
Appeal Decisions

Site visit made on 27 August 2025

by Jennifer Wallace BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 November 2025

Appeal A Ref: APP/P0240/W/25/3364752

142 Manor Road, Barton-Le-Clay, Central Bedfordshire MK45 4NU

- 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 and Mrs Spencer against the decision of Central Bedfordshire Council.
 - The application Ref is CB/24/03731/FULL.
 - The development proposed is construction of new single storey side extension and sunken patio following demolition of existing conservatory and removal of separating fence.
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Appeal B Ref: APP/P0240/Y/25/3364761

142 Manor Road, Barton-Le-Clay, Central Bedfordshire MK45 4NU

- 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 and Mrs Spencer against the decision of Central Bedfordshire Council.
 - The application Ref is CB/24/03732/LB.
 - The works proposed are construction of new single storey side extension and sunken patio following demolition of existing conservatory and removal of separating fence.
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Decisions

1. **Appeal A:** The appeal is dismissed.
2. **Appeal B:** The appeal is dismissed.

Preliminary Matters

3. These decisions address both planning and listed building consent appeals for the same site and the same scheme. To prevent duplication and for the avoidance of doubt, I have dealt with both appeals within a single decision letter.
4. These appeals relate to a listed building 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) which require me to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; and to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
5. Although the site address is given as 142 Manor Road, I will refer to the appeal property as Walnut Tree Cottage in this decision letter as that is its address on the statutory list.
6. I note that the submitted plans do not accurately reflect the appearance of the thatched roof above the gable. However, as I am dismissing the appeals for other reasons, it is not necessary for me to pursue this matter further.

Main Issue

7. The main issue for both appeals is whether the proposal would preserve the Grade II listed building Walnut Tree Cottage, or its setting or any features of special architectural or historic interest which it possesses.

Reasons

Special Interest and Significance

8. Walnut Tree Cottage¹ dates from the 17th century albeit it has been extended and modernised. It is set back from the road with some planting to the front. It lies within a substantial plot which includes a large outbuilding, a pond and typical domestic paraphernalia. Although there is a fence along the same boundary as the outbuilding, the plot is otherwise well landscaped
9. Walnut Tree Cottage has been subject to a number of extensions and alterations in the past. However I have based my assessment of the building's special interest and significance on the evidence before me and my observations at my site visit. From these, the special interest of Walnut Tree Cottage as it relates to these appeals is derived from its architectural and historic interest as a timber framed, thatched cottage which illustrates post-medieval development in Barton-Le-Clay. This includes its surviving historic fabric and legibility of its historic plan form. Special interest and significance also stem in part from the building's setting, which includes its spacious garden.

Appeal Proposal and Effects

10. The modern, single storey white framed conservatory would be removed along with the French windows and sidelights to provide a wider opening. The ground level would be lowered to allow for the sunken garden and the proposed extension to be constructed. This would consist of a narrow glazed link structure which would in turn lead to the proposed extension. This would be a hipped roof structure, consisting of a brick plinth, stained timber boarding and a slate roof.
11. The proposed glazed link would be of a limited width and as such the proposed extension would be perceived as an extension to Walnut Tree Cottage given the resultant proximity. It would be of a similar width to the side elevation of the property it would be adjacent to, and wider than the elevation closest to Manor Road. Consequently, the proposal would appear as an unduly large extension to the property which would further weaken the legibility of the building's historic plan form.
12. Despite the ground level of the extension being lower than that of Walnut Tree Cottage, the ridge of the extension would still project above the cill of the first floor window. This would obscure the window and timber detailing around it. The pitch of the roof would also be slightly offset from the pitch of the gable. This further exacerbates the disproportionate scale of the extension to Walnut Tree Cottage and result in it appearing as a discordant addition, poorly related to the existing features of the building.
13. The proposal would not appear as a traditional outbuilding given its proximity to Walnut Tree Cottage. While it would take design cues from the existing outbuilding,

¹ List Entry Number: 1311632 Date first listed: 14 March 1975

this would not address the position of the proposal. While there may have historically been a barn related to Walnut Tree Cottage, the evidence before me shows this was detached and set a distance away from the property.

14. While it may be that the width of the proposed extension is similar to that of the existing conservatory, as the conservatory represents an unsympathetic addition to the heritage asset this would not justify allowing the proposed extension in light of the harms I have identified. Taking all these factors together, the appeal proposal would alter the authenticity of how the asset is experienced and harm the ability to appreciate its significance.
15. The removal of the other structures and creation of the sunken garden would be viewed as a part of the domestic garden. These elements of the proposal would have a neutral effect on, and so preserve, the setting of the listed building, and would not harm its significance.
16. The proposed extension would harmfully erode the architectural integrity of the listed building and would not conserve it in a manner appropriate to its significance. Although it would not be prominent in the street scene, listed buildings are safeguarded for their inherent special interest, irrespective of whether or not any changes to it can be seen from a public area.
17. I therefore find that the proposal would fail to preserve the Grade II listed building Walnut Tree Cottage or any features of special architectural or historic interest which it possesses. This would be contrary to the requirements of sections 16(2) and 66(1) of the Act. As a result, the proposal would harm the significance of this designated heritage asset.

Public Benefits and Balance

18. Paragraph 212 of the Framework sets out that great weight should be given to the asset's conservation, irrespective of whether this would amount to substantial harm, total loss or less than substantial harm to significance. Paragraph 213 further advises that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.
19. I find that the harm to the significance of Walnut Tree Cottage would be less than substantial and at the lower end of that range. Nevertheless, these harms carry considerable importance and weight. In such circumstances, paragraph 215 of the Framework confirms that these harms should be weighed against the public benefits of the proposal, which includes securing the asset's optimum viable use.
20. There would be economic benefits during the construction and occupation stages of the development and works. However these would be very limited given the small scale of the proposal to extend an existing property.
21. The conservatory, French doors and sidelights are of no historic value and there would be a heritage benefit from their removal. However, given they would be replaced with a proposal which would harm the significance of the heritage asset, this limits the weight this benefit carries in favour of the appeals.
22. The principal benefits from the scheme would be private benefits to the appellants. Their wish to create a family space that would reflect their personal wishes is understandable. However, the development and works would not conserve the

asset in a manner appropriate to its significance. Nor would the fact some features of the building would be unaffected by the proposal constitute a benefit.

23. There is no substantive evidence before me that the development and works are required to secure the optimum viable use of the asset as a dwelling. Nor is there a clear and convincing justification for the development and works where I have found harm. Overall, in giving considerable importance and weight to the identified harm to the significance of the designated heritage asset, I find that this would not be outweighed by the public benefits arising from the proposal.
24. The proposal would not preserve the Grade II listed building Walnut Tree Cottage or its setting or any of the features of special architectural or historic interest which it possesses. This would be contrary to the requirements of sections 16(2) and 66(1) of the Act, and the provisions within the Framework which seek to conserve and enhance the historic environment. It would also be in conflict with Central Bedfordshire Local Plan 2015-2035 (July 2021) Policies HQ1 and HE3 which taken together require proposals to where possible preserve, sustain and enhance the special character, significance, appearance and/or special architectural or historic interest of the asset.

Other Matters

25. The site lies within the Barton Conservation Area (CA). Its character and appearance are mainly derived from its development as a large village in the foot of the Barton Hills and the high quality vernacular timber framed buildings it contains. Walnut Tree Cottage is one such example and adds to this historic interest and thus the significance of the CA as a designated heritage asset.
26. The appeal site is predominantly surrounded by 20th century residential properties set in spacious plots. Between the site and Hexton Road lie Plum Tree Cottage and Elm Tree Cottage which are also listed buildings. The buildings do not lie within the setting of each other and are not listed for their group value given the intervening development between them. However, they illustrate historic development along what was the eastern boundary of the medieval village.
27. The proposal would not be prominent in the street scene given the distance it would be set back from Manor Road and those parts of Walnut Tree Cottage that would project forward of it. An existing fence and hedge would be removed within the site, however this would not materially open up views of Walnut Tree Cottage given the extent to which the property can be appreciated from the street in any event. Consequently, the proposal would not benefit from support from paragraph 219 of the National Planning Policy Framework (the Framework). The proposal would therefore have a neutral effect and so would preserve the character and appearance of the CA as a whole. I note the Council had no concern in this regard.

Conclusions

28. **Appeal A:** The appeal proposal would conflict with the development plan when read as a whole. There are no material considerations of sufficient weight to indicate the decision should be taken otherwise. For the reasons given, I conclude that the appeal should be dismissed.
29. **Appeal B:** For the reasons given, I conclude that Appeal B should be dismissed.

Jennifer Wallace INSPECTOR