

Appeal Decision

Site visit made on 27 February 2023

by K E Down MA(Oxon) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th March 2023

Appeal Ref: APP/K0235/D/22/3309080

19 Water End, Cople, Bedford, MK44 3TY

- 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 & Mrs McMaster against the decision of Bedford Borough Council.
 - The application Ref 22/01449/FUL, dated 21 June 2022, was refused by notice dated 16 August 2022.
 - The development proposed is the conversion of roof space in existing barn/garage to living space.
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Decision

1. The appeal is dismissed.

Main Issue

2. There is one main issue which is the effect of the proposed dormers and gable end windows on the character and appearance of the barn/garage, the setting of the host dwelling, which is a Grade II Listed building, and the surrounding area.

Reasons

3. The Council raises no concerns in principle regarding the conversion of the roof space of the appeal building to ancillary residential accommodation. I agree this would be acceptable. I shall therefore restrict my further consideration to the physical alterations proposed.
 4. The host dwelling, originally a pair of cottages, is a Grade II Listed modest 18th century timber framed thatched, rendered and painted cottage set on a generous plot in a rural setting which appears to be agricultural in origin. It has 1.5 storeys with the first floor being partly within the attic space. It has been extended to the rear in a manner which preserves the character and appearance of the original dwelling. The cottage sits close to the lane, behind a small garden in a loose row of other, mostly older, dwellings also set on generous plots and on one side of the lane. There are gaps between dwellings, affording views to the rear and there is open countryside on the opposite side of Water End.
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5. Great weight attaches to the conservation of designated heritage assets, including listed buildings. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on decision-makers to have regard to the desirability of preserving the building or its setting when considering a planning application. Paragraph 22 of the National Planning Policy Framework (NPPF), 2021, requires clear and convincing justification for any harm to, or loss of, the significance of a designated heritage asset including from development within its setting.
6. The appeal building is a large, modern, dark-stained timber clad barn/garage outbuilding with a steeply pitched tiled roof. It lies to the rear of the cottage. It is simple in form with minimal openings giving it an ancillary, agricultural character and appearance that does not compete with or detract from the character or appearance of the original cottage or its setting. It is visible from Water End. Its proximity to the listed cottage means that there is intervisibility between the two and they can be readily viewed together from a number of vantage points.
7. The appeal proposal comprises the addition of three prominent, pitched roof dormers on the front roof slope of the building, together with the insertion of a round gable end window in the elevation facing towards the street and a large full-height window in the gable end facing to the rear. Three modest roof lights would be inserted into the rear roof slope. These changes would facilitate the conversion of the first floor to habitable accommodation.
8. The three dormers would be clearly visible from Water End and from the host cottage and its garden. They would have a significant effect on the appearance of the outbuilding, adding prominent architectural detail to the large but currently plain roof slope that would detract from its simple, agricultural character by giving it a more domestic and residential appearance. Likewise, the gable end windows would be inappropriate in their context.
9. The appellants argue that the appeal building itself is modern, not agricultural and is not within an agricultural setting, being within a domestic curtilage. However, it is clear from the evidence that the design of the building was deliberate and intended to mimic an agricultural barn, such that it would be sympathetic to its rural setting, including the wider agricultural setting of the listed building. Moreover, given its height and the prominence of the proposed dormer windows, I cannot agree that the outbuilding would remain clearly subservient to the modest dwelling.
10. I therefore find that the proposed development would result in harm to the setting of the listed building by creating a competing structure that would detract from its primacy and origins as a pair of rural cottages. The harm would be "less than substantial" as defined in the NPPF and so is required to be weighed against the public benefits of the proposed development.
11. The Planning Practice Guidance sets out that "public benefits..... could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework" but they should "flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit".

12. The appellants suggest that there are discreet public benefits that would flow from the proposed development. However, although there could be modest economic benefits in terms of local employment this would not be of a scale to benefit the public at large. Moreover, the addition of enhanced living space would be a private benefit that would only apply to current and future occupiers. Attaching great weight to the conservation of the heritage asset, including its setting, I therefore find that the less than substantial harm would not be outweighed by public benefits.
13. It is concluded on the main issue that the proposed dormers and gable end windows would have a materially detrimental effect on the character and appearance of the barn/garage and would in consequence fail to preserve the setting of the host dwelling, which is a Grade II Listed building, including the surrounding area. This would detract from the significance of the designated heritage asset. The proposed development would therefore conflict with Policies 28S, 29, 30, 41S and 66 of the Bedford Borough Local Plan 2030, adopted 2020, section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF. Taken together, these expect development to promote local distinctiveness and have a positive relationship with the surrounding area so that they respect the context and protect and where appropriate enhance heritage assets and their settings. There should be no adverse effect on the character or appearance of the area or the historic environment unless, in the case of less than substantial harm, this is outweighed by public benefits.
14. For the reasons set out above and having regard to all other matters raised, including the lack of objection from the Cople Parish Council, I conclude that the appeal should be dismissed.

KE Down
INSPECTOR