
Appeal Decision

Site visit made on 11 September 2025

by **Paul Martinson BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 October 2025

Appeal Ref: APP/K0235/W/25/3360261

Land Adjacent to Cople Cottage, 34 Northhill Road, Cople, Bedford MK44 3TU

- 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 N Hawker against the decision of Bedford Borough Council.
 - The application Ref is 24/01514/FUL.
 - The development proposed is described as 'Erection of a Self Build Dwelling'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Cople Cottage is Grade II listed and referred to on the National Heritage List for England as: *34A Northhill Road*¹. I have therefore had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). The building lies adjacent to a former kitchen garden that is enclosed by high brick walls. Both parties agree that the walls to the kitchen garden form part of the listed building.
3. The Council's second reason for refusal related to a conflict with Policy 36S of the Bedford Local Plan (2020) (the LP) which requires development proposals to demonstrate how 30% tree cover will be delivered across the development site. The appellant has submitted a plan with their appeal submission which indicates areas of the site which could be used for tree planting to meet the tree cover requirement. The Council considers that the mix of trees to be provided on site could be controlled by a planning condition. The Council considers that the appellant has now demonstrated that the proposal would meet the requirements of policy 36S of the Bedford Borough Local Plan (2020) (the LP) and the Forest of Marston Vale Supplementary Planning Document. I have not been provided with any evidence that would lead me to take a different view. I have therefore determined the appeal on the basis of the following main issues.

Main Issues

4. The main issues are:
 - whether the proposal would preserve the special interest and significance of the Grade II listed building of 34A Northhill Road, with particular regard to its setting; and

¹ List Entry Number: 1151110.

- whether the location of the proposed development would be acceptable having regard to the development plan policies, with particular regard to the prevailing pattern of development of the area.

Reasons

Special Interest and Significance

5. 34A Northhill Road (34A) is a seventeenth century timber framed cottage with dormer windows providing accommodation in the roof. The building is finished in roughcast render with prominent brick chimneys and a clay tiled roof.
6. Pertinent to the appeal, the special interest and significance of 34A derives from its architectural and historic interest as a good example of a seventeenth century cottage with surviving good quality timber framing. Key contributors in these regards are its surviving historic fabric, local materials and building techniques.
7. The outside space to 34A comprises of a long narrow rear garden and the adjacent walled garden, formerly the kitchen garden of Cople House. A section of wall has been removed to the front of the cottage such that it now faces onto the garden. Cople House was a large country house that was constructed in 1822. This replaced an earlier building that was likely also known as Cople House. The later Cople House was demolished in the 1970s following a fire, leaving behind the kitchen garden walls and a stable block. The housing estate of Woodlands Close now lies over its former footprint.
8. The list description states that 34A was formerly the gardener's cottage to Cople House, although, the appellant has been unable to determine the origins of this assertion. I acknowledge that this element of the list description has not been evidenced. Nonetheless, 34A and Cople House formed part of the same estate under the same ownership until their collective sale as separate lots in 1947. The heritage statement does not provide any evidence that 34A was not occupied by a gardener on the estate or served the estate in some other way.
9. In that regard, I would note the presence of an opening in the wall between the kitchen garden and the garden of 34A. This leads me to doubt the assessment in the appellant's heritage statement that physical access between the walled garden and 34A has only been available since the section of wall was removed in the twentieth century. I would note that the section removed could have also contained a similar opening that would not be evident on historic maps.
10. The precise nature of the relationship between 34A, Cople House, and the kitchen garden has not been established. Nevertheless, it is clear that the kitchen garden and 34A have a shared history based on a shared ownership as part of the Cople House estate that evolved over time. The walled garden's position and alignment are an indication of the estate layout of Cople House and this adds to the evidential value of the listed building.
11. The central part of the former kitchen garden has been developed through the more recent provision of a tennis court. Its insensitive hardsurfacing and tall wire mesh fencing has eroded the green and undeveloped of the garden that would have been present when in use as a kitchen garden. Nonetheless the open nature of the fencing does not prevent views from one side of the garden to the other and this has not prevented the kitchen garden being experienced and viewed as a whole.

12. A line of laurel plants forming a hedge has also been planted in recent times, extending from north to south across the former kitchen garden. This has interrupted views from one end of the garden to the other. Nonetheless, the kitchen garden is still experienced very much as a single coherent space and remains wholly in use as a single garden enclosed by walls. Furthermore, it is possible to walk to either side of the hedge and appreciate the full extent of the enclosure provided by the walls and the space that was formerly the kitchen garden.
13. For the above reasons the special interest and significance of 34A also derives from its historic relationship with the kitchen garden and their shared history and association with the mansion of Cople House. The predominantly open and undeveloped nature of the former kitchen garden provides a space within which to experience the listed building and understand the historical connections with Cople House. The setting of 34A, namely the former kitchen garden, therefore makes an important contribution to its special interest and significance.

Proposals and Effects

14. The proposal would result in the construction of a dwelling occupying a sizeable footprint in the space to the west of the laurel hedge. This would dominate the space and its presence would permanently erode the undeveloped and open character of the former kitchen garden area, to the detriment of its contribution to the setting of the listed building.
15. The retention of the laurel hedge and its use to facilitate a permanent subdivision of the kitchen garden would mean that it would no longer be possible to experience the whole kitchen garden as a single coherent space enclosed by the boundary walls. The formation of the new plot would also permanently separate a part of the garden from 34A, diminishing the ability to appreciate their shared history.
16. The proposed access would be reasonably wide, extend from the existing entrance gates and cut an arbitrary line through the garden. This modern feature, alongside the incorporation of a turning head would erode the open and undeveloped character of the garden whilst also resulting in further subdivision to the space, to the detriment of the setting of the listed building.
17. Whilst the heritage statement considers that the kitchen garden has already been permanently compromised, and subdivided, through the provision of the hedge, I do not agree. The hedge plants could easily be removed. Indeed, they appear to serve little purpose. Were the whole property to change hands in the future I consider that their removal would be likely, as this would open up the space and allow for the views of open countryside to be experienced from the spaces around the house.
18. For the reasons set out above, the proposal would fail to preserve the special interest of the Grade II listed building 34A Northill Road with particular regard to its setting. This would be contrary to the requirements of section 66(1) of the Act. In doing so it would cause harm to the significance of this designated heritage asset.

Public Benefits and Balance

19. Paragraph 212 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the assets'

conservation. That is irrespective of the magnitude of that harm. Consistent with that approach, paragraph 213 sets out that any harm to, or loss of, the significance of a designated heritage asset, should require clear and convincing justification.

20. Given the extent and nature of the proposal, I find that the harm to the heritage asset in this instance would be towards the lower end of 'less than substantial' harm but, nevertheless, of considerable importance and weight. Under such circumstances, paragraph 215 advises that this harm should be weighed against the public benefits of the proposal.
21. The proposal would provide a new home that would contribute, albeit modestly, to housing supply and to the local economy during the construction phase. There would be additional support to local services and community facilities from the occupation of an additional dwelling. Through the provision of a self-build plot, the proposal would also contribute to the housing mix of the area and the shortfall in self-build plots. This would be secured through the unilateral undertaking. Together these amount to moderate public benefits that weigh in favour of the appeal scheme.
22. There would be minor benefits from the removal of the tennis court and its fence, albeit that this would be replaced with a form of development that was more harmful. That the proposed design of the dwelling would be acceptable would not be a public benefit as this is a policy requirement and an expectation of any form of development. The removal of the tennis court would be a heritage benefit albeit that it would be replaced with development that was more harmful.
23. Nonetheless, collectively, the moderate weight I have attributed to the public benefits, is not sufficient to outweigh the considerable importance and weight that I attach to the identified harm to the significance of the designated heritage asset.
24. The proposal would fail to preserve the special interest or significance of 34A Northhill Road with particular regard to its setting. This would be contrary to the requirements of section 66(1) of the Act. The harmful impact would also be contrary to Policy 41S (iv) of the LP and the provisions within the Framework which together seek to ensure proposals conserve and enhance heritage assets and safeguard the historic environment.

Location

25. LP Policy 5S distinguishes between settlements and areas of countryside. The Policy defines Cople as a village with a built-up character. The appeal site lies within the defined Policy Area and therefore housing development is acceptable here provided that it is consistent with the other policies of the Local Plan. In that regard Policies 28S, 29 and 30 of the LP seek to, amongst other things, ensure that new development has a positive relationship with the surrounding area and respects its local context.
26. Cople is a predominantly linear settlement with the pattern of development comprising of dwellings arranged to either side of Northhill Road, typically within spacious plots. Unlike 34A itself, dwellings tend to be set back from the road a short distance, behind driveways and small front gardens. On the site visit, I saw that backland or tandem development here was rare. There are however occasional modern, cul-de-sac developments such as at Woodlands Close in the south and Rye Crescent in the north.

27. I acknowledge the single storey nature of the dwelling would limit its prominence in the streetscene. The proposed dwelling would be well set back from Northill Road, significantly further than is typical here and at odds with the prevailing pattern of development. The presence of backland development would be evident from the long driveway with views along it, seen when the gates were open. Visibility of the development would likely increase were the laurel hedge to be removed in the future. The development would also be evident from neighbouring properties, further evidencing the presence of backland development in conflict with the prevailing character.
28. Whilst I appreciate the proposal would be sited near to the properties located on Woodlands Close, these lie within an enclosed cul-de-sac development that is clearly distinct from the linear development along Northill Road. What is proposed here would not relate to the pattern of development of Woodlands Close nor that of Northill Road, and as such it would not have a positive relationship with the surrounding area. It would fail to respect the local context and as such would be harmful to the character and appearance of the area.
29. I therefore conclude that the location of the proposed development would not be acceptable having regard to the development plan policies with particular regard to the pattern of development. The proposal would conflict with Policies 28S, 29 and 30 of the LP, described above. There would also be conflict with Framework paragraph 135 which requires planning decisions to ensure that new developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment.

Planning Balance and Conclusion

30. It is common ground that the Council cannot demonstrate a five year supply of deliverable housing sites. The appellant sets out that the Council's supply is only 3.46 years, a significant shortfall. Based on the limited evidence before me, the Council has also not granted a sufficient number of planning permissions to meet the demand for self-build homes in the area. Whilst only a single dwelling, the appeal proposal would, in an incremental numerical way, contribute towards rectifying those shortfalls which carries moderate weight in favour of the appeal.
31. Paragraph 11 d) of the Framework states that in such circumstances, permission should be granted unless the application of policies in the Framework that protect assets or areas of particular importance provide a clear reason for refusing the development. Footnote 7 indicates that designated heritage assets are one such protected asset. Along with the harm to the pattern of development set out above, I have found that the proposal would result in harm to the special interest and significance of a Grade II listed building, a designated heritage asset. There is therefore a clear reason for refusing the proposal in any event, and the presumption in favour of sustainable development is not engaged.
32. I have considered all other matters raised but none outweigh the conclusions I have reached. For the reasons given, I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR