



Appeal Decisions

Site Visit made on 11 May 2021

by A Blicq (Inspector) BSc MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2021

Appeal A Ref: APP/K0235/W/20/3259648

Cople Cottage, 34 Northhill Rd, Bedford, MK44 3TU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Nicholas Hawker against the decision of Bedford Borough Council.
 - The application Ref 20/01084/FUL, dated 29 May 2020, was refused by notice dated 10 August 2020.
 - The development proposed is Single storey side extension.
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Appeal B Ref: APP/K0235/Y/20/3261148

Cople Cottage, 34 Northhill Rd, Bedford, MK44 3TU

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Mr Nicholas Hawker against the decision of Bedford Borough Council.
 - The application Ref 20/01085/LBC, dated 29 May 2020, was refused by notice dated 10 August 2020.
 - The works proposed are Single storey side extension.
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Decision

1. Appeals A and B are dismissed.

Preliminary Matters

2. Historic England advises that there are three factors to be taken into account when assessing whether a structure is within the curtilage of a listed building. These are the physical layout, ownership and the use or function of the former buildings.
3. It is not disputed that Cople Cottage is a former gardener's cottage for the former Cople House which was demolished in the 20th century. It is located adjacent to a former enclosed kitchen garden. The listing was made in 1984 and the garden and Cople Cottage are in the same ownership. There is nothing before me to suggest that the kitchen garden was not functionally related to the gardener's cottage. As such, I conclude that the garden walls are curtilage listed.
4. The Council's concerns are related to the ground floor extension only, and consequently I have limited my reasoning to this element of the application, as there is nothing before me to suggest that the proposals would harm the significance of internal features.

Main Issues

5. The main issues are whether the development and works would preserve the special features of the Grade II listed 34a Northill Road, also known as Cople Cottage, including setting, (Appeals A and B).

Reasons

6. Cople Cottage (the Cottage) is a one storey cottage with attic accommodation, which dates from the 17th century. Although substantially extended and altered throughout its history, internally it has exposed 17th century timber framing and an original three-plan room form that remains legible despite alteration. Externally it has a rough cast rendered finish, clay tiled gabled roof and chimney stacks. There are four modest gabled and hipped dormer windows of indeterminate date on the southern roof slope. The ground floor glazing appears mainly 20th century in origin and the windows vary in size and glazing details. At ground floor level there is also a lean-to uPVC conservatory at the eastern end of the southern elevation, and a small pitched roof porch addition.
7. It is apparent that the Cottage's original 17th structure has been subsumed into the current building as a consequence of a number of piecemeal additions, including a substantial western wing which now houses the kitchen at ground floor level. However, it retains a modest cottage appearance when viewed from inside the plot and from Northill Road. Most of the Cottage's southern elevation faces directly onto the former kitchen garden, by virtue of the removal of a significant section of the garden's original brick boundary wall.
8. The heritage statement is limited and fails to assess the significance of the assets or provide historical regression to understand the history of the site. As such I have based my reasoning on the evidence before me, and my observations at the visit.
9. The former and substantial kitchen garden was bounded on four sides by brick walls which are largely intact. The only missing sections appeared to me to be the vehicular entrance from midway along the eastern side, and the large gap in front of the cottage. I noticed other openings: one gated pedestrian entrance on the western wall, a blocked up pedestrian entrance on the southern wall and former door and window openings on the northern elevation, close to the Cottage's western extension.
10. The wall is around 2.25 metres tall, and rises from a low brick plinth to form a single brick thick wall laid in a combination of Flemish garden wall and running bond with a double canted coping. Half brick thick integrated piers provide additional support at regular intervals and are clearly part of the original wall construction. The door opening near the Cottage indicates that there was at least one route providing a link between the garden and the gardener's accommodation. There is what may be a former window opening opposite the Cottage's kitchen window, but it is unclear to me if this is original or not.
11. The significance of the Cottage arises from its historic fabric, particularly the internal framing and such original form as is apparent externally. There is also significance in its close spatial relationship with the footprint of the former kitchen garden and its wall. This reflects Cople House's estate layout, the distinct separation between the very large kitchen garden serving the main

house and the rather more modest and vernacular provision of the gardener's accommodation. This contributes to an understanding of the socio-economic hierarchy that operated within and supported the estate. The large expanse of the former kitchen garden and its boundary walls also make an important contribution to the Cottage's setting and historic appreciation.

12. Moreover, the wall itself has significance as a curtilage listed structure, arising from its extent, the enclosure of the garden, its proximity to the Cottage and not least, its intact historic fabric and detailing.
13. The proposed works would require the demolition of around 7- 8 metres of wall to open up the Cottage's entire southern elevation to the garden, to accommodate a flat roofed part-glazed extension attached to the Cottage's more recent western bay. The rectangular extension would be perpendicular to the Cottage and would project just beyond the line of the wall which is orientated at a slight angle relative to the Cottage. Its form and fenestration would fail to relate to any of the Cottage's underlying details and typology and it would also appear overscaled in relation to the more modest detailing and scale of the host dwelling. The quasi-gothic glazing bars and the discordance with the line of the wall, would add to the extension's incongruity in relation to the setting of the Cottage and the wall.
14. As such, the extension would project into the former kitchen garden's footprint and would appear discordant and overly dominant in relation to the Cottage. It would also require the removal of a further section of wall that appeared to me to be in reasonable condition, resulting in the loss of historic fabric as well as the blurring of the historic separation between the former kitchen garden and the Cottage plot. The use of reclaimed bricks for facing to the height of the wall would not compensate for the loss of the wall itself. I conclude that this would be detrimental to the significance of the Cottage and its setting, including significance associated with the wall, and would amount to less than substantial harm.
15. Paragraph 193 of the National Planning Policy Framework (the Framework) states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether the potential harm amounts to substantial harm or less than substantial harm to its significance. Moreover, *less than substantial harm* is terminology employed in the Framework. It does not necessarily mean that the harm to the significance of the heritage asset is minor or carries limited weight.
16. Paragraph 196 of the Framework states that where there is less than substantial harm, that harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimal viable use.
17. There is nothing before me to indicate that the Cottage would cease to be used as a habitation if the appeal was dismissed. Moreover, the benefits arising from the development and works would be confined to occupiers of the Cottage and would therefore be private. The argument that the Cottage would be more integrated into its garden and would be more visible from the garden for occupiers and neighbours weighs against the appeal in these particular circumstances.

18. The appellant argues that the removal of a further section of wall would enhance the listed building within its garden setting, but it is unclear how this would be achieved. On the basis of the evidence before me I have reached the opposite conclusion. Moreover, when viewing the Cottage from the south, it is noticeable that all the ground floor accommodation has direct views of the garden, with the exception of the kitchen. Furthermore, the side kitchen window appears to have been located to align with the wall opening so the kitchen is not entirely devoid of any garden outlook.
19. In the light of the above, I conclude that the development associated works would fail to preserve the Cottage or its setting, or any features of special architectural or historic interest which they possess. It would be contrary to Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), and Section 16 of the Framework which is concerned with the historic environment.
20. The development and works would also be contrary to the general design and place-making aims of Policies 28 and 29 of the Local Plan (LP) which requires development to promote local distinctiveness, respect context and to enhance the historic landscape, amongst other considerations. It would also fail to comply with LP Policy 30 which requires high quality design. The failure to properly assess the asset's significance is contrary to LP Policy 41S which is concerned with the historic environment and heritage assets.

Other matters

21. The employment of a local builder would have a small impact on the local economy but would not represent public benefits of such weight to offset the harm identified above. Moreover, there is no evidence before me to indicate that local builders are finding it difficult to find work. I see no reason why improvements to insulation should be predicated upon this particular development.
22. I appreciate that if the appeals were allowed the quasi-Gothic window glazing bars could be amended or omitted through condition, but this would not alter my overall reasoning.
23. The fact that there have been other openings and alterations to the walls in the past does not justify further demolition. I acknowledge that some of the previous changes to the site have responded to the changing needs of the appellant and neighbours. However, it remains that this is a listed building and applications for further alterations are assessed in the current planning policy and legislative context. Whether former alterations were undertaken before or after the listing is not particularly determinative. The lack of harm in relation to other planning issues does not alter the weight given to the harm identified above in relation to the heritage assets.

Conclusion

24. The development and works would fail to accord with the Local Plan, the Framework and the Act. I have not found benefits, whether public or not, of sufficient weight to outweigh the harm identified. I conclude that the appeal should be dismissed, and that listed building consent should also be refused.

A Blacq INSPECTOR