
Appeal Decision

Site visit made on 12 August 2025

by **G Sylvester BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2nd September 2025

Appeal Ref: APP/K0235/W/25/3363242

Land adjacent 66 Bromham Road, Biddenham, Bedford MK40 4AQ

- 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 Ms Anna Shreeves against the decision of Bedford Borough Council.
 - The application Ref is 24/02121/FUL.
 - The development proposed is the erection of a dwelling house (stable conversion style) and associated works to include a garage (barn style).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. In determining this appeal, I shall have had regard to my duty under Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 ("the Act"), to pay special attention, and have regard to, the desirability of preserving the settings of listed buildings.

Main Issue

3. The main issue in this appeal is whether the proposed development would preserve the setting of the Grade II listed building known as 66 Bromham Road.

Reasons

4. The special interest and significance of the listed building, insofar as it relates to this appeal, is, on the evidence before me, largely derived from its age and historic fabric, and its distinctive decorative architectural style and detailing. Those attributes identify the listed building as an important example of a dwelling in a cottage orné style, which the evidence suggests is indicative of the 'rustic' stylised country cottages of picturesque design.
5. The significance of the listed building is clearly apparent in views from Bromham Road where it occupies a relatively prominent position in spacious surroundings at the end of a ribbon of larger dwellings. It is separated from the closest dwelling at Number 64 by the appeal site, which is a parcel of largely undeveloped land, save for a small garage structure at the rear, and with some sizeable trees on its frontage.
6. The appeal site's surroundings also include what appeared to be a spacious soft planted drainage basin near to the roundabout, and an area of public open space with sizeable trees towards the north and west. These components contribute to

the listed building's spacious and verdantly naturalistic surroundings, which the care home and modern housing development further away do not detract from.

7. The relationship between the listed building and its surroundings forms part of the setting in which its significance is experienced and appreciated. This setting includes the appeal site's spacious verdancy which reflects the character of the listed building and separates it from the ribbon of larger and mixed suburban style dwellings to the east. The appeal site therefore contributes positively to the setting of the listed building and its special architectural and historic interest, reinforcing its significance as a designated heritage asset.
8. It follows that development on the appeal site and within the setting of the listed building has the potential to impact on the contribution that its setting makes to its significance. This is irrespective of whether the appeal site was historically or functionally associated with the listed building. The evidence before me, which includes historic mapping, indicates that the appeal site was likely to have been part of the grounds of the listed building.
9. Set further back from Bromham Road than the listed building, the proposed dwelling would maintain public views of the listed building's elevations as opposed to obscuring them. The proposed dwelling would have a relatively low roof level, and it would not be a prominent or unduly dominant structure by comparison to nearby buildings. The traditional rural aesthetic of its design would differentiate it from the decorative style of the listed building and the ribbon of large suburban dwellings to the east.
10. However, the proposed dwelling would nonetheless be a sizeable building that together with its detached garage and relatively extensive vehicle parking area would cover a large proportion of the plot with built development. The likely removal of some frontage planting to facilitate vehicular access would open up views of the proposed development from Bromham Road, where its built form and parking area would be clearly visible as largely spanning and substantially infilling the gap between the listed building and Number 64. In views from Bromham Road the proposed development would be seen in close proximity to the listed building where it would obviously read as a dwellinghouse and not as a subservient or ancillary structure to the listed building.
11. In those views the proposed development would significantly erode the appeal site's spacious and verdantly naturalistic qualities and its positive contribution to the setting and significance of the listed building. Consequently, the encroachment of the proposed development into the setting of the listed building would have an irreversible adverse effect on how its architectural and historic interest are experienced and appreciated, thus harming its significance as a designated heritage asset.
12. In this instance and in the language of the National Planning Policy Framework ("the Framework"), the harm to the significance of the listed building would be 'less than substantial' and at the lower end of that spectrum. Nonetheless, Paragraph 212 of the Framework requires great weight be given to the conservation of designated heritage assets which are irreplaceable. The harm to the significance of the listed building is therefore a matter of considerable importance and weight in my decision. Less than substantial harm does not amount to a less than

substantial objection to the proposal and Framework Paragraph 215 requires the harm to be weighed against the public benefits of the proposal.

13. The Council is unable to demonstrate a 5-year supply of deliverable housing sites in its area with a current supply of some 3.46 years. This amounts to a significant shortfall against the requirement and the Government's objective of significantly boosting housing supply is not being met. In that context the appeal development could be delivered quickly to make a small but nonetheless valuable contribution to housing supply. It would make efficient use of the appeal land which is situated within the urban area of Bedford, close to services, facilities and employment, and where housing is supported as a matter of principle.
14. Construction and occupation of the proposed development would help sustain jobs and bring short term and lasting economic benefits to the area, including through future occupants supporting services and facilities. Those occupants would support the social vitality of the community. Energy and water could be used efficiently and devices such as air source heat pumps could be utilised to exceed the current requirements of the building regulations, together with on-site renewable energy generation and grey water recycling. Measures could encourage habitation of the appeal site by a number of species and the national Biodiversity Net Gain objective would ensure that the development positively enhances nature and biodiversity.
15. Given the overall scale of the proposed development those public benefits of the proposed development carry modest weight in favour of the grant of planning permission. However, they would be insufficient to outweigh the considerable importance and weight that I attach to the appeal proposal's harmful effect on the setting and significance of the listed building as a designated heritage asset. Considered against Framework Paragraph 213, there is no clear and convincing justification for that harm.
16. For these reasons I conclude on this main issue that the proposed development would be contrary to the requirements of Section 66(1) of the Act, and would conflict with Policies 28S(v), 29(iii) and 41S, of the Bedford Borough Local Plan 2030, Adopted January 2020 ("the BBLP"), insofar as they seek to ensure that development protects and where appropriate enhances heritage assets and their settings. There would also be conflict with the conserving and enhancing the historic environment objectives of Framework Chapter 16.

Other Matters

17. BBLP Policies 28 and 29 include several criteria unrelated to heritage assets. Whilst there is no suggestion of conflict with the other criteria in those policies, the harm to the setting of the listed building as a designated heritage asset is an important matter that brings the development into conflict with Policies 28, 29 and 41S when read as a whole. Those policy conflicts bring the appeal proposal into conflict with the development plan as a whole and that is a matter of significant weight against it.
18. The 2.5 storey detached dwelling granted planning permission on appeal¹ would be located further away from the listed building and separated from it and the appeal site by the large dwelling at Number 64. As such, it is significantly different

¹ APP/K0235/W/22/3291120

in context to the appeal proposal before me and is therefore of limited relevance and weight to my considerations in this appeal.

19. There is no dispute between the main parties that the proposed development would not harm the living conditions of nearby occupants, highway safety or trees. The evidence indicates that it would not harm the character and appearance of the area and the appellant's ecological appraisal indicates that adverse effects on ecology can be avoided or mitigated. However, even if I were to agree, an absence of harm in those respects does not weigh positively in favour of the proposal, being a requirement of any well-designed scheme.
20. Paragraph 11 of the Framework is relevant as the Council is unable to demonstrate a 5-year supply of housing land in its area. I have had regard to the benefits of the appeal proposal in the heritage balance above. However, the considerable importance and weight that I attach to the harm to the listed building outweighs all other considerations and the appeal proposal's benefits. This is a determinative factor in this appeal that amounts to a strong reason for refusing the proposed development under Paragraph 11.d)i. of the Framework. Therefore Paragraph 11.d)ii, and the so called 'tilted balance' does not apply in this instance.

Conclusion

21. The proposed development would be contrary to the development plan as a whole. The material considerations, including the benefits of the proposal and the provisions of the Framework, are insufficient to outweigh that finding. Consequently, I conclude that the appeal proposal is unacceptable, and the appeal is dismissed.

G Sylvester

INSPECTOR