



Appeal Decision

Site visit made on 24 February 2026

by **E Dade BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 9th March 2026

Appeal Ref: APP/P0240/D/25/3376791

Baroona, Swannells Wood, Studham, Central Bedfordshire LU6 2QB

- 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 Dr Paul Tearle against the decision of Central Bedfordshire Council.
 - The application Ref is CB/25/02528/FULL.
 - The development proposed is ground floor rear extension with flat and pitched roof, first floor rear extension with pitched roof and replacement of garage roof.
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Decision

1. The appeal is allowed and planning permission is granted for ground floor rear extension with flat and pitched roof, first floor rear extension with pitched roof and replacement of garage roof at Baroona, Swannells Wood, Studham, Central Bedfordshire LU6 2QB in accordance with the terms of the application, Ref CB/25/02528/FULL, subject to the conditions in the attached schedule.

Preliminary Matters

2. In the interests of clarity, in the header above and formal decision I have omitted the reference to a previous application since this is not a description of the development before me.

Main Issues

3. The main issues in this appeal are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and relevant development plan policies;
 - the effect of the proposed development on the character and appearance of the area; and
 - the effect of the proposed development on the health and longevity of trees.

Reasons

4. The appeal site comprises a detached dwelling within the Green Belt. Policy SP4 of the Central Bedfordshire Local Plan 2021 (LP) provides a general presumption against inappropriate development in the Green Belt and requires proposals for development in the Green Belt be assessed in accordance with the Framework.
5. Paragraph 142 of the Framework attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land

permanently open and the essential characteristics of Green Belts are their openness and their permanence. Paragraph 154 of the Framework indicates that development in the Green Belt is inappropriate, unless specified exceptions apply.

6. Notably, at paragraph 154(c), the Framework supports the extension or alteration of a building provided it does not result in disproportionate additions over and above the size of the original building. Section 11.32 of the Central Bedfordshire Design Guide states that, as a guiding principle, to be considered as proportionate the original building should not be added to by more than 60% of footprint, floorspace and volume. The original building is the house as it was first built or as it stood on the 01 July 1948, where built before that date¹.
7. "Footprint" is the area of ground covered by a building. The Council assert that relative to the original building, the proposed extension would increase the building's footprint by 73%, thereby exceeding the 60% threshold.
8. As originally built, the dwelling included an attached canopy structure which was later infilled. As built, the canopy structure comprised two sides and a roof and therefore was not fully enclosed so as to contribute internal floorspace. Nonetheless, the area of physical space covered by the canopy structure formed a part of the original building's footprint. However, the area of the canopy was excluded from the Council's footprint calculation.
9. Where the area of the canopy structure is included, and taking account previous extensions, the proposal would represent a cumulative total footprint increase of 56% against the original building's footprint. Therefore, the cumulative additions to the building would not exceed 60% of the original building's footprint and would satisfy this local standard.
10. In addition, the Design Guide advises the impact of the extension in terms of massing and design should also be considered. I have addressed the visual impacts of the proposal in the following section. However, situated at the rear of the dwelling, the proposed extensions would be of limited visual prominence from the highway and would be well screened by existing mature vegetation from the public footpath behind the site. Therefore, the massing and design would not appear as a disproportionate addition to the building.
11. For these reasons, the proposal would not result in disproportionate additions over and above the size of the original building. The exception at Framework paragraph 154(c) would apply to the proposal and the development would not comprise inappropriate development in the Green Belt.
12. The proposal would therefore comply with LP Policy SP4 which requires proposals for development in the Green Belt be assessed in accordance with the Framework.

Character and appearance

13. The site comprises a detached dwelling situated within a cul-de-sac with a spacious arrangement of mid-20th century dwellings set back from the street by generous, landscaped front gardens and grassed highway verges. The numerous tall, mature trees within gardens contribute height and significant greenery to the street scene. The area has a pleasant, green, and suburban, residential character.

¹ Paragraph 11.32.2, Central Bedfordshire Design Guide

14. The site is located within the Chilterns National Landscape. The statutory purpose of National Landscapes is to conserve and enhance the natural beauty of the area. Section 245 of the Levelling-up and Regeneration Act 2023 requires relevant authorities 'seek to further' the statutory purposes of Protected Landscapes, including National Landscapes. Similarly, paragraph 189 of the Framework requires great weight be given to conserving and enhancing the landscape and scenic beauty in National Landscapes, which have the highest status of protection in relation to these issues.
15. At the front, the appeal property appears of single storey height with a wide front elevation and projecting front gable. A pair of pitched dormers set in the front roof slope suggest living accommodation within the attic. From the street, the dwelling has a simple form and traditional appearance.
16. At the rear, the dwelling comprises a mix of projections of different heights including two pitched roof volumes with differing roof ridge levels, nestled between two single-storey flat-roofed volumes. The rear elevation is extensively glazed at ground floor, and with large rooflights in the rear roof plane. From the back, the dwelling appears varied in form and materials.
17. The proposed development would include single storey and first floor extensions to the rear of the dwelling. As discussed above, the proposed scale of the extensions would not be excessive in scale relative to the original dwelling.
18. The two proposed pitched roof elements would reflect the existing dwelling's projecting gable roof form. The proposed eaves heights would match the existing dwelling, and the new pitched roofs would be clad in tiles to match the existing roof. The proposed roof form would provide a more balanced appearance to the rear elevation and would complement the existing dwelling's form.
19. Set down from the height of the main roof ridge, the proposed extensions would appear subservient in scale to the main volume of the dwelling. In addition, extensive use of glazing would reduce the perceived bulk. Therefore, the design of the scheme would not be out of keeping with the dwelling's character and architectural form.
20. The proposed extensions would be wholly at the rear of the dwelling and therefore the additional bulk and mass would not be visible in the street scene of Swannells Wood. Views of the proposed extension from the public right of way that passes the appeal site's rear boundary would be generally screened by the densely vegetated boundary treatment and thus limited to glimpses through gaps in foliage. The proposed development would not affect views across open landscape.
21. The proposed development would be of limited visual prominence from publicly accessible vantage points. Therefore, the proposed extensions would not appear dominant and the proposal would not significantly alter the perceived character of the dwelling within the street scene.
22. The special qualities of the Chilterns National Landscape are its steep chalk escarpment with areas of flower-rich down land, broadleaved woodlands, commons, tranquil valleys, the network of ancient routes, villages with brick and flint houses, chalk streams and a rich historic environment of hillforts and chalk figures. Situated within a modern, residential cul-de-sac, the site and its immediate

surroundings do not possess characteristic features of the National Landscape and therefore makes a limited contribution to its special qualities.

23. Contained within the existing plot, the proposal would have no effect on locally distinctive patterns and species composition of natural features, would not alter the character of the settlement of landscape setting, nor harm valued landscapes and tranquillity. The proposed development would be of limited visual prominence and would have no effect on visually sensitive skylines, important views or visual amenity. Therefore, in the absence of harm, I am satisfied the proposed development would conserve the natural beauty of the National Landscape and the proposal would be compatible with the statutory purposes of Protected Landscapes.
24. For these reasons, the proposal would not harm the character and appearance of the area.
25. The proposal would therefore comply with LP Policy HQ1 which requires developments be of the highest possible quality and respond positively to their context, including through size, scale, massing, orientation, materials and appearance, and relate well to the existing local surroundings and reinforce local distinctiveness. In addition, the proposal would satisfy LP Policy EE7 which requires proposals conserve and enhance the special qualities, distinctive character, tranquillity and remoteness in accordance with national planning policy and overall purpose of the National Landscape.

Health and longevity of trees

26. The area is subject to a Tree Preservation Order (reference 14/1984). Trees contribute toward the verdant character of the area and are of importance as valued arboricultural and landscape features.
27. Notably, within a neighbouring garden is a protected beech tree which is a category A tree of highest quality and with a substantial estimated remaining life expectancy. From the public highway of Swannells Wood, the beech tree is visible in the gap between the appeal property and neighbouring dwelling and above roofs and is visually prominent due to its height and crown spread. The tree contributes positively to the character of the street scene and its quality warrants it be protected and retained.
28. As indicated by the Arboricultural Impact Assessment, May 2024 (AIA), the beech tree's root protection area (RPA) is extensive in area and includes a significant portion of the existing dwelling's footprint, raised patio, and rear garden. The proposed extension would be constructed close to the beech tree and therefore the proposed development would result in further incursion into the tree's RPA. However, the AIA advises that impacts on roots could be mitigated through design and implementation of specially engineered foundations.
29. The tree is beyond a boundary fence within a neighbouring garden. The ground level of the appeal property and area of the proposed rear extension are raised above the neighbouring plot. No buttress roots are identified within the appeal site, and I have no reason to consider the proposal would harm surface roots.
30. The proposed extension would project toward the trunk of the beech tree and would sit below its canopy spread. However, as illustrated by the AIA, the current

crown spread is wide and projects significantly over the existing appeal property and its patio and rear garden. Therefore, any concerns of risk and nuisance to people and property, such as to the integrity of the building or safety of persons occupying the building or using garden areas would have the potential to arise from the existing close relationship between the dwelling plot and tree. The proposed development would not fundamentally alter the domestic character and residential use of the plot and therefore I do not consider the proposal would place significant additional development pressure on the tree.

31. Furthermore, the tree has a high crown which would provide generous clearance from the height of the proposed extension. Consequently, the proposal would not lead to more extensive and frequent pruning so as to jeopardise the health and amenity value of the tree.
32. Therefore, subject to conditions to mitigate impacts on trees in accordance with the AIA's recommendations, I am satisfied the proposed development would maintain the health and longevity of protected trees.
33. Subject to secured mitigation, the proposal would therefore comply with LP Policies EE4 and HQ1 which together require proposals protect and buffer specimen trees and complement the existing natural environment, taking account of the landscape setting, biodiversity and Green Infrastructure.

Conditions

34. In the interests of certainty, I have included the standard condition for the time limit for the commencement of development and have specified the approved plans.
35. To protect the character and appearance of the area, I have included a condition requiring use of matching materials. To maintain the living conditions of neighbours, I have attached a condition requiring the first floor rooflight in the northeast elevation be obscure glazed.
36. To protect the health and longevity of trees, I have included a condition requiring protective fencing be erected as shown by the AIA and the development be carried out in accordance with the recommendations of the AIA, including its tree protection plan, arboricultural method statement, and timetable for implementation.

Conclusion

37. For the reasons given above, having regard to the development plan taken as a whole and all other relevant material considerations, I conclude the appeal should be allowed.

E Dade

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 2172_000 Location Plan; 2181_001 Site Block Plan 1:500; 2181_002 Existing Site Layout 1:500; 2181_003 Existing Site Layout 1:200; 2181_100 Existing Ground Floor Plan; 2181_101 Existing First Floor Plan; 2181_120 Existing Elevations 1; 2181_121 Existing Elevations 2; 2181_200 Proposed Site Layout 1:200; 2181_300 Proposed Ground Floor Plan; 2181_301 Proposed First Floor Plan; 2181_400 Proposed Elevations 1; 2181_401 Proposed Elevations 2.
- 3) The external materials of the extension hereby permitted shall match those used in the existing building/dwelling.
- 4) The first floor rooflight in the North East elevation of the development hereby permitted shall be permanently fitted with obscured glass of a type to substantially restrict vision through it at all times and shall be non-opening, unless the parts of the window(s) which can be opened are more than 1.7m above the floor of the room(s) in which the window(s) is installed.
- 5) No equipment, machinery or materials shall be brought on to the site for the purposes of development until the fencing has been erected in the positions shown on Drawing No. Appendix 4 of the Arboricultural Impact Assessment' report dated 23rd May 2024. The approved fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.

The scheme for the protection of the retained trees shall be carried out in accordance with the Tree Protection Plan, Arboricultural Method Statement, and Timetable for Implementation of Tree Protection Works (Appendices 4-6 of Arboricultural Impact Assessment).

END OF SCHEDULE