynes Court car park, F1.
19. The position of F5 and F9 would be somewhat unusual, within the otherwise linear car park, however, based on the swept path analysis, I am satisfied that access and egress would be possible to these spaces. Further, there would be sufficient intervisibility around the parking spaces and road markings or kerbs would be adequate to delineate the space and prevent confusion. As such, there would be no change to the Faynes Court parking provision as a result of the proposal.
20. The swept path analysis shows that there would not be sufficient space within the site to facilitate turning for large service, delivery and emergency vehicles. Vehicles reversing for long distances across the site and adjacent highway, would increase the potential for conflict, to the detriment of highway safety.
21. The appellant suggests that the layout changes required to provide adequate turning space could be secured via condition. Notwithstanding the Council's suggested conditions, cumulatively the necessary changes would amount to a fundamental redesign of the site and as such, it would not be appropriate to secure these via condition.
22. Therefore, whilst I am satisfied with the parking provision, I conclude that the proposal would harm highway safety, with particular regard to turning space. The proposal would conflict with Policy T2 of the CBLP where it requires development to provide appropriate and safe access, with adequate provision for vehicle turning. There would also be conflict with the Framework where it requires development to provide safe and suitable access.
23. Notwithstanding the above, the proposal would accord with Policy T3 of the CBLP, the Framework and the Parking standards for New Developments Supplementary Planning Document, where they seek to ensure adequate parking provision.

Other Matters

24. The parties agree that the Council cannot demonstrate a 5-year housing land supply. The shortfall is currently modest at 4.85 years.
25. The development would make an efficient use of previously developed land, providing four additional houses in a sustainable town centre location. Short term employment would be provided during the construction and in the long term the future occupiers would benefit the local economy and community by helping to sustain the vitality and viability of local services and facilities. The Framework seeks to boost the supply of housing and highlights the important contribution small sites can make and the speed at which they can be delivered. Overall, the benefits of the proposal would be considerable.

26. My attention has been drawn to a recent Ministerial Statement² regarding development near to well-connected train stations. However, this statement pertains to policy which is under consultation and does not form part of the current development plan.
27. The parties agree that the appeal proposal would not be harmful to the setting of Nos 10 and 11 Pleasant Place, a pair of Grade II listed 18th century cottages. The significance of these cottages derives principally from their age and character. Given the separation and lack of existing or identified historic relationship between the appeal site and these properties, I am satisfied that there would be no harm to this significance from the proposed development.

Planning Balance and Conclusion

28. The fact that the Council cannot demonstrate a 5-year housing land supply triggers the circumstances in paragraph 11 d) of the Framework. However, in this case, the application of policies in the Framework that protect designated heritage assets provide a clear reason for refusing the proposed development in accordance with paragraph 11d)(i). As such, the presumption in favour of sustainable development does not apply.
29. Therefore, for the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations, including the provisions of the Framework and the benefits of the proposal, that would outweigh that conflict. Therefore, the appeal is dismissed.

K Allen

INSPECTOR

² HCWS1062