



Appeal Decisions

Site visit made on 14 March 2022

by S Hunt BA (Hons) MA MRTPI

Inspector appointed by the Secretary of State

Decision date: 13 April 2022

Appeal A: APP/K0235/W/21/3276332 **35 Main Road, Biddenham MK40 4BD**

- 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 Bolwell against the decision of Bedford Borough Council.
 - The application Ref 21/00335/FUL, dated 4 February 2021, was refused by notice dated 22 March 2021.
 - The development proposed is demolition of existing detached outbuilding and attached garage, kitchen and bathroom block with replacement erection of new extension attached to existing thatched cottage and detached outbuilding.
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Appeal B: APP/K0235/Y/21/3276950 **35 Main Road, Biddenham MK40 4BD**

- 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 Bolwell against the decision of Bedford Borough Council.
 - The application Ref 21/00336/LBC, dated 4 February 2021, was refused by notice dated 22 March 2021.
 - The works proposed are demolition of existing detached outbuilding and attached garage, kitchen and bathroom block with replacement erection of new extension attached to existing thatched cottage and detached outbuilding.
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Decision – Appeal A

1. The appeal is dismissed.

Decision – Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. Since the appeals relate to listed buildings within a conservation area, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. The Council's reason for decision refers to No. 30 Main Road. The Council has confirmed this is a typographic error and that it should instead refer to no. 35 Main Road, the host building. The Council have also withdrawn their reason which relates to less than substantial harm to the neighbouring building, no's 37 to 41 Main Road. The appellant has been given the opportunity to make further comments in relation to the matter.

5. The demolition of an outbuilding is shown on the submitted plans. For the purposes of the Act, a listed building includes any structure that is within its curtilage which has existed since before 1st July 1948. The outbuilding is situated in close proximity to the cottage and within its well-defined plot boundaries, having a principal and accessory relationship to the main building. Insofar as there is a lack of information to suggest it is a post-1948 structure, I concur with the Council that the outbuilding is also listed and that its demolition therefore requires consent. Whilst not in the list description, listings are primarily for identification purposes and do not provide an exhaustive or complete description of the special interest.
6. A revised version of the National Planning Policy Framework (the Framework) has been published since the Council made its decision. I have referred to the relevant paragraphs from the revised Framework (July 2021) where necessary in my decision and I am satisfied that any changes do not have bearing on the main parties' case in this instance.

Main Issues

7. The main issues are:

- whether the proposal would preserve the special interest of the Grade II listed building '35 Main Road' (Ref. 1311607) and any of the features of special architectural or historic interest that it possesses;
- whether the proposal would preserve the setting of the Grade II listed building '37 to 41 Main Road' (Ref. 1114214); and
- whether the proposal would preserve or enhance the character or appearance of the Biddenham Conservation Area.

Reasons

Listed Buildings

8. 35 Main Road (No. 35) is a detached cottage dating from the 18th century. The original building is a timber framed construction, utilising traditional materials that include limestone walls and a thatched roof. The front elevation is almost symmetrical, with small openings, a single eyebrow dormer and chimneys to each gable end. It is of modest scale, having a simple two-room plan. The cottage is situated perpendicular to Main Road, which results in the rear elevation of the building being more prominent than if it fronted the road like its neighbours.
9. To the rear of the cottage is a single storey flat-roofed extension providing a kitchen and bathroom, and a partially attached single garage. Whether they were added prior to listing of the building in 1987 is unknown, but both parties agree that the 20th century extensions are incongruous and detract from the main building. Notwithstanding these modern additions, the building maintains its integrity and authenticity as a traditionally constructed farmworker's cottage with its original form and layout remaining clearly legible and largely intact.
10. The outbuilding is situated close to the side elevation of the main building. It is a small timber framed structure, clad with horizontal timber boards under a clay pantile roof. Historic mapping dating from the 19th century indicates a building of broadly similar size in this location. It is covered with foliage so I was unable

to fully assess its structure externally. However on internal inspection I saw that the timber frame structure was of interest and noted that its pantile roof continues to provide adequate shelter from the elements for general storage purposes.

11. Given the above, I find that the special interest of the listed building insofar as it relates to these appeals is drawn from its simple almost symmetrical form and layout which typifies humble rural housing of the period, alongside the use of timber framing and traditional materials.
12. It is proposed to demolish the existing extension, garage and outbuilding, and replace them with a new single storey extension spanning the entire length of the existing cottage and beyond. A replacement detached outbuilding would be constructed adjacent to the extension.
13. The prominent siting of the 20th century additions and the contrast in their form and materials to the main building result in harm to the special interest of No. 35. As such their removal, in isolation, would positively affect its significance.
14. I acknowledge that the incorporation of a dual pitched roof in the design of the proposed extension has some merit, particularly in mirroring the pitch of the existing cottage. The use of weatherboarding cladding would also be appropriate and I saw several examples of such materials being used on extensions to other thatched cottages in the village.
15. Notwithstanding these positive elements of the proposal, a number of elements would nevertheless detract from its special interest. The sheer length of the extension would be excessive and severely disproportionate to the existing historic core of the modest cottage. Its unbalanced scale and massing would be exacerbated by its position directly alongside the rear boundary and the lengthy expanse of blank walls that would dominate this elevation. This would overwhelm the simple vernacular form of this cottage.
16. I find the continuation of the lengthy extension beyond the side elevation of the cottage particularly harmful. I acknowledge that there is an existing outbuilding in this location. However, it is detached from the main building and is of such a scale and design that it retains its utilitarian character and has an inconspicuous presence in relation to the cottage. The simple vernacular features of the cottage, including its small window openings are not reflected in the design details of this part of the extension. I find that the use full length glazed doors would be particularly unsympathetic because they would detract from the almost symmetrical front elevation of the cottage, harming this important component of its special interest. The proposal would lead to a highly incongruent, visually distracting feature with little sympathy for its historic context in terms of both its form and materials.
17. Furthermore, I find the demolition of the curtilage listed outbuilding to be unjustified and harmful. Whilst I am conscious that it is suffering an element of decay this appears to be largely as a result of the uncontrolled vegetation which shrouds the building. On internal inspection the pantiled roof atop the timber frame appears to provide an adequate degree of shelter from the elements. It is consequently not in a parlous condition or at imminent risk of collapse.

18. Furthermore, whilst the new outbuilding would be slightly smaller in scale than the existing, its fenestration and in particular the glazed door would give rise to a domestic appearance which is uncharacteristic of the simple utilitarian character of the existing structure. This would further diminish the special interest of the listed building through the accretion of unsympathetic and inappropriate change.
19. The ground floor layout plans indicate a proposal to alter the staircase. On inspection I saw that the enclosed staircase has features which suggest it is of some historic value. These include the depth of the treads and its narrow partially winding form that is enclosed within timber framed walls which lead up to a small upper landing serving two rooms. As such, the staircase not only has evidential value in terms of its humble materials but also as a potential indicator of the past circulation pattern and function of this simple dwelling.
20. Moreover, no assessment of this feature is included in the appellants evidence, nor are there any first floor layout plans or detailed plans of the proposed works to the staircase. This is contrary to paragraph 194 of the Framework. Accordingly, I am unable to fully assess the effects of the proposal on this fixture which contributes to the special interest of the building.

Setting of 37 to 41 Main Road

21. The neighbouring Grade II listed building at 37 to 41 Main Road (No's 37-41) shares a number of similarities with No. 35, being of a similar age and comparable use of traditional materials. From the street, their group value can be readily appreciated as a result of the open gardens which front both buildings which are set back from the street. The 20th century addition of no. 35a and its proliferation of hard surfacing to the front detracts from this group, together with the aforementioned flat roof extension to No. 35.
22. The proposal would not result in built works at No. 35 being situated any closer to No's 37-41. Furthermore, the massing and position of the proposed addition would not be visually juxtaposed when viewed from Main Road and would not, therefore, erode the architectural significance of this building thus preserving its special interest.
23. Overall, notwithstanding my findings in relation to the effect of the proposal on No's 37-41, I find that the proposal would fail to preserve the special interest of No. 35. Consequently, I give this harm considerable importance and weight in the overall balance of these appeals.

Biddenham Conservation Area

24. The Biddenham Conservation Area (BCA) is centred around the historic core of the linear village along Church End and Main Road. Its significance is derived from the preservation of its rural village character, and the large number of listed buildings many of which date from the 17th and 18th centuries. Akin to No. 35, a good deal of the buildings are timber framed with steeply thatched roofs. BCA has a verdant character emphasised by the gardens of properties which are set back from the road and several views out to surrounding countryside. The building the subject of these appeals typifies this character and consequently makes a positive contribution towards its significance.
25. Unlike the majority of other properties within the historic core of Biddenham No. 35 faces sideways towards the adjoining open field allowing views through

to the countryside beyond. This helps to reinforce the rural village character of the BCA thus contributing to its significance. As a result of this orientation the rear elevation of the cottage is more visible within the street scene and from public vantage points.

26. The existing flat roofed rear extensions to No. 35 are manifest within the BCA and detract from its significance for the same reasons as set out above. As such, their removal would represent a positive benefit. Nonetheless, as I have already found, the extension and outbuilding proposed to be constructed in their place would be excessive in scale and incongruous in design to the main building. This would further erode the vernacular architectural form which would in turn fail to preserve the character and appearance of the BCA and thus harming its significance.
27. Paragraph 199 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that any such harm should have a clear and convincing justification.
28. Given my findings above, I consider the harm to both heritage assets to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
29. The appellant refers to benefits associated with the removal of the existing flat roofed extension and land-locked garage. I agree that such works would have a positive public benefit given the harm they are causing to the special interest. However, demolition could be achieved independently of this scheme and it is the replacement structures that are a cause for concern. As the underlying reasons for these structures are related to private benefits, they do not add to the positive aspects of the scheme. Overall, the public benefits are not sufficient to outweigh the harm that I have identified. Furthermore, the continued viable use of the appeal property as a residential dwelling is not dependent on the proposal as the building has an ongoing residential use that would not cease in its absence.
30. Given the above, and in the absence of any sufficient public benefit, I conclude that the proposal would fail to preserve the special historic interest of No. 35 as well as the character and appearance of the BCA. This would fail to satisfy the requirements of the Act, paragraph 199 of the Framework and conflict with Bedford Borough Local Plan Policies 28S (i) and (ii), 29 (i) and (ii) and 30 (i) and (ii). This is insofar as the policies expect development to achieve a high quality design which has a positive relationship with the surrounding area, as well as Policy 41S which seeks for proposals to preserve or enhance affected heritage assets.

Other Matters

31. The Council's handling of the application and previous neighbouring proposals are not matters that have any bearing on my decision and there are no details of the refused planning application before me. I acknowledge that the Council have approved extensions to a number of other properties within the

conservation area which are of varying sizes and designs, however none are directly comparable to the appeal proposal before me for a number of reasons including their location, age and design. Any potential discrepancy with legal boundaries is a civil matter which does not influence my decisions.

Conclusion

32. For the reasons given above, and having regard to all other matters raised, I conclude that both appeals should be dismissed.

Susan Hunt

Inspector