



Appeal Decisions

Site visit made on 1 April 2025

by **H Smith BSc (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17th April 2025

Appeal A Ref: APP/P0240/W/24/3355328

6 North Bridge Street, Shefford, Central Bedfordshire SG17 5DN

- 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 Mr Miah against the decision of Central Bedfordshire Council.
 - The application Ref is CB/24/00495/FULL.
 - The development proposed is the installation of a commercial flue, its ducting surrounding enclosure, external window and doors alterations.
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Appeal B Ref: APP/P0240/Y/24/3355307

6 North Bridge Street, Shefford, Central Bedfordshire SG17 5DN

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Miah against the decision of Central Bedfordshire Council.
 - The application Ref is CB/24/00496/LB.
 - The works proposed are the installation of a commercial flue, its ducting surrounding enclosure, external window and doors alterations.
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Decisions

1. **Appeal A** is dismissed.
2. **Appeal B** is dismissed.

Applications for costs

3. Applications for costs were made by Mr Miah against Central Bedfordshire Council, and those are the subject of separate decisions.

Preliminary Matters

4. As the proposal relates to a listed building which is 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 (as amended) (the Act).
5. The two appeals concern the same scheme under different, complementary legislation. I have dealt with both appeals together in my reasoning.
6. A revised National Planning Policy Framework (Framework) was published in December 2024 after the Council made its decisions. I have had regard to the revised Framework in reaching my decisions.
7. Permission is sought for the installation of a commercial flue and ducting within a surrounding enclosure and alterations to external windows, doors and minor internal works. At my site visit I observed that some of the internal works have already taken place. However, as I cannot be certain that what has been built is

fully in accordance with the plans before me, I have assessed the development and works as shown on the submitted plans.

8. Being a listed building within the Shefford Conservation Area, I am required by the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) to pay special attention to whether the proposal would preserve or enhance the character and appearance of the area, and its effect on the listed building. The parties were given the opportunity to comment on this matter. Therefore, my inclusion of this matter as a main issue would not prejudice any parties.

Main Issues

9. A main issue in Appeal A and the main issue in Appeal B is:
 - whether the proposal would i) preserve the Grade II listed building, or any features of special architectural or historic interest which it possesses, and ii) preserve or enhance the character or appearance of the Conservation Area.
10. Additional main issues in Appeal A are the effect of the proposal on:
 - the living conditions of neighbouring occupiers, with regard to odours;
 - the character and appearance of the area.

Reasons

Special interest and significance

11. The appeal site comprises part of a Grade II listed¹ building located in Shefford town centre. The appeal building, known as 6 North Bridge Street (No 6), was previously used by Barclays Bank. This use ceased several years ago, and the building has remained empty since. The appeal building is linked to 8 North Bridge Street (No 8) by an archway. No 8 forms part of the Grade II listing.
12. No 6 is a prominent two-storey timber-framed building on North Bridge Street with a highly vernacular character that dates from the 16th century. The principal elevation has a striking gable with a first-floor jetty that overhangs the street. The jetty structure consists of half-timber with brick infill detail and includes a 4-light window. At first-floor level there is also a gabled oriel window on cut brackets, with mullions and leaded lights, and fishscale tiles to gable. At ground floor level the off-centre entrance is flanked by a large leaded mullion and transom window on one side, and a shop front style window on the other. A former carriage entrance with flat timber head, carved spandrels and plank gates gives access to the rear of the site.
13. The building's rear elevation is formed of a rear gable feature with red brick multiple chimney stack, and a sloping clay tiled roof. It has a plainer appearance than the front elevation and has a sizable single-storey extension. In this respect, the status differentiation between the elaborate front elevation and the plain, more utilitarian rear elevation is evident. Nevertheless, overall, the building remains as an attractive historic building that is typical of local vernacular building styles.

¹ List Entry Number: 1158117

14. Given the above, I find that the special interest and significance of the listed building to be primarily derived from its illustration of a 16th century building with a prominent timber-framed jetty structure on North Bridge Street. It is also derived from the quality of craftsmanship exhibited in the timber-framing, fenestration, and decorative detailing of the building's front elevation, and the quality of the historic brickwork and surviving features on the side and rear elevations. It is also significant for the survival of internal fixtures and fittings, such as the rustic timber beams, and timber stud walls.
15. The appeal site is located within the Shefford Conservation Area (CA). The CA encompasses the buildings and spaces fronting North Bridge Street, which includes the appeal property. The Shefford Conservation Area Appraisal (dated January 2010) states that "the town developed along the main routes through it. The character stems from the visual relationship between the individual buildings and the spaces between them." It also states that "the general character of the conservation area is of a continuous frontage of buildings with few spaces between them forming a strong sense of enclosure. The majority of the buildings in the conservation area are commercial but there are residential dwellings and flats within it."
16. The special interest and significance of the CA mainly stems from the variety and architectural richness of the buildings that denote its evolution and the distinct form and layout of the town. The appeal listed building is located within a prominent position on North Bridge Street. Although single-storey extensions have been added to the building's rear elevation, the listed building largely retains its external historic character and form from the front elevation, and at first floor level with its sloping roof profile to the rear elevation. Therefore, the listed building makes a positive contribution to the character and appearance of the CA as a whole and thereby to its significance as a designated heritage asset.

Proposal and effects

17. The proposal would be situated on the flat roof of the listed building's single-storey rear extension. However, it would introduce a large, box-like structure with a prominent flue, whose considerable size and bulk, combined with its elevated position, would create a visually discordant addition. This would disrupt the building's simple roof profile, and partially obscure elements at first-floor level, undermining the clarity of its original form.
18. Moreover, the flue's excessive height would be disproportionate to the modest scale of the extension, making it appear visually intrusive and dominant. The vertical projection of the bulky equipment, enclosed in zinc cladding and gripple support wires, would further introduce a conspicuously modern feature that would contrast sharply with the traditional character of the listed building.
19. I acknowledge that there are existing structures present on site, such as the stairwell and support structures. However, these appear less bulky than the proposal before me, and the staircase is set at a lower level. In any event, the presence of these existing structures does not justify unacceptable development and works.
20. Despite being attached to a more recent extension of the building and being located to the rear, it would still be a prominent feature that would be readily visible from nearby properties. Indeed, I observed during my site visit that views would be

visible from within the grounds of the listed building and from Byrnes Mews to the north of the site. There would also be glimpses of the proposal from North Bridge Street and from properties along Kingsmede. As such, I consider it would diminish the ability to appreciate the special interest of the heritage asset.

21. The Framework makes it clear that significance can be harmed or lost through alteration of a heritage asset or development within its setting. For the reasons given above, I consider the proposal would result in harm being caused to the significance of this Grade II listed building and to the setting of the group of buildings as a whole.
22. Whilst I have had regard to the appellant's comments concerning the visibility of the proposal, I do not agree for the reasons given above. Moreover, the significance of a listed building could be harmed whether or not the proposed development and works are visible in the public domain.
23. The appellant suggests that the structure is lightweight and can easily be removed. Nonetheless, it is likely that it would become a fixture of some considerable permanence. It would also cause harm when in situ.
24. By harming the listed building, the proposal would also fail to preserve or enhance the character and appearance of the CA, albeit that the impact within the CA would be relatively localised.
25. I am satisfied that the proposed external window alterations and the internal works would have no adverse effect on the listed building. Nevertheless, these acceptable aspects of the proposal would not justify the harm identified above.
26. Drawing the above together, I find that the proposal would not i) preserve the Grade II listed building, or any features of special architectural or historic interest which it possesses, and ii) preserve or enhance the character or appearance of the Shefford Conservation Area. In doing so, it would harm the significance of these designated heritage assets.

Public benefits and balance

27. With reference to paragraphs 214 and 215 of the Framework, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. Given the extent and fairly localised nature of the proposal, I find that the harm to the significance of the designated heritage assets assessed above would be 'less than substantial' but nevertheless of considerable importance and weight. Paragraph 215 of the Framework requires this harm to be weighed against the public benefits of the proposal, including where appropriate, securing the asset's optimum viable use.
28. In this case, economic benefits would be delivered through the manufacturing and construction phase and the general investment into the property. However, these outcomes would be moderated by the extent of the scheme, but still weigh in favour of the appeals.
29. I have considered the various benefits put forward by the appellant that the proposal would bring, including the benefits associated with the creation of a new restaurant business and the associated employment opportunities, local expenditure, and the benefit of bringing a vacant and neglected building back into

use in a town centre location. These public benefits are in line with the objectives of the Framework and carry moderate weight in favour of the appeals.

30. However, there is no convincing evidence before me to suggest that a less harmful scheme of development and works is unavailable or that advice on a more sensitive design was sought. Due to the harm identified above, the proposal would compromise the building's conservation to an unacceptable degree and would not conserve it in a manner appropriate to its significance.
31. On balance, the moderate weight that I ascribe to the public benefits which would accrue from the proposal is not sufficient to outweigh the considerable importance and weight that I attach to the harm to the significance of these designated heritage assets.
32. Consequently, I conclude that the proposal would not i) preserve the Grade II listed building, or any features of special architectural or historic interest which it possesses, and ii) preserve or enhance the character and appearance of the Shefford Conservation Area. It would therefore fail to satisfy the requirements of the Act and the provisions within the Framework which seek to conserve and enhance the historic environment. It would also conflict with Policies HE3 and HQ1 of the Central Bedfordshire Local Plan 2015 – 2035 (adopted 2021) (Local Plan). Collectively, these policies, amongst other things, seek to ensure heritage assets and their setting are conserved and enhanced, and developments are of high quality and respond positively to their context.

Odours

33. The Council considers that insufficient information has been submitted with the application in terms of the odour assessment. I acknowledge that the proposed structure has been revised and, as such, differs from the previous version. However, given that the Environmental Health Officer raised no concerns with the earlier iteration, it is evident that a workable solution exists, which could be effectively managed through the imposition of a suitable condition.
34. As a result, I am satisfied that adequate levels of odour could be achieved by the proposal, and so no material harm would arise to the living conditions of neighbouring occupants. The proposal would thus comply with Policies HQ1 and CC8 of the Local Plan, which seek to ensure development does not result in an unacceptable impact on neighbouring occupiers in terms of odours.

Character and appearance

35. Although only glimpses of the proposal would be visible from North Bridge Street, there would be views from neighbouring properties and from Byrnes Mews. It also follows that the identified negative effects to the listed building would also harm the positive qualities of the character and appearance of the area.
36. Consequently, the proposal would be harmful to the character and appearance of the area. As such, it would fail to accord with Policy HQ1 of the Local Plan. Amongst other things, this policy seeks to ensure that the size, scale, materials and appearance of a development relates well to the existing local surroundings and reinforces local distinctiveness.

Other Matters

37. I have taken into account the comments from the Conservation Officer. Nevertheless, these comments do not lead me to a different conclusion. I have determined these appeals on their own individual merit based on the evidence before me and my own observations on site.
38. The appellant suggests that the property does not lend itself readily to the requirements of many modern E class uses. However, insufficient information has been submitted to support this claim.
39. The appellant states that “commercial buildings located within a town centre location will need associated plant to ensure that the amenity of neighbouring occupiers is protected.” Nevertheless, for this particular case harm has been identified for the reasons explained.

Conclusions

40. **Appeal A:** The proposed development would conflict with the development plan when taken as a whole. There are no material considerations which indicate that the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that Appeal A should be dismissed.
41. **Appeal B:** For the reasons given, I conclude that Appeal B should be dismissed.

H Smith

INSPECTOR