

LAND TO SOUTH OF KEELEY LANE
WOOTTON

HERITAGE STATEMENT



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INTRODUCTION

The scheme proposes a medium sized residential development which would involve construction of new lane which would run southward into the proposal site and which would then allow the construction of approximately 25 new homes.

The site is located on the North West side of the modern day village of Wootton and is located approximately 3 to 4 miles to the south-west of the centre of Bedford. Although much of the existing built development within the village is of post-war construction the origins of the settlement date back to at least the Saxon period and Wootton is mentioned in the Domesday Book. Although the 14th century church and the primary historic core of the village is situated to the south of the proposal site the parish was historically characterised by a dispersed settlement pattern comprising a number of distinct hamlets or “Ends”. Examples in this regard include Church End to the south, Butt End to the north-east, Hall End to the West, Mount Pleasant to the north-east and Keeley Green to the north.

At the time of writing the earliest detailed mapping for the locality comes from the William Hyett Map of 1815 and then the subsequent enclosure map of 1838.

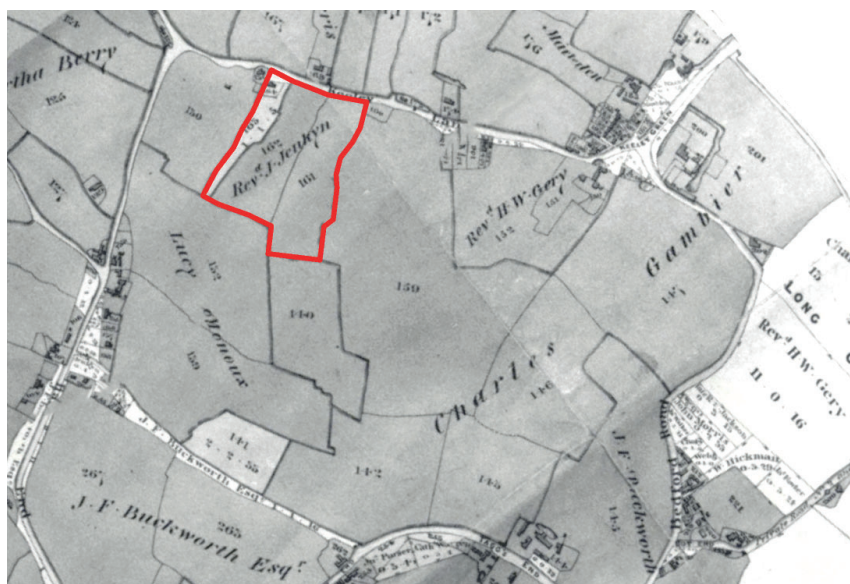


EXTRACT FROM WILLIAM HYETT MAP OF 1815

The 1815 map extract illustrates the general character of settlement within the locality with a fairly even spread of built development distributed along the frontage of an informal pattern of roads and lanes which meandered through the locality. At the time of the 1815 survey both Hall and Bot End appear to have been formally established. Interestingly the area of what is now Keeley Lane and Keeley Green was simply known together as “Wootton Keely” and this suggests that the area which is now Keeley Lane may have been considered to be an integral part of the hamlet.

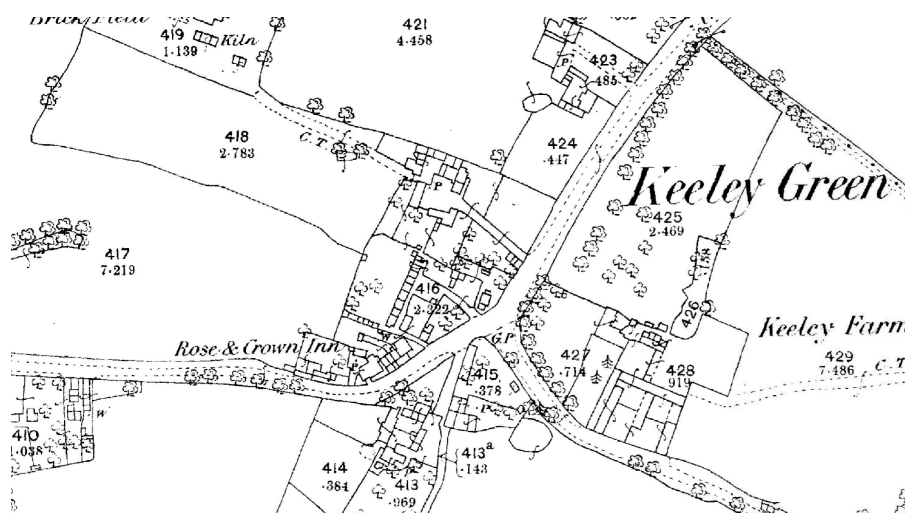
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EXTRACT FROM 1838 ENCLOSURE MAP

The 1838 map shows what is now the area of the proposal site being made up of a number of different land parcels with two larger fields and a separate area of land along its western boundary with what would presumably have been a dwelling on the site frontage adjacent to what is now Deep Thatches. Consideration of this early 19th century mapping reveals a couple of particularly interesting aspects of the historic pattern of development within the locality. The first is that the different hamlets which made up the village were typified by quite dense clusters of buildings and although set within a wider rural landscape is quite apparent that these clusters of the development would have had a relatively developed village character. A good example in this regard is the reasonably dense cluster of buildings which developed into Keeley Green and which can be seen more clearly in the 1883 OS extract illustrated below.

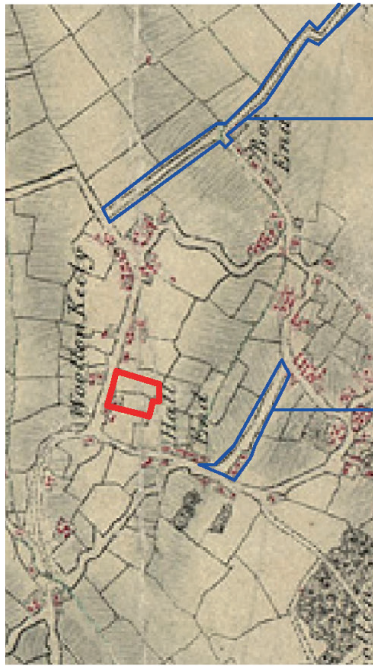


Interestingly, comparison of the 1815 and 1838 maps also shows that during this period there were material changes in the pattern of roads and lanes with at least two former roads being either reduced in size and downgraded or completely extinguished and enclosed as private land.

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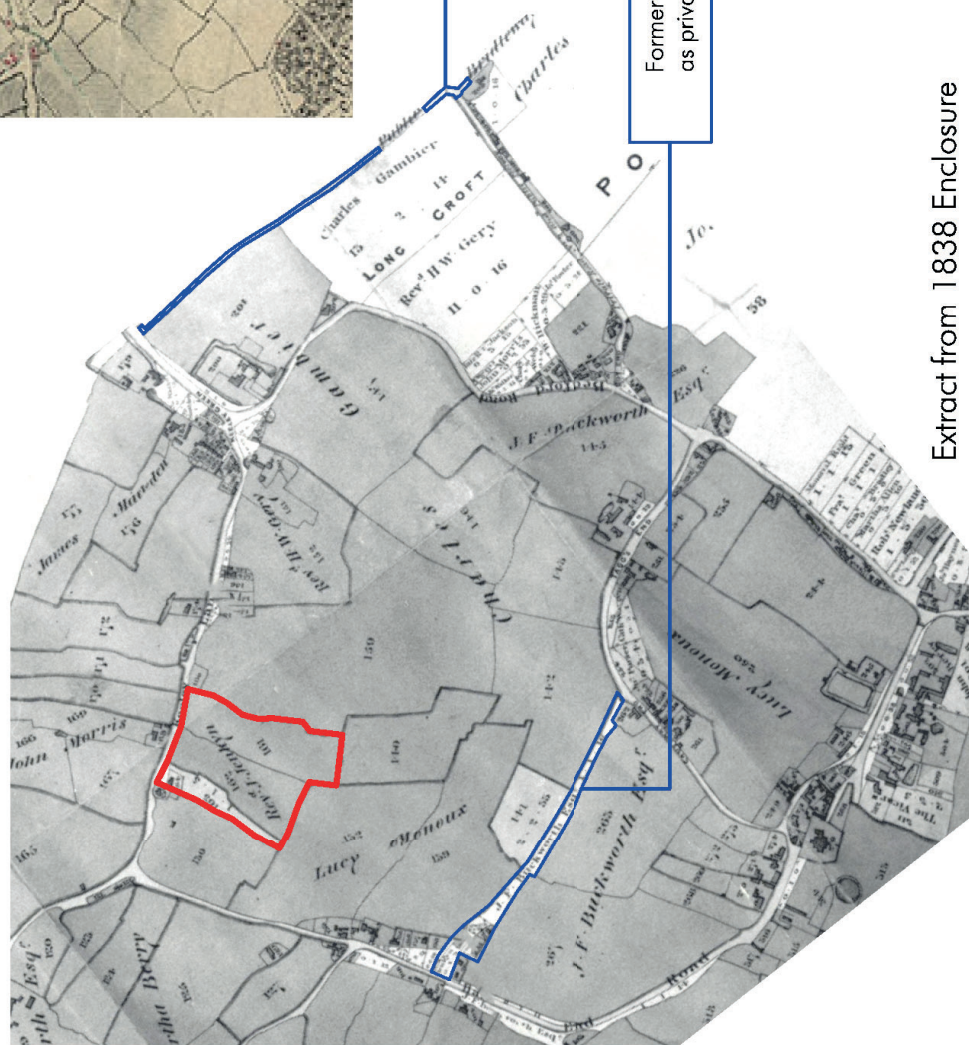
Extract from 1815 Hyett Map



Former roadway reduced in size, downgraded & shown as bridleway on later Enclosure map.

Former roadway enclosed as private land

Comparison of 1838 & 1815 Mapping Showing Historic Changes In Road Layout Within The Locality

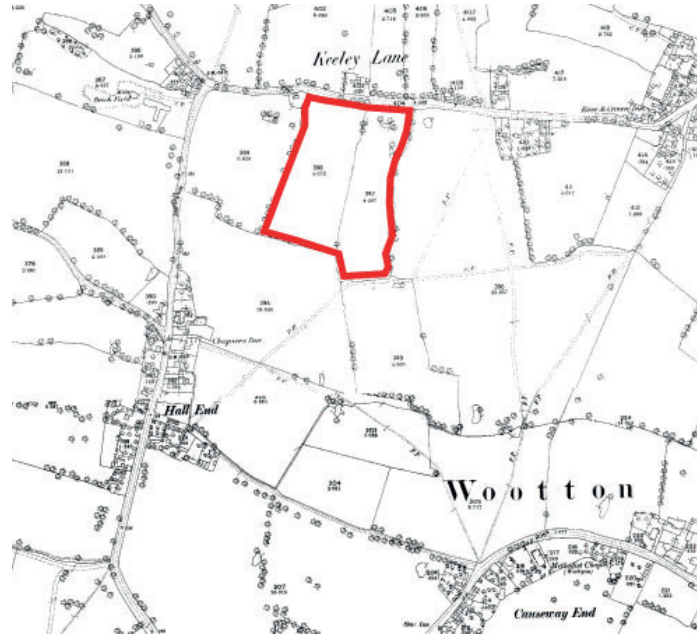


Extract from 1838 Enclosure Map

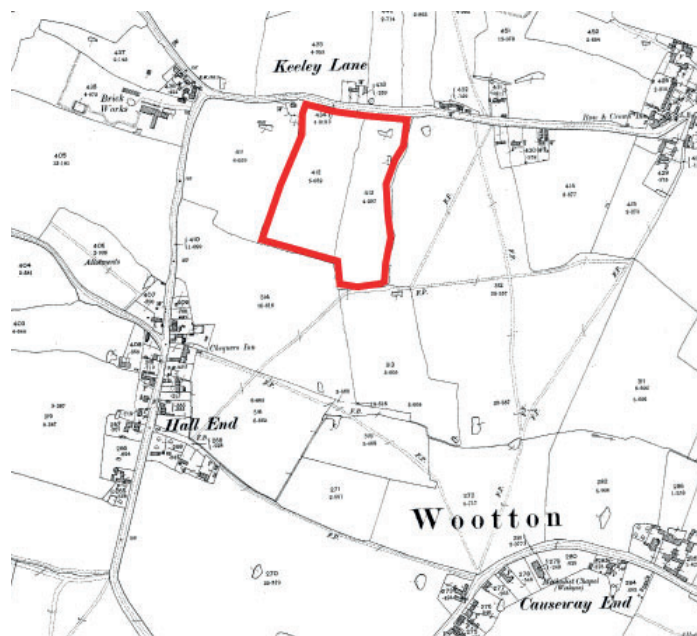
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From the later 19th-century we can then continue to follow the evolution and development of the area by inspection of historic mapping from 1883, 1901 and 1926 and then post-war Ordnance Survey mapping from the end of the 1960s.



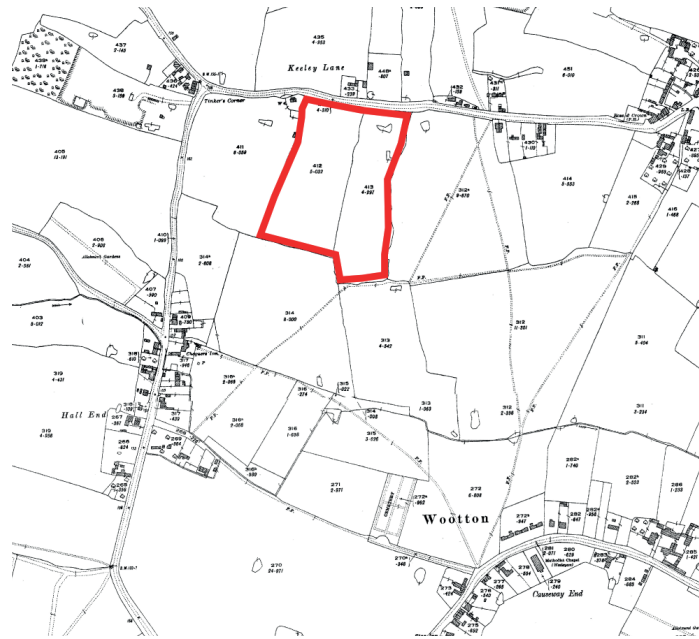
1883 OS EXTRACT



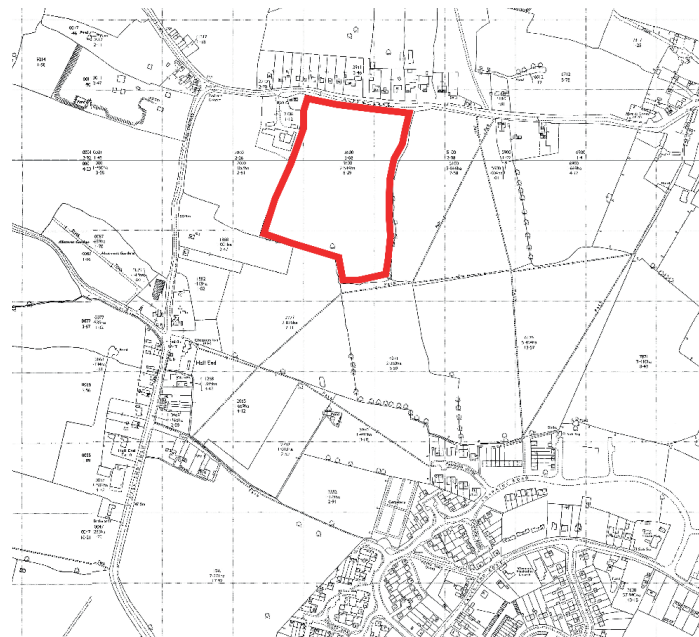
1901 OS EXTRACT

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1926 OS EXTRACT



1969 / 1970 OS EXTRACT

Over the course of the late 19th century and the early 20th century the maps from 1883, 1901 and 1926 show very little substantive development. However, by the time of the 1969 survey significant change had occurred with significant frontage development extending along the north side of Keeley Lane and suburban estate development expanding northwards from the centre of the village.

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In considering the fundamental principle of new development within the proposal site it is a simple statement of fact that any new development will result in physical and visual change and it would be easy to jump to the conclusion that new development within what was historically a rural area must automatically result in damage and harm to the character of the locality. In this regard, it would be easy to fall into the trap of believing that the historic rural character of the area must mean that open fields should be regarded as good and that new lanes and new housing must therefore be regarded as being bad.

Indeed, much of the earlier post-war suburban expansion within the locality was of undistinguished architectural quality. In this regard, unthinking repetition of earlier phases of poor quality estate development would be unlikely to result in positive enhancement of the character of the local area and would be very likely to result in material harm to the setting of surviving Heritage Assets within the locality.

However, it would be wrong to assume that all new development must be harmful and it is simplistic to assume that harm can only be prevented if every open field is retained and if new building is either minimised or prevented altogether.

In this case it is self-evident that the area is historically characterised by a very informal pattern of irregular, winding lanes and comparison of the 1815 in 1838 mapping demonstrates that the layout of older roads and lanes changed and evolved over time with some older roadways having been reduced, downgraded or completely enclosed. There was never any single moment of perfection in the evolution of the area and the reality is that the network of roads within the locality has always been subject to a process of evolution and change.

In this context, and if properly designed, the fundamental principle of the addition of new and additional rural lanes should be accepted as being consistent and compatible with the evolving character of the rural area.

In looking at historic development which predates large-scale postwar expansion it is fair to say that the general pattern was quite different to standard forms of modern estate building. However, one of the notable characteristics which is revealed by early 19th century mapping is that a number of dispersed settlement groups within the local area were of relatively high density and would have had a relatively urbanised village character.

Two fundamental points flow from this analysis. In the context of a development pattern characterised by an informal distribution of small hamlets the first is that the principal of the addition of a small number of well-designed additional new hamlets can very reasonably be accepted as being wholly consistent with the historic character of the area. The second is that the development of well-designed new hamlets of relatively high density and relatively urban village character would in fact be consistent and appropriate within the established historic character of the rural area.

The immediate public context of the proposal site is primarily defined by Keeley Lane with Keeley Green at its Eastern end and with its west end anchored by a further dense and relatively urban building group at Tinkers Corner. Post war expansion has resulted in a reasonably continuous belt of suburban ribbon development along the northern side of the road whilst a more intermittent

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pattern of discrete buildings is loosely spread along its southern edge. Two of the buildings on the southern side of the road are Listed (Grade II) and these are Deep Thatches which is located adjacent to the eastern boundary of the proposal site and 35 Keeley Lane which is located a short distance to the East.

Whilst there is a reasonable level of inter visibility between Deep Thatches and the proposal site the level of physical and visual separation between the site and 35 Keeley Lane is somewhat greater so that the level of inter-visibility between the site and this second Listed Building is very limited. Within the application site and on the adjacent land to the East there are a number of substantial equestrian barns, stables, outbuildings and access tracks which wrap around the east, south and western sides of the curtilage of Deep Thatches.

In this regard, the degree to which the setting of the Listed Building at Deep Thatches and 35 Keeley Lane is defined by adjoining built development is graphically illustrated in the extract aerial photograph enclosed below.



AERIAL EXTRACT PHOTOGRAPH SHOWING SEMI RURAL CHARACTER OF THE LOCATION AND SETTING OF DEEP THATCHES

Although there are a number of fields nearby and although located within a rural area the immediate setting of these Listed Buildings and, in particular, Deep Thatches is better described as being of semi-rural rather than wholly rural character. In this regard, the relatively undistinguished suburban character of the existing ribbon development that runs along the northern side of Keeley Lane is clearly illustrated in the photomontage attached overleaf.

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SUBURBAN DEVELOPMENT OPPOSITE LISTED BUILDING (DEEP THATCHES)

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One of the characteristics of the pattern of development within the locality is that the dispersed settlement groups which make up the wider village are often of relatively high density and of relatively urbanised village character. The photographs below illustrate the small group of dwellings which have grown up at Tinker's Corner at the eastern end of Keeley Lane and these provide a good example of development within a rural area which is made up of a relatively tight and relatively dense building group



PHOTOGRAPHS ILLUSTRATING OLDER HAMLET DEVELOPMENT AT TINKERS CORNER A SHORT DISTANCE TO THE WEST OF THE PROPOSAL SITE

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Nevertheless, it would be completely wrong to suggest that the street scene is wholly dominated by the impact of the elements of suburban / high density built development illustrated in the previous photographs. Indeed, the character of the street scene is in fact a composite of these suburban and indeed urban elements of built development as they work together with the established and visually attractive tree and hedge planting which defines the highway hedge along the frontage of undeveloped adjoining fields. My view is that the dense, well-established and very attractive tree and hedge planting which runs along the southern edge of Keeley Lane and which defines the northern boundary of the proposal site makes a very important visual contribution within the street scene and provides important visual messages about the way in which the area has developed and the historic rural character of the locality.



PHOTOGRAPH OF TREE AND HEDGE PLANTING ON SOUTH SIDE OF KEELEY LANE RUNNING ALONG NORTH BOUNDARY OF PROPOSAL SITE.

The Listed Building at Deep Thatches is set within this belt of tree and hedge planting which runs along the south side of Keeley Lane and the photograph enclosed overleaf illustrate how this Heritage Asset nestles into this landscape planting in an attractive and pleasing manner. In this regard, the established landscape planting which runs along the south side of the lane makes an important and very positive contribution to the setting of this designated Heritage Asset.

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PHOTOGRAPH SHOWING LISTED BUILDING NESTLING INTO TREE AND HEDGE PLANTING RUNNING ALONG THE SOUTH SIDE OF KEELEY LANE



CONTINUATION OF TREE AND HEDGE PLANTING RUNNING ALONG SOUTH SIDE OF KEELEY LANE TOWARDS TINKERS CORNER

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The preliminary and indicative layout plan for the proposal site suggests a small group of four frontage houses running along the south side of Keeley Lane with new gardens and a new foot-path being established along this frontage. Indeed, although the preliminary commentary from the Council Conservation Department objects to the principle of development within the depth of the proposal site the Conservation Officer suggests that there may be scope for the construction of 2 to 3 houses along this road frontage which would effectively amount to an extension of the existing pattern of progressive ribbon development along Keeley Lane.

My own judgement is that this approach would be a mistake and that it would be far better to protect and preserve the established belt of tree and hedge planting and surviving sections of informal verge which run along the south side of Keeley Lane whilst at the same time embracing the possibility of the creation of a new rural lane which would allow new homes to be constructed within the depth of the proposal site.

Loss aversion and fear of change is an inherent part of the human condition and within the culture of the planning service there is a tendency to view the amount of change and amount of development within any given application proposal as a proxy for harm. In this regard, it is easy to fall into the trap of assuming that a larger scheme which results in more houses must automatically result in more harm than a smaller scheme which results in the construction of fewer houses.

In this case, my view is that a smaller number of houses constructed along the frontage of Keeley Lane and which would disrupt and damage the existing landscape planting along the southern edge of the road would in fact cause more harm to the character of the street scene and the setting of the adjacent Listed Buildings than a larger well-designed scheme created around a new rural lane within the depth of the proposal site.

Given its location to the north west of the central core of the village the proposal site is some considerable distance from the defined area of the Wootton Conservation Area and Deep Thatches and 35 Keeley Lane are the only designated built heritage assets which are within the proximity of the proposed development.

In considering the impact of the proposal on the historic built environment it is also important to have regard to any possible impact on un-designated Heritage Assets which might be of Local significance. However, and at the time of writing, it is understood that the Local Planning Authority does not have an adopted list of local heritage assets to which we can refer and the preliminary commentary provided by the Council Conservation Department does not appear to suggest that there are any local heritage assets which might be materially affected by the proposed relevant.

The proposed development will not result in any direct physical alteration of Deep Thatches or 35 Keeley Lane. However, the Local Planning Authority has a basic statutory obligation to have special regard to the desirability of preserving or enhancing the setting of these Listed Buildings and so the impact of the development proposal on the setting of these designated Heritage Assets is an important consideration in the determination of any eventual application proposal.

The impact of the development proposal on the setting of these two Listed Buildings is therefore considered in more detail in the remaining sections of this report.

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NATIONAL PLANNING POLICY FRAMEWORK

The introduction of PPS 5 and now the NPPF has brought a material change in the tone of regulatory control, greater emphasis on the need to protect what is actually “special” rather than to simply “preserve as found” and greater recognition of the need to balance conservation objectives with the economic needs and social imperatives of our community.

The revised National Planning Policy Framework was published in February 2019 and took immediate effect, superseding previous national planning policy.

Section 2 of the NPPF sets out a clear presumption in favour of sustainable development and paragraph 7 defines this as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

The NPPF makes it clear that one of the key dimensions of sustainability is protecting and enhancing the historic environment (paragraph 8).

Paragraph 3 of the NPPF makes it clear that the policy document must be read as a whole and the policies set out within the NPPF for the protection of the Historic Environment make it clear that the protection and conservation of Historic Assets must be weighed up and balanced against the governments other social and economic objectives. This means that development cannot simply be assumed to be “unsustainable” simply because it involves harm to, or even the demolition and loss of a heritage asset.

In fact, we cannot determine whether a development should be regarded as being “sustainable” or “unsustainable” without first going through the process of “weighing up” to determine whether any perceived harm to the historic built environment will be justified and outweighed by other social or economic benefits associated with any individual proposed scheme.

There will be many cases in which the harm which will be caused to the significance of a Heritage Asset cannot be justified or outweighed by other social and economic benefits and in these circumstances the development would then be considered to be “unsustainable” and should be refused. Indeed, Paragraph 184 makes clear that Heritage assets are an irreplaceable resource and Paragraph 193 emphasises the “**great weight**” which should be given to the conservation of a designated heritage asset. This is consistent with the basic legal requirement for a determining authority to have “**special regard**” to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they may possess. Similarly, it is consistent to the basic legal requirement to pay “**special attention**” to the desirability of preserving or enhancing the character or appearance of a designated Conservation Area.

These statutory obligations mean that when compared to other normal policy objectives much

greater relative weight must be given to the need to conserve designated Heritage assets. However, the NPPF includes no specific or absolute presumption in favour of either conservation or preservation of a heritage asset and the tests set out in paragraphs 194, 195, 196 and 197 emphasise that harm to a heritage asset must be weighed up against the other public benefits which flow from a development proposal.

The omission of a presumption in favour of conservation and adoption of a presumption in favour of sustainable development accords with English Heritages principle of Constructive Conservation which explicitly acknowledges that historic built environment is a dynamic and evolving place in which well considered new development can occur.

Similarly, in setting out the great weight which the government gives to the “Conservation” of heritage assets the NPPF confirms the change in approach introduced in PPS 5 which first introduced a structured definition of “Conservation” . This definition is confirmed in the NPPF which states that for the purposes of heritage policy Conservation is :-

“The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate enhances its significance”.

The process of managed and properly considered change is therefore accepted as an inherent and essential part of the proper and responsible management of our shared heritage. Indeed, the approach taken first in PPS 5 and now the NPPF signals a substantial change in the philosophical approach to the way in which heritage assets are managed by our community.

By way of example paragraph 3.3 of PPG 15 simply stated that “..... there should be a general presumption in favour of the preservation of the listed buildings” and paragraph 3.4 went on to make it clear that the approval of applications for Listed Building Consent should be subject to justification of the proposal by the applicant who was required to show why any works which would affect the character of a Listed Building would be desirable or necessary.

In effect PPG 15 set out a simple presumption in favour of “preservation” of built heritage with statutorily protected buildings being effectively preserved “as found” unless an applicant was able to justify proposed alteration.

Clearly, the fundamental statutory duty to have special regard to the “desirability” of “preserving” a Listed Building, its setting and features of special interest or the character or appearance of a Conservation Area has not changed. However, the way in which we seek to achieve this objective has evolved and current national guidance opens up a much more positive approach to the management of heritage assets which emphasizes the preservation of what is actually special in our historic built environment.

This is part of a much more sophisticated approach to the management of built heritage which focuses much more clearly on the need to make a careful assessment of the actual nature, extent and relative level of the significance of individual heritage assets.

Most telling, was the commentary in English Heritage’s introduction to Constructive Conservation

which stated that :-

“ The Conservation Movement has evolved from a reactive process, focusing on preventing change, into a more flexible process of helping people to understand their historic environment and through that understanding, to manage change to it in the most appropriate way”

The fundamental point is that good conservation does not mean simply focusing on preventing change. Change is not harm and harm only results where change causes damage to what is actually “special” about the architectural or historic interest of the Heritage Asset concerned.

This change in philosophical approach was reflected in supporting guidance issued by Historic England and by way of example in its publication “Valuing Places: Good Practice In Conservation Areas” Historic England stated that :-

“This recognition of local distinctiveness is enshrined in legislation. It is not a device for preventing change or new development. Every conservation area contains places which have changed. Often these changes are features of the character which we wish to protect; often too, further changes have to be accommodated if we are to ensure such places have a viable and beneficial future.....”

It went on to state that :-

“ The care of our built inheritance has to be carefully balanced with the economic and social imperatives of the present”

This is consistent with the approach taken in the NPPF which at paragraph 8 makes it clear that alongside its role in protecting and enhancing the environment (including the historic environment) the planning system has two other key roles which are the need to contribute to building a strong, responsive and competitive economy and its social role in providing badly needed housing and fostering a well-designed and safe built environment with accessible services and open spaces.

National policy guidance therefore indicates that the positive economic and social benefits of new development must be given material weight and that this must be weighed up and balanced against harm caused to the historic built environment.

This approach does not imply any “green light” for unnecessary, inappropriate or ill considered harm to the historic environment and in Paragraph 194 the NPPF states that any harm or loss to a designated heritage asset must be clearly and convincingly justified.

In this regard it also makes it clear that the principle of proportionality is fundamental to the decision making process so that the level of justification which is required depends on the relative significance of the designated Heritage Asset concerned.

As part of this structured approach the NPPF builds on the principles set out in PPS5 and confirms the concept of “Harm” and “Substantial Harm” as two different levels of adverse impact on the significance of a Designated Heritage Asset.

Paragraph 195 of the NPPF relates to the consideration of applications that will result in ‘substantial harm to’ or ‘total loss of significance’ of designated heritage assets and makes it clear that permission for such development should be refused unless the harm caused is outweighed by the public benefit of the proposal or unless it is essential for the long term viability of the asset concerned.

Paragraph 196 relates to proposals that will result in ‘less than substantial harm’ to the significance of a designated heritage asset, stating that this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. In considering the level of public benefit which is required to justify development which results in “less than substantial harm” it is necessary to refer back to the principles of proportionality set out in Paragraph 194 which states that “Substantial Harm” to Grade II Listed Building, park or garden should be “exceptional” whilst “Substantial Harm” to a heritage asset of the highest significance should be “wholly exceptional”.

It is worth stopping to think about the wording of this guidance and worth noting that the need for “exceptional” justification in relation to Grade II designated assets is only intended to apply to development which would result in substantial harm. By definition this choice of wording indicates that the level of justification required for works which result in less than substantial harm to a Grade II designated asset would not be exceptional. In other words it is unexceptionable for there to be sufficient justification for consent to be granted for a development which might cause less than substantial harm to the significance of assets of this type. To continue the analogy it is not wholly unexceptionable for there to be sufficient public benefit to justify works which result in less than substantial harm to heritage assets which are of the highest significance.

Finally, the NPPF provides separate guidance in paragraph 197 regarding development which affects un-designated assets. In this regard the policy simply states that the effect of the application on the significance of the asset should be taken into account and that in weighing up such applications a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the asset.

Whilst paragraphs 195, 196 and 197 provide a methodology for assessing harm it must be recognised that in practice it is quite rare for the impact of works to be either wholly positive or wholly negative for the significance of heritage assets.

Some aspects of a development may cause harm to the significance of an asset whilst other aspects of the same scheme may result in positive benefit and in such cases the net impact of the proposal on the significance of the asset must be considered and weighed up as part of the process of determination.

The determination of an application therefore requires us to do more than simply refuse consent for any application which includes any element of perceived harm and we need instead to balance and weigh-up the different elements of harm and different elements of positive benefit to the significance of the asset so as to reach a balanced judgement as to whether the scheme as a whole will, or will not result in **net harm** to the significance of the Heritage Asset concerned.

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Similarly, there are instances of development which result in physical change to a heritage asset but whose impact on the special architectural or historic interest of the asset is entirely neutral.

In this regard an obvious example is the precedent established in *South Lakeland DC v Secretary of State* (1991) 2 P.L.R 97.

This case concerned the decision of an inspector to allow an appeal for construction of a new building within a Conservation Area on the basis that it would neither harm nor enhance the area (largely because it was to be constructed in a location where it would only be visible from very limited view points). Following judgement in the House of Lords this case established the principle that the preservation of the character or appearance of a Conservation Area could be achieved by development which left it unharmed.

Whilst this case related specifically to Conservation Area it is self evident that similar principles can be applied to the consideration of proposals which affect other Heritage Assets such as Listed Buildings.

Finally, in applying the guidance set out in the NPPF it is also important to remember that it cannot override the requirements of primary legislation and that the Courts are the final arbiters of what this legislation actually means.

The policies set out in the NPPF must therefore be set against the interpretation provided by established legal principle.

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DESCRIPTION OF PROPOSED DEVELOPMENT

The application proposes the construction of a new rural lane which would run southward from Keeley Lane into the proposal site and which would then allow the construction of approximately 25 new houses.

Whilst a preliminary layout has been provided this is solely intended to illustrate the principle and general quantum of proposed development and the layout and the design of the scheme will be subject to more detailed consultation and consideration as part of the evolution of the scheme design.

In this regard, it is understood that there is considerable opportunity for the layout and the design of the proposed development to be amended and changed in order to respond to any comments from the Parish Council and in order to seek to minimise and prevent any material adverse harm to the setting of nearby built Heritage Assets.

It is further understood that the applicant is committed to ensure that the eventual scheme design will be properly informed by the context and character of the locality, that it will make use of good quality materials and architectural detailing and that it will seek to create a genuinely high quality residential environment which will provide badly needed new homes and which will be of positive benefit for the community.

The NPPF makes clear that development management should be based on an evidence based assessment of the significance of individual Heritage assets which may be affected by the relevant development proposal. Understanding the relative significance of affected assets is vital to a successful development scheme and in this regard the NPPF reflects the earlier English Heritage (now Historic England) publication of Conservation Principles Policies and Guidance.

Given the diversity and richness of our shared heritage the assessment of significance for individual assets can be a difficult and sometimes subjective process. However this latter English Heritage Guidance sets out a structured approach based first on consideration of a range of Heritage Values encompassing the evidential, historic, aesthetic and communal values associated with each individual place.

Evidential value is defined as value derived from the potential of the place to yield evidence about past human activity whilst Historic Value is that which is derived from the ways in which passed people, events and aspects of life can be connected through the place to the present day. In this regard, the guidance suggests that Historic Value will normally be either illustrative or associative in nature. Aesthetic value is defined as the value which flows from the way in which people draw sensory and intellectual stimulation from a place whilst Communal Value derives from the meaning of the place for the people who relate to it or for whom it figures in their collective experience or

memory

The guidance goes on to set out a systematic process for the assessment of significance.

Although not all steps will be applicable to all places the guidance emphasises the following key stages :-

- 1 - Understand the fabric and evolution of the place.
- 2 - Identify who values the place and why they do so
- 3 - Relate identified heritage values to the fabric of the place.
- 4 - Consider the relative importance of those identified values.
- 5 - Consider the contribution of associated objects and collections.
- 6 - Consider the contribution made by setting and context.
- 7 - Compare the place with other places sharing similar values.

So far as possible and applicable this methodology is been used in assessment of this Heritage Asset and I would comment as follows :-

IDENTIFICATION OF BUILT HERITAGE ASSETS

The proposal site is located some distance to the north-west of the central core of Wootton Village and because of this it is self-evident that the proposed development will not result in any material impact on the setting of this Heritage Asset.

In considering the impact of the proposal on the historic built environment it is important to have regard to un-designated Heritage Assets which are not of sufficient value to justify individual statutory protection but which might nevertheless be of significant local value. In this regard, it is fair to say that there are a number of older houses and a number of older buildings within the wider locality of the site. However, in order to be considered to be a Local Heritage Asset any such buildings would need to stand out as having particular value and significance within the wider context of Bedford Borough.

At the time of writing it is understood that the Local Planning Authority does not have a publicly available list of Local Heritage Assets and it is understood that the Council deals with the assessment of local heritage value on a relatively informal case-by-case basis. In this regard, the preliminary comments provided by the Council Conservation Department did not seek to suggest that there are any un-designated Local Heritage Assets which would be materially affected by the proposed scheme of development.

Given the historic character of Wootton Village there are a significant number of Listed Buildings within the wider area of the village. However, only two of these Listed Buildings (Deep Thatches and 35 Keeley Lane) are located anywhere near the proposal site and the primary comments provided by the Council Conservation Department appear to confirm that these are the only two designated Heritage Assets which would be affected by the proposed development.

ASSESSMENT OF SIGNIFICANCE, IMPACT AND HARM

Deep Thatches is a Grade II Listed Building and the List Description for the property is as follows;

“ C17 or early C18 house. Timber frame now pebble dash rendered and colour washed. Thatched roof. One story and attics. North elevation has one ground floor casement. South elevation three ground floor casements and central doorway.”

By definition the property is recognised as being a building of special architectural and historic interest which is of national significance. In this regard the simple form, diminutive scale and vernacular construction of the historic core of the building provide a visual and physical link to our shared rural past which is of clear communal, evidential and historic value.

Because of its age, the building also has historic value simply by virtue of the survival of early building fabric from the 17th or early 18th century. It is also self-evident that the original core of the building makes an attractive and positive contribution to the street scene and that it must therefore be of material aesthetic value.

Finally, the form, detailing and construction of the original cottage has evidential and historic value as a physical record of traditional patterns of vernacular architecture and craft practice.

However, this is not a Grade II* or Grade I Listed Building and because of this it is not of exceptional or more than special architectural and historic interest.

Furthermore, it is immediately apparent that the property has been very substantially altered and extended during the post-war period with the addition of significant extensions which have effectively doubled the original size of the dwelling. The relative scale of post-war extension is clearly illustrated in the aerial view illustrated overleaf and as well as involving direct physical alteration of the original cottage it is clear that the post-war extension of the building has very dramatically affected the setting of the original historic core of the building.

These works were approved by the Local Planning Authority and it is therefore self-evident that the Council was happy that these direct physical alterations and the impact of the new extension on the setting of the original historic building could be accepted without unreasonable or unjustified harm to the significance of the Listed Building as a Heritage Asset.

Whilst originally located within a wholly rural area the aerial photograph overleaf also illustrates how the reality of the setting of the Listed Building has changed and evolved as it has been effectively surrounded by built development.

The visual impact of the approved extension on the setting of the original core of the cottage can also be judged from the attached illustrative photograph which shows the view of the property from its western approach where the historic core of the cottage is effectively dominated by the new extension which has been constructed.

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AERIAL PHOTOGRAPH OF DEEP THATCHES SHOWING SIZE OF EARLIER EXTENSION OF ORIGINAL COTTAGE & THE IMPACT OF EXISTING BUILT DEVELOPMENT ON THE SETTING OF THE LISTED BUILDING



VIEW OF DEEP THATCHES LOOKING EAST ALONG KEELEY LANE. THE SETTING OF THE ORIGINAL HISTORIC CORE OF THE BUILDING IS DOMINATED BY POST WAR EXTENSION

It is a statement of simple fact that the Listed Building would have a greater level of architectural and historic interest if it had survived in its original form and if it had never been altered and extended. Similarly, the building would have a greater level of significance if it's original setting from the time at which it was originally constructed had survived in a wholly unaltered condition and without the subsequent construction of suburban ribbon development along the north side of Keeley Lane and the further construction of the substantial post-war agricultural/equestrian buildings which wrap around the rear of the property. By logical extension these changes will have resulted in a reduction in the significance of the Heritage Asset and within the broad spectrum of Grade II Listed Buildings my judgement is that Deep Thatches should be regarded as being of a medium to lower level of relative significance for a designated asset of this type.

35 Keeley Lane is also a Grade II Listed Building and the List description for this property is as follows;

“C18 timber framed house now pebble dashed. Old clay tiled roof. One storey and attics. North elevation (facing road) has ground floor left hand three light casement with glazing

bars and right hand 20th century casement. One storey 19th-century brick lean to. South elevation has to gabled attic dormers. Three ground floor casements. 20th century flat roof porch. East gable end one story lean to with hipped roof”.

Although it is self-evident that this building has also changed and altered over time it would appear that the level of post-war extension and alteration has been much less significant than in the case of Deep Thatches.

Again, the property is recognised as being a building of special architectural and historic interest which is of national significance. Although the property is of different form, design and construction to the Listed Building at Deep Thatches it is another example of historic vernacular construction and provides a similar visual and physical link to our shared rural past which is of clear communal, evidential and historic value. Because of its age, the building also has historic value simply by virtue of the survival of early building fabric. It is also of material aesthetic value and the form, detailing and construction of the original cottage has evidential and historic value as a physical record of traditional patterns of vernacular architecture and craft practice.

However, like Deep Thatches this is not a building which is Grade I or Grade II* Listed and it is not therefore property which is of exceptional or more than special significance.

As noted by the Council the property is located somewhat to the east of the proposal site and there is a much greater level of visual and physical separation between the proposed development and 35 Keeley Lane than between the proposed development and Deep Thatches.

National Guidance makes clear that the setting of a Listed Building comprises the whole of the way in which it is experienced and at an academic level there is a reasonable argument to be made to suggest that the proposed development will result in physical and visual change within the wider character of the locality and that because of this it should be regarded as having some impact on the setting of the Listed Building at 35 Keeley Lane.

However, the fact that there is an academic argument to suggest that the proposal site should be regarded as forming part of the wider setting of 35 Keeley Lane does not mean that we should go onto conclude that new development within this wider setting should be regarded as resulting in any material harm to the actual significance of the property as a Heritage Asset. In this regard, there is no evidence of any direct functional relationship between the area of the proposal site and the dwelling at 35 Keeley Lane and the level of inter-visibility between the area of the proposed development and the property is genuinely very limited.

My judgement is that the impact of the proposed development on the setting of 35 Keeley Lane will be so marginal as to be genuinely de minimis and I do not believe that the proposal will result in any material harm to the significance of this property as a Heritage Asset. In consequence the remaining text my assessment focuses on discussion of the impact of the development proposal on the setting of Deep Thatches which will be more directly affected.

As part of this it is necessary to consider how this new development would affect the setting of the Listed Building and, in the context of the way in which the physical fabric of the building and it is

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existing setting have already been changed and altered, we must then go on to make an assessment as to whether any change in the setting which results from the proposed development will in fact make any practical difference to the actual significance, meaning and value of the property for our society.

In its preliminary comments the Council Conservation Department has expressed a number of concerns about the proposed development. In this regard, the Conservation Officer tells us that the historic setting of Deep Thatches was entirely rural and whilst acknowledging the reality that the setting of the Listed Building has changed and evolved to become much more built up the officer goes on to conclude that the proposal site as it exists today makes a positive contribution to how the Listed Building is appreciated and implies that the nature of the proposal site as an existing open field is important in revealing how the asset should be understood in its use and in the wider development of its setting.

In essence, the officer tells us that the original setting of the Listed Building was entirely rural, tells us that the proposal site is a rural field and asserts that the retention of the field is important in that it allows us to appreciate and understand the historic rural setting of the Heritage asset.

There is a simple logic to this approach which effectively argues that fields are rural and therefore good and that new houses are not rural and therefore bad. This leads onto a very simple approach to development management which effectively seeks to create a zone of separation between rural Listed Buildings and new development and which seeks to prevent new development within the proximity and setting of buildings of this type.

The council is absolutely correct in emphasising national guidance which emphasises that government places great weight on the conservation of designated Heritage assets and guidance which makes clear that any harm to the setting of a Listed Building should require clear and convincing justification. In this context the simple approach outlined above leads to a precautionary approach and an instinctive reaction against any proposal for new development within the proximity of rural Listed Buildings.

In fairness to the council it has to be said that the general quality of post-war suburban development has not been as good as it might have been and in this context it is easy to understand why the Council Conservation Department might assume the worst whenever presented with development proposals of this type.

However, there is a danger that an overcautious, precautionary and in some ways quite simplistic approach to development management can result in a failure to work with applicants in a proactive way and a danger that this can result in a failure to embrace opportunities which can allow the creation of badly needed new homes whilst at the same time preserving those elements of the setting and significance of Listing Buildings which have genuine meaning and value for our society. The need to embrace opportunities of this type lies at the very heart of National Planning Policy Guidance and the core definition of heritage conservation set out in the NPPF is as follows:

“ The process of maintaining and managing change to a Heritage asset in a way that sustains and, where appropriate, enhances its significance ”

This goes to the very heart of what building conservation really means and makes clear that it is not a simple matter of preventing change but that it is intended to be a process of properly maintaining and managing the ongoing evolution of the historic built environment in a way which protects those elements of genuine meaning and value for our society but which also allows our environment to change and evolve in order to meet society's needs.

Because of this inherent objective which lies at the heart of National Planning Policy Guidance my own reaction to the development proposal is less instinctively negative than the initial reaction expressed by the Council Conservation Department in its initial preliminary comments.

In considering the impact of the proposal on the setting of Deep Thatches the first step is to set aside the initial illustrative layout which has been provided and to think about the fundamental principle of a proposal for the construction of a new rural lane in this location and to consider how, as a matter of first principle, such new development might affect our ability to view and appreciate the Listed Building and our ability to understand the original rural character of its setting when it was first constructed in the 17th or early 18th century.

In this regard, the first obvious point is that the Listed Building is located in an area which is fundamentally characterised by an informal, winding network of rural lanes and a dispersed settlement pattern with groups of dwellings distributed along this road network. In this context, it is very difficult to understand why the principal of the construction of a new rural lane should be considered to be inconsistent with the historic rural setting of the Listed Building. It is also important to point out that the existing network of rural lanes which can be seen today did not emerge from one single moment of divine creation but instead grew up, changed and evolved over time. Indeed, the evidence which is available from early 19th century historic mapping suggests that a number of earlier rural lanes within the locality have been previously reduced in size, downgraded and enclosed as private land.

Whilst there is no existing road which runs into the proposal site from Keeley Lane it would seem entirely reasonable to conclude that a further evolution of the network of rural lanes within the locality can be accepted and that this can include the construction of new rural lane in this location without any material harm to the general rural character of the local area.

In this regard, my judgement is that what really matters is not the principle of the construction of a new rural lane but is instead the detail and the reality of the way in which the lane is designed and constructed. The danger which underpins the inherent conservatism of the Conservation Department approach is the risk that any such new lane is designed and constructed as a standardised modern estate road with a prescribed uniform carriageway width, prescribed uniform pavements and the standardised specification of finishes kerbs and street furniture.

In contrast a traditional rural lane would be characterised by variation and informality in its alignment and setting out, a soft edge to the carriageway and a predominance of hedge and tree planting.

It is a mistake to believe that all roads must be of ugly urban character and if the council highway

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department is willing to engage with the applicant and if the council is willing to offer some reasonable degree of design flexibility then it is entirely possible for the development to seek to create a new rural lane which is an attractive entity in its own right and which can be a positive new addition to the existing pattern of historic rural lanes within the locality.



NOT ALL ROADS NEED TO BE UGLY

The second fundamental question is whether the new housing which might be created along a rural lane can be designed in a way which is consistent and compatible with the overall character of the wider locality.

In this case one of the distinctive characteristics of the local area is that it is defined by a dispersed settlement pattern with groups of houses distributed along the network of older rural lanes. In this context it is very difficult to understand why the principle of the construction of some new dwellings which might be built along the length of a new rural lane within the proposal site should be in any way out of keeping with the rural character of the overall locality or the historic rural character of the Listed Building.

To put this in perspective it is worth noting that the physical distance between Deep Thatches and the existing small hamlet at Tinkers Corner is very little different to the distance between Deep Thatches and the centre of the proposal site. The obvious question in this regard is whether the Council believes that Deep Thatches would have more meaning and significance for our society

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if this existing building group at Tinkers Corner were to be demolished and removed. My judgement is that the meaning and significance of the Listed Building would not be of any greater value if these existing buildings at Tinkers Corner were demolished and by logical extension I do not believe that the significance of the Listed Building will be materially harmed by the fundamental principle of the construction of a modest new hamlet of dwellings within the depth of the proposal site.

Again, my own judgement is that what matters is not the principal of new residential development within the proposal site but is instead the character and the architectural quality of the new buildings which are constructed and the way in which these new buildings are integrated into the landscaping which is developed as part of the construction of the proposed new rural lane.

If designed and constructed as an unthinking repetition of post-war suburban sprawl then the expressed concerns of the Council Conservation team would be wholly justified and poor quality development of this type would undoubtedly result in harm to the setting of the Listed Building. However, there is absolutely no reason why the proposed development should not be designed and built in a manner which is wholly compatible with the rural character of the overall area and designed a built in a way which harmonises with the setting of the Listed building in and aesthetically pleasing and positive manner.

In thinking about how this objective can be achieved there are a number of lessons which can be taken from observation of historic patterns of development within the local area and perhaps more widely from other historic examples of Arcadian development within rural locations.



ATTRACTIVE BUILDING GROUP AT KEELEY GREEN

The first of these is that there is a need to move away from development comprised of the repetition of standardised estate house types and a need to embrace the greater variety and greater individuality which characterises historic patterns of development which grew up as a result of the construction development of individual or small groups of dwellings in a progressive gradual way.

Any new development will harmonise with the character of the area much more effectively if it is made up of a composition of individually designed dwellings and individually designed building groups (individual houses, small terraces, small groups of semi-detached houses etc.). If designed as a single comprehensive development this is simply a matter of investing sufficient design time to achieve a genuinely individual scheme design. However, another alternative would be to look at the possibility of setting out the proposed new rural lane, setting out plots within this and then allowing these to be developed as individual or small scale developments either by self build occupiers or by small builders and with a commonality of aesthetic character being achieved through the use of design coding.

The second lesson which can be drawn from historic patterns of development is that although individual buildings may vary very considerably in their design that they do nevertheless retain a commonality in visual appearance which flows from the unifying effect of vernacular design and traditional craft practice together with the use of good quality natural materials. In seeking to ensure that the new development harmonises with the character of the rural character and does not compromise our understanding of the rural setting of the Listed Building my advice would be to encourage the parish council to work with the developer to establish clear guidance through design coding which will ensure the use of good quality traditional materials and which ensures that the new development will blend and harmonise with the traditional visual appearance of historic development within the local area.

The third obvious lesson which can be taken from the historic pattern of development within the locality is that it did not comprise a uniform layout of suburban dwellings and that it did instead comprise a mixture of individual / small groups of buildings together with more concentrated groups of buildings in small ends and hamlets. The proposal site is of sufficient size to allow the layout of the proposed development to reflect this historic pattern and my advice would be to encourage a less regular development pattern with creation of a more concentrated group of buildings to create a small new hamlet and then the distribution of further individual or small groups buildings at lower density beyond this core group.

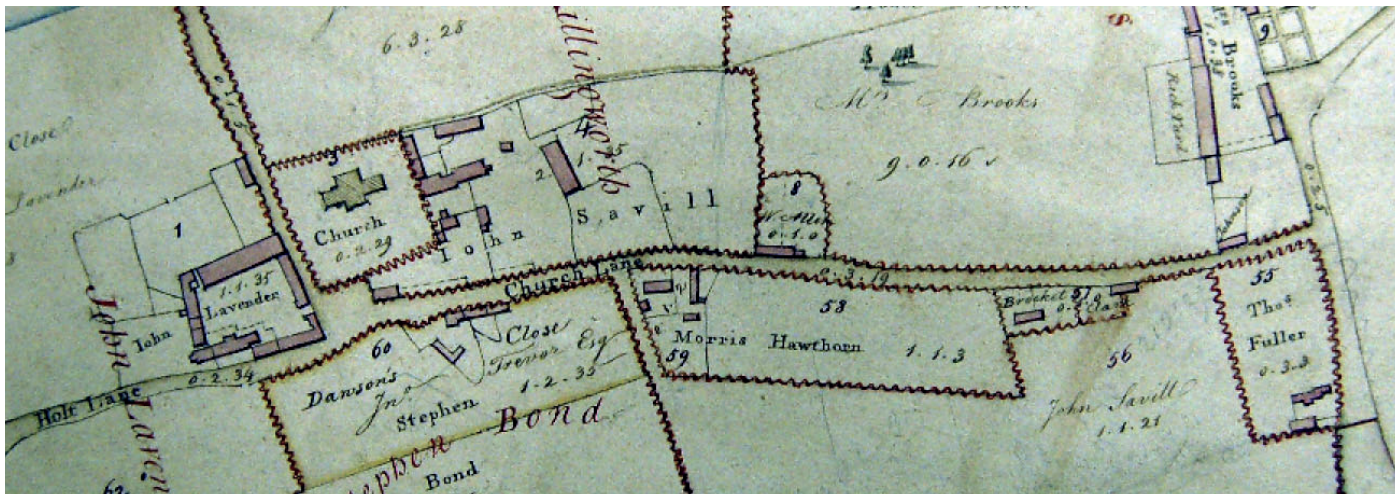
It is fair to say that many of examples of suburban development are of undistinguished architectural quality and often lacking in individual character. This does colour the reaction of Local Planning Authority and I can easily understand the Conservation Departments initial concerns that further suburban development within the proposal site might result in harm to the setting of Deep Thatches.

However, it is wrong to say that all forms of suburban development are ugly and unattractive and there are good examples where what is effectively suburban development has been introduced into traditional rural areas in a very successful way and in a way which has created visually attractive high value environments which are now cherished and valued by the local community and

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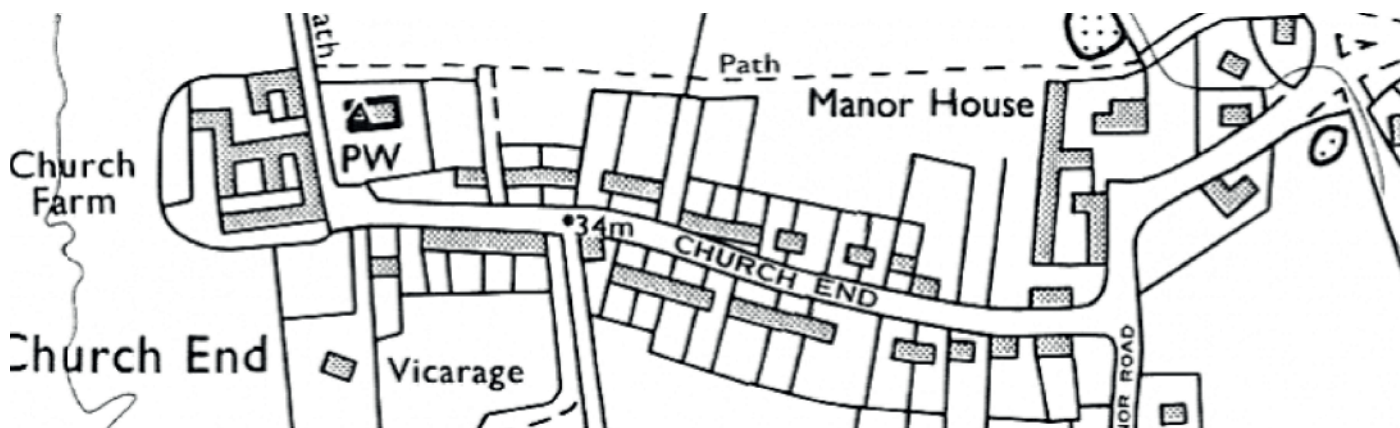
which recognised by the Council as being of special architectural and historic interest.

Within the context of the Bedford area an obvious example in this regard would be the development and evolution of Church End which forms part of the Biddenham Conservation Area and historically this road comprised a simple rural lane which extended westward from the main body of the village and which ran between open fields to the village church.



EXTRACT FROM 1794 GOSTELON MAP OF CHURCH END BIDDENHAM

In this regard, the above map extract from 1794 shows Church End in its original form as an open rural lane with more substantial, presumably agricultural development concentrated around the Church to the West and Manor Farm to the East and then a very loose scatter of smaller scale frontage development interspersed with open fields. However, towards the end of the 19th century the proximity of the village to Bedford resulted in a process of infill residential development which continued and intensified over the course of the 20th century. This resulted in ribbon development of individual new houses along the length of the lane and which created what is effectively an Arcadian form of suburban development which runs along the road.



1989 OS PLAN FOR CHURCH END BIDDENHAM SHOWING IMPACT OF SUBURBAN INFILL DEVELOPMENT

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It is self evident that this suburban development has had a dramatic impact and the objective reality is that many of the 20th century houses which were built along the Lane are of individually distinguished architectural quality. Nevertheless, relationship between the new development and the adopted highway, the predominance of substantial tree and hedge planting along the highway edge and the informality of the construction of the highway itself means that the road retains much of the character of a traditional rural lane and means that the attractive verdant character of the road creates a very attractive environment which is of clear aesthetic value.



CHURCH END BIDDENHAM

There are a small number of Listed Buildings within the road and in particular it is interesting to note that the form and visual character of 39 / 41 Church End is actually very similar to that of Deep Thatches on Keeley Lane.



39/41 CHURCH END BIDDENHAM

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As a result of the impact of 20th century suburban development along the length of Church End a significant number of suburban houses and bungalows were constructed within very close proximity of this Listed Building. Indeed, these new houses and bungalows were constructed much closer to the Listed Building at 39/41 Church End in Biddenham than the proposed new houses would be in the case of the current proposal site and the level of physical and visual separation between the Listed property at Deep Thatches would be very much greater than that for the comparable property at 39/41 Church End in Biddenham.

It is also fair to say that these 20th century suburban bungalows and houses which were constructed in Biddenham and which were built in very close proximity to the Listed Building at 39/41 Church End are, in the main, of undistinguished architectural quality.



EXAMPLES OF 20th CENTURY SUBURBAN DEVELOPMENT IN CLOSE PROXIMITY TO LISTED BUILDING AT 39/41 CHURCH END, BIDDENHAM

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In this regard it is interesting to compare the concerns expressed by the Council Conservation Department about the development proposal at Keeley Lane and the comparative commentary provided by the Council Conservation Department in its appraisal for Biddenham Conservation Area which includes Church End.

Where new development it is proposed at Keeley Lane the Conservation Department expresses concern that suburban development within the proposal site would cause unacceptable harm to the setting of the Listed cottage at Deep Thatches. By comparison it is noticeable that the Council conservation area appraisal for Biddenham does not seek to make any suggestion that the existing 20th century suburban development which has grown up along Church End has caused any harm to the setting of the comparable Listed cottage in Biddenham. The appraisal does not suggest that the Council believes that any of the 20th century development along Church Lane is harmful to the character and appearance of the Conservation Area. Indeed, the impact of 20th century bungalows within the Conservation Area is specifically discussed within the Conservation Area Appraisal and in this regard the Council asserts its view that post-war suburban bungalows of the type illustrated above should be accepted as having a neutral impact on the architectural and historic interest of the Conservation area as a Heritage Asset.

On the face of it there is something of a discrepancy between the Council's assessment of the impact of proposed new development in the rural area at Keeley Lane and its assessment of the impact of existing 20th century suburban development within the historically rural area of Church End which forms part of the designated area of the Biddenham and Conservation Area.

Having reflected on this discrepancy my view is that the Councils approach to the development proposal at Keeley Lane is overcautious and my advice is that we should be open to the possibility that a well-designed and well implemented scheme of residential development within the proposal site can be brought forward without material harm to the value and significance of Deep Thatches for our society. Indeed, we should be open to the possibility that a well-designed scheme could in fact create a visually attractive environment which will be of positive benefit for the local area.

Notwithstanding the above comments, and even if we were to conclude that development within the proposal site might result in harm to the setting and significance of the Listed Building then in weighing up the application proposal it is important to be reasonable and realistic about the actual level of harm which will result both in terms of the impact on the affected Listed Building itself and the quality of the historic built environment as a whole.

In this regard, we must start by being realistic about the relative value of Deep Thatches. As earlier noted, this is a statutory protected building and is therefore by definition of special architectural and historic interest and of national significance. However, the building has been very heavily altered and extended and this has already resulted in very direct and very significant change to the immediate setting of the historic core of the cottage. Indeed, in approving these earlier alterations and extensions the Council demonstrated its acceptance that significant alterations both to the physical fabric of the building itself and the setting of the historic core of cottage can be accepted without any unreasonable harm to the significance of the Listed Building as a Heritage Asset.

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The aerial photography and historic map data which has been previously discussed also makes it clear that the wider setting of Deep Thatches has already been very significantly changed and altered and that in many ways the immediate setting of the property is perhaps better described as being semi-rural rather than fully rural character.

At a basic level the Council would be right to observe that the area of the proposal site as it can be seen today is effectively a single open field and that as a field it is reasonable to say that it is a typical feature of the rural area. However, two points need to be made in this respect.

The first is that the historic character of the rural area is not comprised solely of open fields but is instead made up of a composition of different elements which certainly include open fields but which also include an informal network of winding rural lanes, hedge and tree planting along those rural lanes and significant amounts of dispersed residential development. In this context there is nothing inherently inappropriate or harmful in the provision of some further quantum of well-designed dispersed new housing within the rural area.

The second point is that there is nothing particularly historic about the existing form of the proposal site as a single open field. In this regard, evidence from early 19th century historic mapping makes clear that the proposal site was previously divided into a number of different land parcels and that there was previously a former building within the area of the development site located in almost immediate proximity to the Listed Building at Deep Thatches. It is also important to be realistic and objective about the actual reality of the visual relationship between the Listed Building and the area of the proposed development.



VIEW OF DEEP THATCHES FROM WITHIN PROPOSAL SITE

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The proposal site does undoubtedly form part of the setting of Deep Thatches and there are undoubtedly views of the Listed Building from within the proposal site and views of the proposal site from within the curtilage of the Listed Building. However, the reality is that these views are in fact heavily filtered and quite limited.

Whilst the proposed development will undoubtedly result in visual and physical change within the setting of the Listed Building we also need to recognise that the proposal envisages considerable physical and visual separation between the main body of the proposed development and the curtilage of Deep Thatches. As a result, it will still be entirely possible to read and understand the way in which the pattern of development within the locality has emerged and developed over time and as the Listed Building is experienced it will be entirely possible to understand that it was originally constructed within a wholly rural area.

In considering the impact of development proposals on the setting of Listed Buildings we should always be aware of the risk of cumulative harm with successive phases of individually innocuous development resulting in a progressive cumulative harm which over time causes significant degradation of the setting of the Heritage Asset concerned.

In this regard, there are often circumstances where it is entirely reasonable and appropriate for the Local Planning Authority to effectively ignore previous changes to the setting of a Listed Building and to argue that whilst these earlier changes may have occurred that any further harm to the setting of the Heritage Asset should nevertheless be resisted.

However, in considering a development proposal of this type it is important to remember that the assessment must be made on the basis of the setting of the Listed Building as it is experienced today and not on the basis of the setting of the Listed Building as it might have been in the past or as the decision-maker might prefer it to be. In making real-world decisions of this type it is therefore important to recognise that there is a limit to the elasticity of the argument of cumulative harm and that in many cases further change and indeed further slight harm can be accepted without resulting in any material damage to the actual significance of the Listed Building as it is today.

My own judgement is that this is an example of this type. Any new development within the proposal site will result in physical and visual change to the setting of the Listed Building at Deep Thatches. However, if the development is well considered and well designed the real world reality is that we will continue to be able to enjoy and appreciate Deep Thatches, that we will continue to be able to read and understand the way in which its setting has evolved and this is a case where development and change can reasonably be accepted without any material harm to the actual significance of the Heritage Asset.

Even if the council were to take a contrary view and conclude that the significance of the building would be reduced I would advise against over exaggeration and it would seem very difficult to accept any argument to suggest that the level of impact of the proposal might result in anything more than less than substantial harm.

Given the greater level of physical and visual separation between the proposal site and 35 Keeley Lane I would also confirm my view that a well-designed scheme of residential development can

be accepted within the proposal site without any material harm to the significance of this nearby Listed Building.

JUSTIFICATION & WEIGHING UP

Having inspected the proposal site and having considered the history of the locality and character and setting of the nearby Listed Buildings I am satisfied that a good quality residential development can be accepted without any material harm to the significance of these Heritage Assets.

However, if the Local Planning Authority were to take a different view and were to conclude that the proposal would result in some less than substantial harm to these Listed Buildings then this harm would need to be weighed up against the social and economic benefits which flow from the scheme. These would include the construction of approximately 25 badly needed new homes for families to live in, the provision of social housing, and the contribution which the development will make to the vitality and viability of Wootton as a local village centre.

National planning policy guidance makes clear that government places great weight on the need for the setting of Listed Buildings to be protected and this is consistent with the basic statutory duty which requires the Council to have “special regard” to the desirability of preserving or enhancing the setting of designated heritage assets of this type.

In this regard, case law also makes it clear that the statutory requirement for the Council to have “special regard” to the desirability of preserving a Listed Building means that this policy objective should be afforded significantly greater relative weight than other competing policy objectives such as the provision of new homes. In essence, this means that when the positive benefits which result from the construction of new homes are weighed up and balanced against any harm to the setting of a Listed Building that the “scales” must be weighted in favour of the Listed Building.

However, although this process of weighing up must be tilted in favour of the preservation of the setting of a Listed Building this does not mean that it will always be inappropriate or unreasonable to accept some level of justified harm to the significance of a designated Heritage Asset where this is justified and where this is in the public interest. This is made clear by the text of NPPF policy guidance which does not impose any prescriptive or prescribed prohibition of development which would cause harm to the significance of a Listed Building and which simply indicates that any such harm must be clearly justified (paragraphs 194, 195 and 196). In this regard paragraph 195 makes clear that a proposal which leads to substantial harm to the significance of a Listed Building would need to achieve substantial public benefits in order to be justified. However, where the level of harm (as in this case) is less than substantial then paragraph 196 simply tells us that the public benefits of the proposal scheme would need to be weighed up against the less than substantial harm caused to the Heritage Asset concern.

What this means in practice is a matter of judgement for the decision taker which will entirely depend on the individual circumstances of each case.

My own view is that the statutory obligation to give greater weight to the preservation of a Listed Building or its setting means that it would be very questionable as to whether a developer pro-

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posal which created just one or two new homes would generally be considered to be of sufficient public benefit to outweigh the impact of less than substantial harm. However, in the context of a national housing crisis which is causing real and material damage to our society and the quality of the lives of many families there does come a point where the number of houses which a development proposal will provide can reasonably be seen to justify some less than substantial harm to the setting of a Grade II Listed Building which has already been very heavily altered and extended and whose setting has already been significantly changed as a result of 20th century development and earlier changes in the layout of the surrounding fields and landscape.

In this case, my judgement is that the social and economic benefits which will flow from the proposal for the construction of 25 new dwellings within the site will be more than sufficient to justify any perceived concern which the Local Planning Authority might have in respect of the impact of the development will have on the setting of nearby Listed Buildings.

Given the above comments I would confirm my view that the proposal is fully justified, that it will be of neutral impact for the Historic Built Environment and that it will be of social and economic value.

INTRODUCTION

POLICY FRAMEWORK

ASSESSMENT

CONCLUSIONS

APPENDIX A

4.0

CONCLUSION

The application proposal involves an indicative scheme for the construction of a new rural lane and approximately 25 badly needed new homes. The site is located within relatively close proximity to two Grade II Listed Buildings (35 Keeley Lane and Deep Thatches) and the proposal will result in physical and visual change to the setting of these Heritage assets.

However, the fact that the application proposal will result in change does not mean that it will result in any actual harm to the significance of these Listed Buildings.

The NPPF makes clear that development management should be based on an evidence based assessment of the significance of individual Heritage assets which may be affected by the relevant development proposal and an objective analysis of the way in which the significance will be affected by the development proposal. In this regard, consideration of an application proposal of this type goes to the very heart of what building conservation means for us.

It is possible to argue that the purpose of conservation is simply to prevent change to Heritage Assets and their setting and in some way to “**protect**” our community from development. When viewed through this prism the retention of the main body of the application site as a field can be seen as a good thing whilst the construction of new homes for families to living can be seen as a bad thing which should be resisted. At an academic level it is also possible to construct an argument to say that the retention of the main body of the application site as a field must automatically be an important objective on the basis that the Listed Buildings are “rural” cottages and that the presence of an adjoining field must automatically be seen to be of positive value (fields are good and buildings are bad).

However, although Government places great weight on the need to protect the Historic Built Environment NPPF guidance makes it clear that heritage protection is not intended to be an artificial barrier to development and that new development can be accepted within the historic environment provided this does not result in unjustified harm to those elements of the built environment which genuinely contribute in a material way to the actual significance of the Heritage Assets concerned as they exist and as they are experienced today.

In this regard, the basic definition of Conservation (for heritage policy) which is set out in the NPPF is as follows:

“ The process of maintaining and managing change to a Heritage asset in a way that sustains and, where appropriate enhances its significance.”

At its core good quality Conservation should not be about endlessly searching for reasons to prevent change but instead should embrace the need to manage change, and indeed the need to maintain an ongoing process of progressive alteration and change so that this protects those elements of the Historic Built Environment which are of genuine value whilst also allowing the historic

environment to evolve in order to meet the needs of both this and successive future generations.

This is an example of a situation where it would be wrong to jump to stereotypical assumptions about “rural character” or to overstate either the perceived value of the existing Listed Buildings or the value of the main body of the proposal site as a retained field. Rather than approaching the application on the basis of stereotypical academic argument it is important to look carefully at the way in which we experience the Listed Buildings and to think carefully about those elements of the character of the area which genuinely contribute to the significance and value of these Heritage Assets.

In this case, evidence from historic mapping makes clear that the rural area within the locality of the proposal site is characterised by an informal network of winding rural lanes which has changed and evolved over time together with a dispersed settlement pattern made up of individual houses, small groups of houses and relatively densely developed hamlets. The rural character of the area amounts to more than just agricultural fields and does in fact comprise a composition made up of rural fields, rural lanes, residential dwellings and agricultural buildings.

As a matter of first principle, and if properly designed, it is therefore difficult to see why a proposal which will comprise construction of a new rural lane and some new residential dwellings which could comprise a small new hamlet and some individual new dwellings set along this new rural lane should be in any way harmful to the rural character of the overall area or the setting of the nearby Listed Buildings.

Given the unsatisfactory architectural quality of many areas of large-scale post-war suburban development it is entirely understandable that the Council Conservation Department should have some worry and concern that the proposal might lead to an unthinking repetition of previous examples of poor quality post-war urban expansion.

However, the evidence provided in this report makes clear that there are good lessons to be learned from successful examples of residential development within the immediate locality and that there are examples of 20th century suburban development within rural areas which have been very successful and where the Local Planning Authority explicitly accepts that it has been possible for new residential development to be constructed within the setting of Listed Buildings without resulting in any unacceptable harm to their significance as Heritage Assets. In this particular case, earlier approvals by the Council for substantial alteration and extension of Deep Thatches provide an immediate example of a case where the Council was happy that new development which resulted in very substantial change to the setting of the historic core of this Listed Building could be accepted without any unreasonable and unjustified harm to its significance.

My own judgement is that what matters in this case is not the principal of new residential development within the proposal site but is instead the detailed design of the new rural lane, the integration of new landscape planting along that lane and the character and the architectural quality of the new buildings which are constructed and the way in which these new buildings are integrated into the landscape which is created.

If properly designed, I am happy that it is possible for good quality residential development to be

4.0 | CONCLUSION LAND TO SOUTH OF KEELEY LANE, WOOTTON : HERITAGE STATEMENT

brought forward which can be accepted without any material harm to the significance of the built heritage assets which will be affected by the proposal.

Whilst understanding the reasons and logic behind the intuitively negative reaction expressed by the Council conservation team in its initial comments my view is that this initial response is unduly cautious. In this respect, I would encourage the Council to embrace the possibility of creating a genuinely good quality development which will be of positive benefit to the local community and which will blend and harmonise with the historic character of the locality and the setting of the adjacent Listed Buildings.

Even if the Council were to continue to disagree with the principle of the proposal and even if the Council were to conclude that the proposal will result in some harm to the setting of the adjacent Listed Buildings the assessment of any such harm will need to take into account the extent to which the setting of these Heritage Assets has already changed and evolved both as a result of 20th century built development (particularly that which is adjacent to and which surrounds Deep Thatches) and the way in which the wider agricultural landscape has changed and altered due to changes in agricultural technology and farming practice.

In this regard it would be very difficult to accept that the level of impact of the proposal could amount to anything more than less than substantial harm to the setting of these Listed Buildings and my judgement is that any such less than substantial harm would be more than outweighed and justified by the positive social and economic benefits which will result from the construction of 25 badly needed new homes for families to live in.

The application scheme is commended to the Local Planning Authority and it is respectfully recommended that the council should work pro actively with the applicant in order to secure the grant of planning permission.

INTRODUCTION

POLICY FRAMEWORK

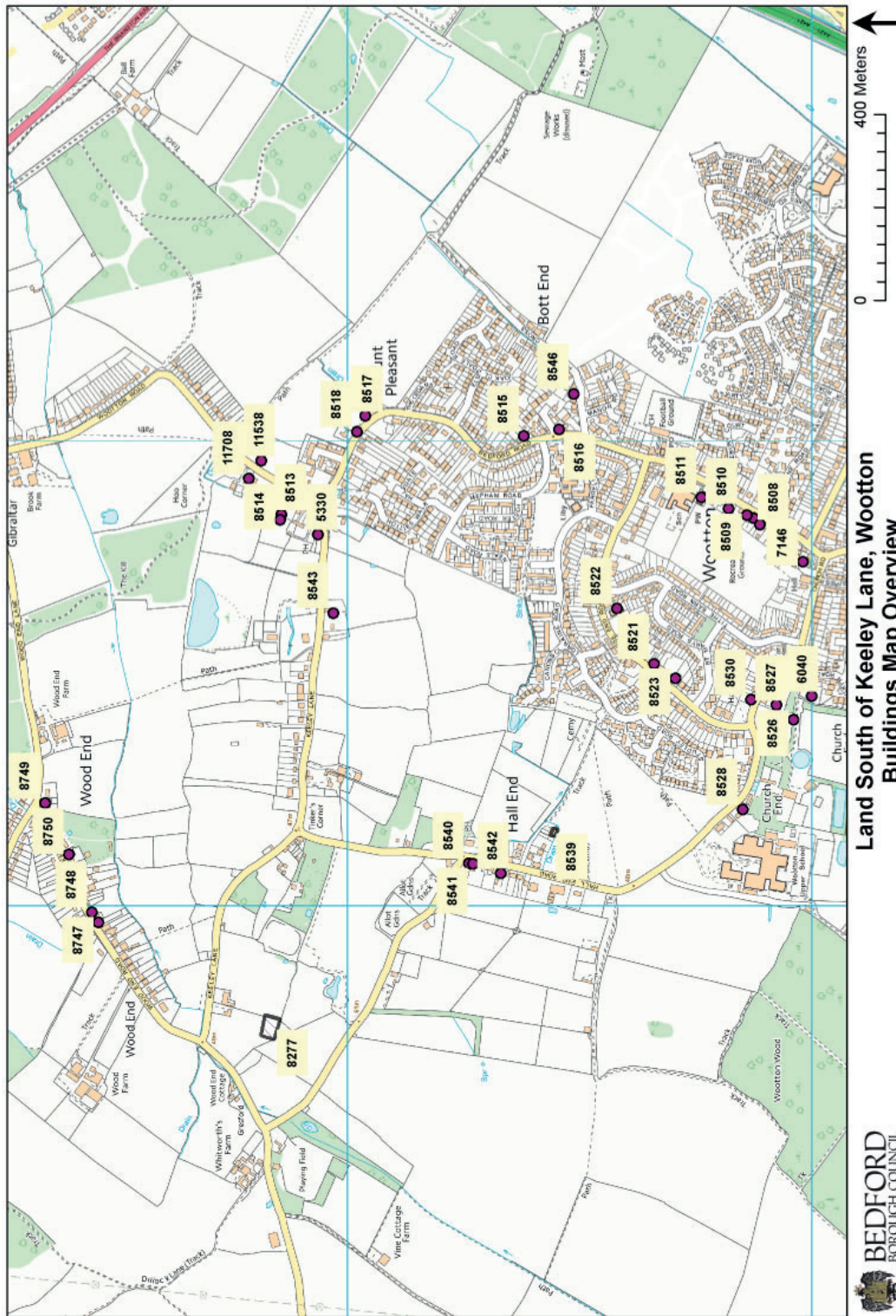
ASSESSMENT

CONCLUSIONS

APPENDIX A

5.0

APPENDIX A - HER MAPPING

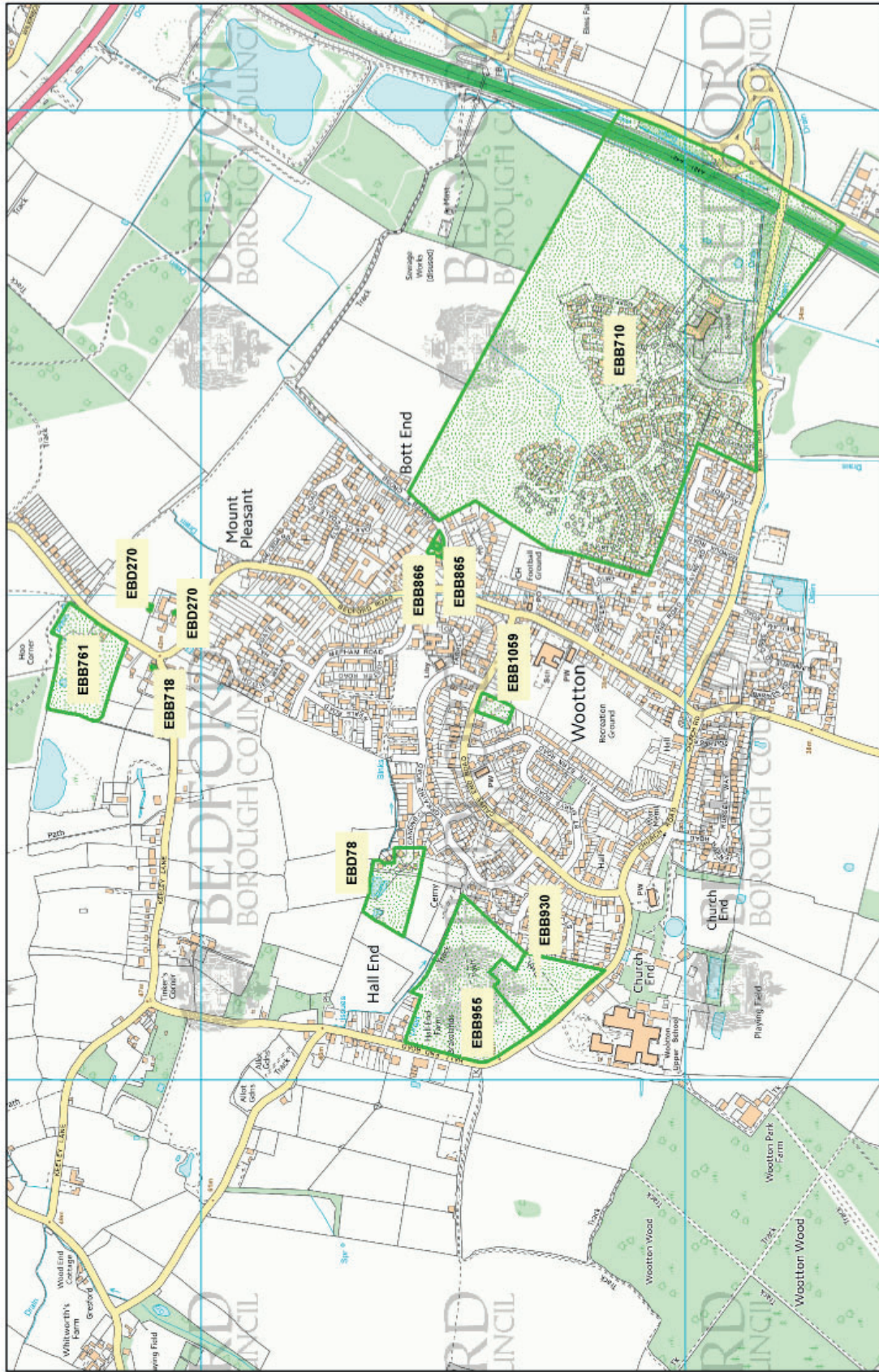


Land South of Keeley Lane, Wootton
Buildings Map Overview

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5.0 | APPENDIX A LAND TO SOUTH OF KEELEY LANE, WOOTTON : HERITAGE STATEMENT

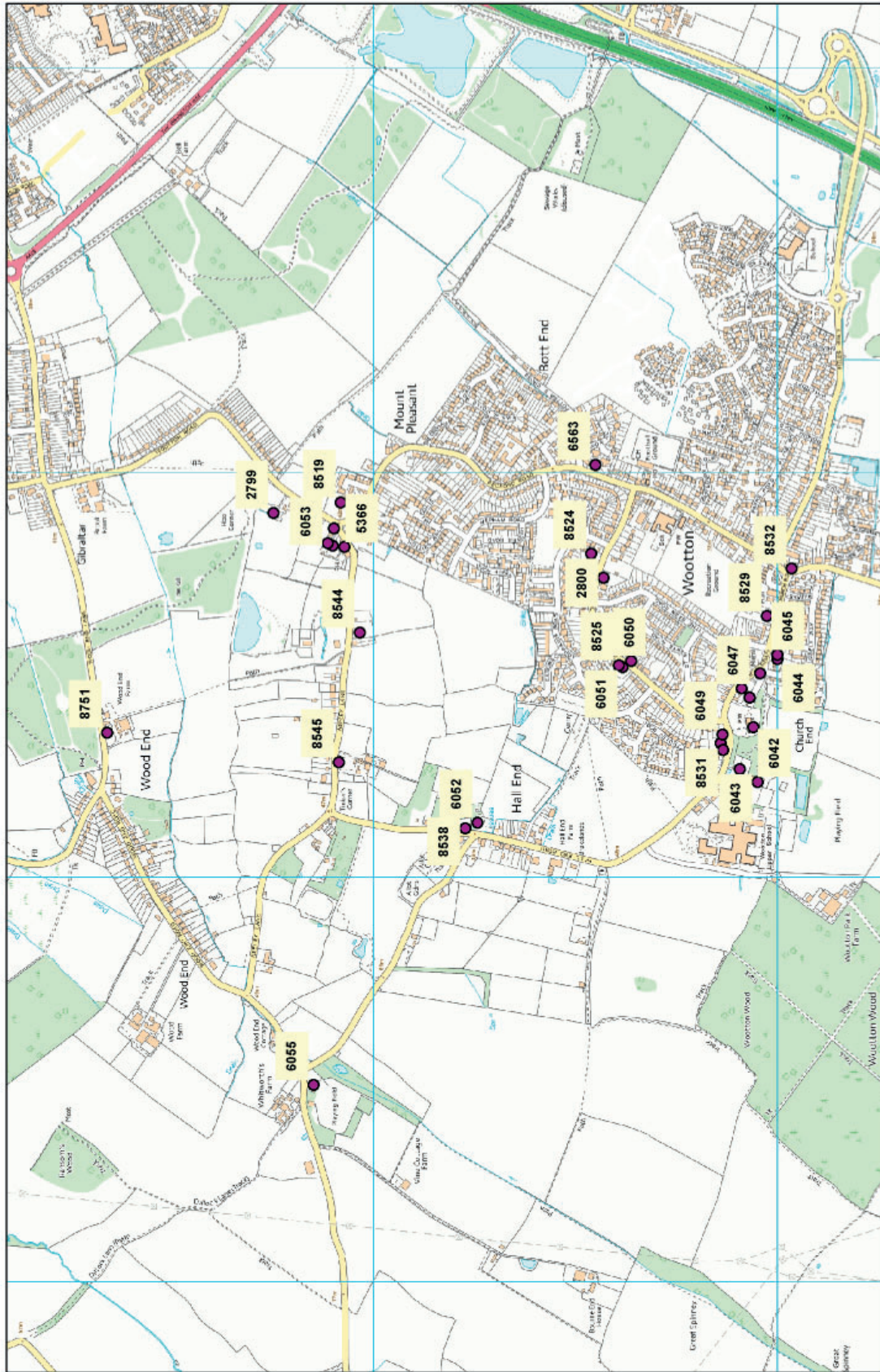


**Land South of Keeley Lane, Wootton
Events Map Overview**

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5.0 | APPENDIX A LAND TO SOUTH OF KEELEY LANE, WOOTTON : HERITAGE STATEMENT

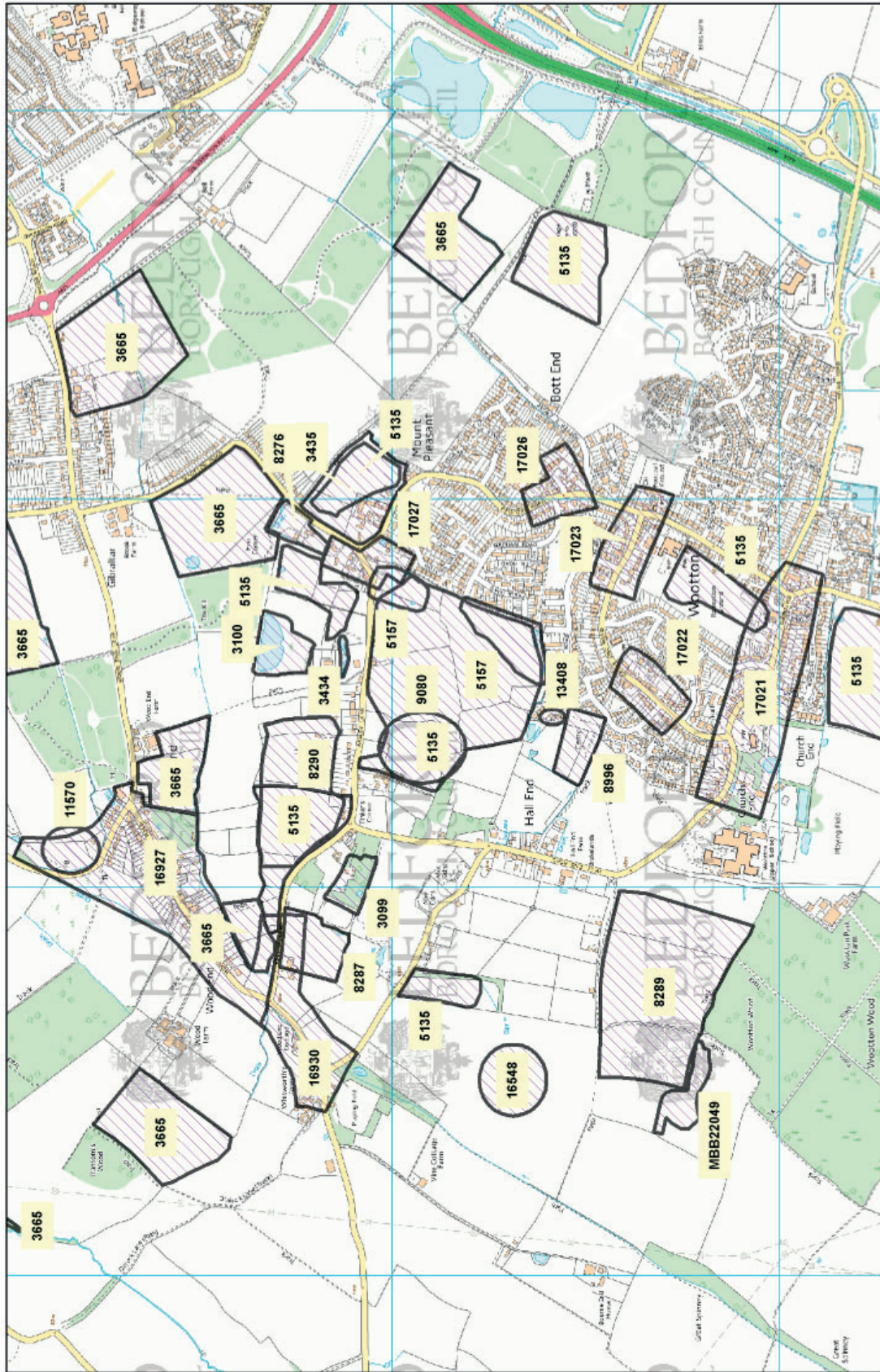


Land South of Keeley Lane, Wootton
Listed Buildings Map Overview



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5.0 | APPENDIX A LAND TO SOUTH OF KEELEY LANE, WOOTTON : HERITAGE STATEMENT



**Land South of Keeley Lane, Wootton
Monuments Polygons Map Overview**

0 500 Meters

**BEDFORD
BOROUGH COUNCIL**

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