CIfA REGISTERED ORGANISATION

Cotswold Archaeology

Allocation Site: 1493
Peacocks, Newnham Street
Bedford

Heritage Appraisal

Report prepared for:
Bedford Borough Council

CA Project: MK0614

CA Report: MK0614_1493

March 2022

Andover Cirencester Milton Keynes Suffolk

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Peacocks, Newnham Street
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issue	**2**

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1. INTRODUCTION

1.1. In December 2021, Cotswold Archaeology was commissioned by Bedford Borough Council to undertake a Heritage Appraisal in respect of land at Peacocks, Newnham Street (hereafter referred to as 'the Site'). The Site comprises an irregular piece of land occupied by an auction house and gym, measuring *c*. 0.31ha (NGR: TL 05394 49935; Fig. 1). The Site is located 330m east of Bedford High Street and it is bounded to the east by The Grove, to the south by Newnham Street, to the north by Grove Place and to the west by St Cuthbert's Street.

1.2. This appraisal has been commissioned to provide information on potential heritage and archaeology constraints with respect to consideration of the Site for development allocation.

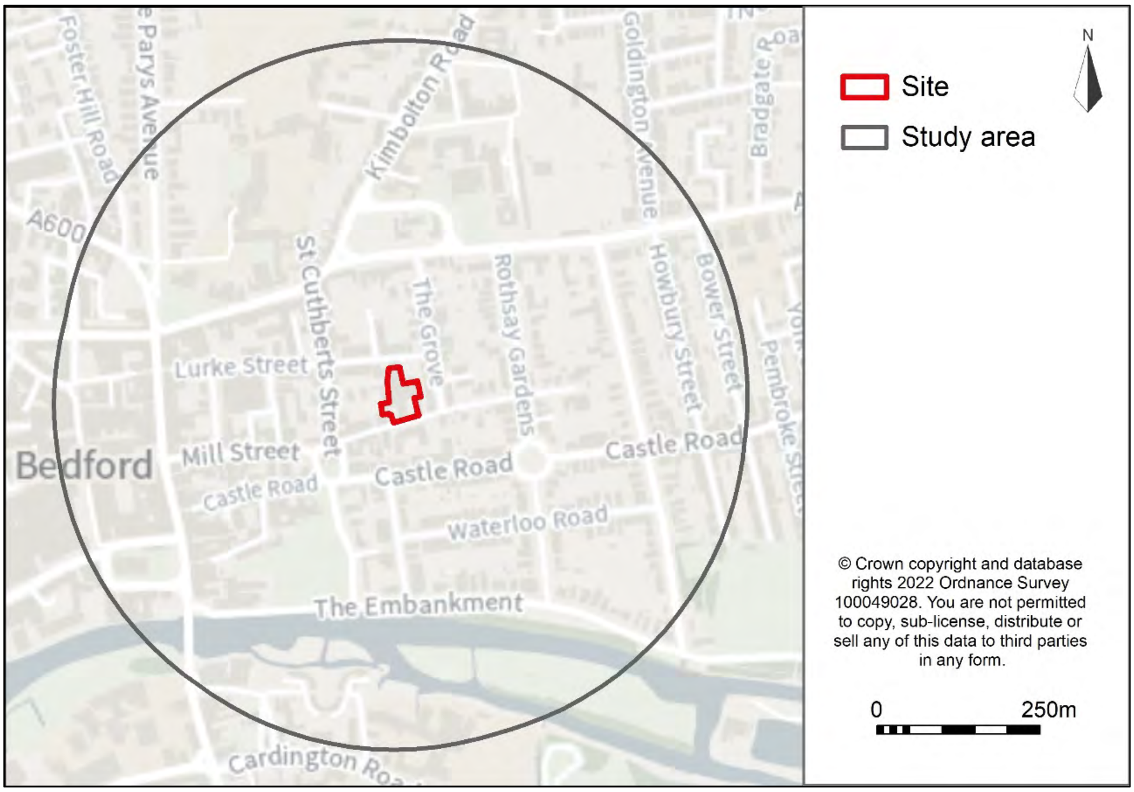


Fig. 1 Site location

Aims

1.3. The primary aim of this appraisal is to identify any potential archaeological and heritage constraints which may need to be taken into consideration as part of the decision to allocate this Site for future redevelopment. This appraisal focusses upon the heritage resource within the Site itself, although the resource within the wider landscape is considered where appropriate (within a 500m study area) to more fully understand the archaeological potential and possible constraints within the Site in response to the brief provided by Bedford Borough Council as part of the invitation to tender.

1.4. Designated heritage assets within the environs of the Site were also considered, and an assessment of the extent to which their significance may potentially be affected by development within their settings was undertaken in accordance with Historic England's Good Practice Advice Note 3: The Setting of Heritage Assets (2017) (see Appendix One).The objectives of the appraisal are:

- To summarise recorded heritage assets within the Site and in its environs;
- To summarise the potential significance of known or potential buried archaeological remains within the Site boundary;
- To summarise potential built heritage assets within the Site; and
- To identify any designated heritage assets that may be considered as sensitive receptors to development within the Site, including Conservation Areas and nearby Listed Buildings.

Methodology

1.5. The main repositories of information consulted in the preparation of this appraisal comprised:

- Historic England's National Heritage List (NHLE) for information about designated heritage assets, including Listed Buildings and Scheduled Monuments;
- Bedford Historic Environment Record for known heritage assets and previous archaeological works;
- Previous archaeological reports and assessments;
- Other online sources, including British Geological Survey (BGS) Geology of Britain Viewer, aerial imagery and historic mapping; and
- A site visit, which took place in January 2022 to undertake an appraisal of the buildings within the Site and designated heritage assets in the vicinity.

1.6. Known and potential heritage assets within the Site and its surroundings (based on a 500m study area) are discussed in Section 2 (for archaeological remains) and Section 3 (for built heritage assets within the Site and in its environs). Heritage assets are referred to in the text by a unique reference number (**1**, **2**, etc.) keyed to the figures. A gazetteer of all assets has been compiled and is presented as Appendix 2. A bibliography of sources consulted has been included in the References section of this appraisal.

Limitations

1.7. This appraisal is a desk-based study and has utilised information derived from a variety of online sources and informed by a site visit. While the level of detail included within the appraisal provides an overview of the heritage resource and constraints within the Site, any planning applications would need to be accompanied by a full desk-based heritage assessment, in line with the relevant guidance (CIfA 2020).

1.8. A walkover survey was conducted within the Site, which was undertaken in dry and clear weather conditions in January 2022. Access was afforded within the Site, although such observations are limited since archaeological remains can survive below-ground with no visible surface indications of their presence. It is possible that unknown archaeological remains may be present within the Site, and the presence of modern infrastructure may possibly have inhibited identification of any possible upstanding remains. There was also sufficient access to heritage assets to assess likely impacts upon the significance of the assets due to changes to their setting.

1.9. The 'settings assessment' presented in Section 4 of this report was carried out in accordance with Historic England's Good Practice Advice Note 3: The Setting of Heritage Assets (2017). Steps 1 and 2 of the assessment process (the identification of assets and the understanding of their significance) were undertaken without constraint (except where specific limitations are referenced i.e., where close access is not possible). Where the potential development options are known or at least the broad parameters are available, a specific narrative has been provided on the potential impacts and opportunities to mitigate these impacts (steps 3 and 4 of the assessment). However, where the potential development proposals are not known, more general statements are offered in regard to impacts and mitigation opportunities. In any case, (as discussed in the concluding remarks of this report) further assessment of these matters would be required to support any planning applications at the Site.

2. SUMMARY OF ARCHAEOLOGICAL RESOURCE

Landscape context

2.1. The Site comprises an irregular piece of land occupied by an auction house and gym, measuring c. 0.31ha (Fig. 1). The Site is located 330m east of Bedford High Street and is bounded to the east by The Grove, to the south by Newnham Street, to the north by Grove Place and to the west by St Cuthbert's Street. The Site is located 290m north of the River Great Ouse and occupies a gentle south-facing slope, measuring *c.* 34m above Ordnance Datum (aOD) in the north and *c.* 33m aOD in the south.

2.2. The British Geological Survey (BGS Online 2021) records the underlying bedrock geology of the Site as Kellaways Clay Member (Mudstone), a sedimentary bedrock formed approximately 164-166 million years ago in the Jurassic Period, when the local environment was dominated by shallow seas. The Site is located on gravel terraces (Fig. 2) and has superficial deposits of Stoke Goldington Member (Sand and Gravel), formed up to 3 million years ago in the Quaternary Period when the local environment was dominated by rivers. These drift deposits would suggest flooding associated with the River Great Ouse, and were likely formed as the river and any former tributaries cut deeper into the underlying bedrock leaving gravel terraces behind.

2.3. No boreholes have been extracted from the Site or its immediate vicinity.

Designated heritage assets

2.4. No Historic Wrecks, Historic Battlefields, World Heritage Sites or Registered Parks and Gardens are located within the study area.

2.5. There are four Scheduled Monuments within the study area. These include 'Bedford Castle motte and bailey' 140m south-west of the Site (Fig. 2: **A**), 'Medieval Lime Kiln off Castle Lane' 240m south-west of the Site (Fig. 2: **B**), 'Remains of the George Inn' 405m west of the Site (Fig. 2: **C**) and 'Bedford Bridge' located 415m south-west of the Site (Fig. 2: **D**).

2.6. There are 70 Listed Buildings located within the study area. These include three Grade I Listed Buildings, three Grade II* Listed Buildings, and 64 Grade II Listed Buildings. These are illustrated on Fig. 2. No Grade I or Grade II* Listed Buildings are located within the immediate vicinity of the Site. The nearest Grade II Listed Buildings comprise '2-28 The Grove', '1-11 The Grove' and '13-19 The Grove' located 10m east of the Site (Fig. 2: **E**) and '12-16 Newnham Street' located 30m south-west of the Site (Fig. 2: **F**).

The Site is located within Bedford Town Conservation Area, and the vast majority of Listed Buildings within the study area are located within this Conservation Area. The setting of these assets is discussed in Section 3 of this report.

Prehistoric

2.7. Palaeolithic artefacts are most commonly found as redeposited finds (i.e. not within their original context), comprising lithic artefacts such as hand axes, cores or flakes; the majority of which have been recovered from river gravel terrace deposits. Findspots of Palaeolithic date have been recorded on these gravel terrace deposits within the wider Bedford area but none within the study area. The Site is located on gravel terraces and it is possible that further finds dating to this period could be present within these deposits.

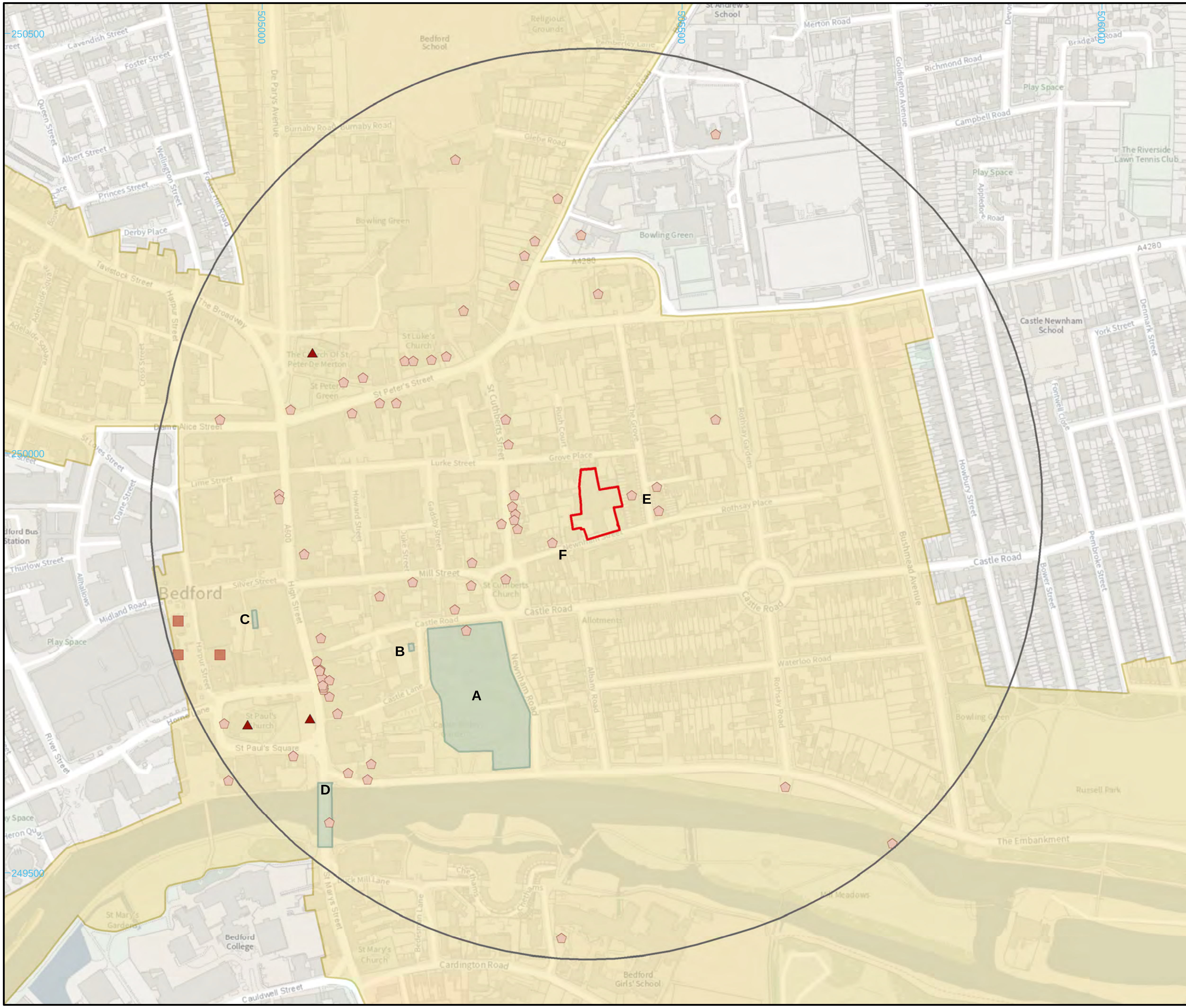
2.8. No finds or features dating to the Mesolithic, Neolithic, Bronze Age or Iron Age have been identified within the study area, suggesting that this was not a focus point for activity during these periods or that earlier remains were destroyed or covered by medieval and later development.

Romano-British

2.9. The exact location of the Ickleford (23km south of the Site) to Bedford Roman Road is unknown but if projected from its known route along London Road over the River Ouse, it may have been located 600m west of the Site, just outside of the study area (Fig. 3: **G**). A layer of limestone slabs identified along this projected route in 1958 may be part of this road (Viatores 1964). Findspots of Roman pottery and coins have been recorded close to the projected Roman Road but nowhere else in Bedford suggesting that activity during this period was most likely concentrated around the road. That said, excavations at the Castle (Fig. 2, **A**) in the late 19th century purportedly uncovered Roman pottery, brick, flues and tessellate but subsequent works there have failed to identify any Roman material of interest; therefore, it is unlikely that this material relates to a significant area of Roman settlement.

Early medieval and medieval

2.10. In the late 8th century, King Offa of Mercia (ruled 757-796) established a series of defensive burhs (defensive enclosures) in Mercian England to defend against Viking seaborne attacks, including one at Bedford (Haslam, 1987). These burhs were generally located along main rivers so that the burh and bridge would block access up the rivers to Viking longships. These burhs became centres of administration and focal points for trade activity.



Site

Study area

Scheduled Monuments

Bedford Town Conservation Area

Grade I Listed Building

Grade II* Listed Building

Grade II Listed Building

N

0 250m

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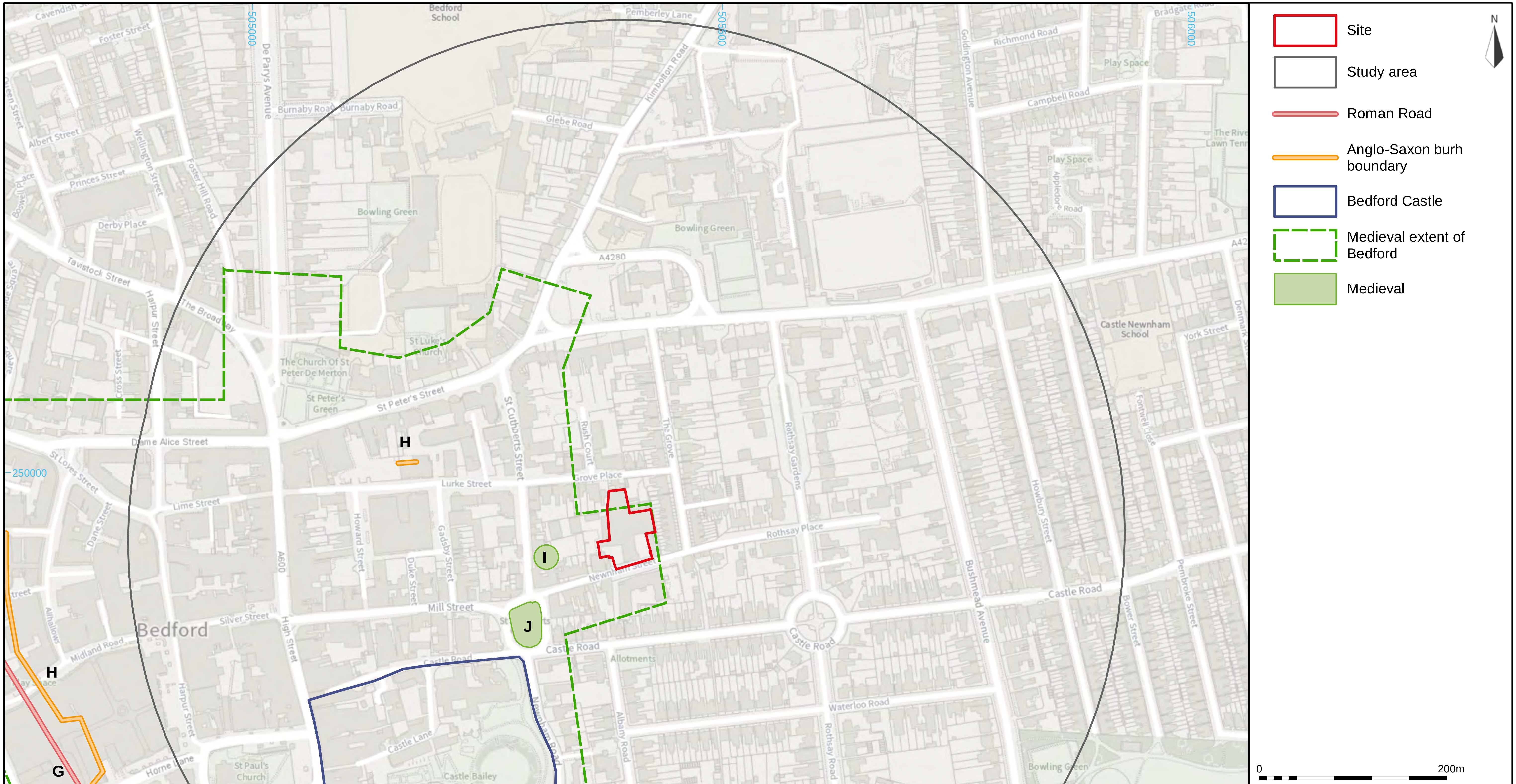
PROJECT TITLE
Site 1493 - Peacocks, Bedford

FIGURE TITLE
Designated heritage assets

DRAWN BY	SB	PROJECT NO	MK0614	FIGURE NO.
CHECKED BY	CM	DATE	19/01/2022	2
APPROVED BY	DC	SCALE@A3	1:4,246	



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PROJECT TITLE
Site 1493 - Peacocks, Bedford

FIGURE TITLE
Selected non-designated heritage assets

DRAWN BY	SB	PROJECT NO	MK0614	FIGURE NO.
CHECKED BY	CM	DATE	24/01/2022	3
APPROVED BY	DC	SCALE@A3	1:4,000	

2.11. The first documentary source relating to Bedford is the late 9th century treaty between King Alfred and King Guthrum which established the Danelaw, an area under the jurisdiction of Danish rulers, in England (preserved in 11th century Cambridge Corpus Christi MS 383). In the treaty, the boundary between Alfred's England and Guthrum's Danelaw ran along the River Lea to its source, then up to Bedford and finally along the River Great Ouse to Watling Street, but this boundary did not last long.

2.12. Bedford subsequently became the site of one of Edward the Elder's (ruled 899-924) burhs in 915-916, again part of a strategic network of defensive settlements intended to stop Viking attacks and recapture Danelaw territories. This burh was concentrated around the modern High Street area of Bedford to the north and south of the River Great Ouse. Ditches located 415m south and 580m west of the Site preserve the southern and western boundaries of the burh, and an evaluation 200m north-west of the Site may have identified the ditch's northern boundary (Fig. 3, **H**). Based on these boundaries, it is likely that the Site lay either outside of the burh or in/on its eastern extremities.

2.13. In the Domesday Book of 1086, Bedford had no recorded population - which is sometimes the case for large towns - and three churches (OpenDomesday 2022). This suggests that a substantial settlement had formed by this time. St Cuthbert's Church, located 95m south-west of the Site (Fig. 3: **J**), was built in the 19th century to replace a 13th century church, but the dedication to St Cuthbert (634-687 AD) suggests that it may have had Anglo-Saxon origins.

2.14. Bedford Castle, located 140m south-west of the Site, was built after 1100 by Henry I, and destroyed by Henry III after 1224. It would have been a high status, defended focal point for the town during this time. The motte and part of the bailey comprise a Scheduled Monument (Fig. 2: **A**) but features associated with the castle have been identified outside of this area, and the full extent of the castle is shown on Figure 3. Excavations within the Castle area have identified evidence of two Anglo-Saxon hall-like structures and other features of similar date, suggesting that this had been a focus of activity even prior to the construction of the castle in the 12th century.

2.15. An evaluation and watching brief at the Ship Inn in 2016-2017 identified two pits (Fig. 3: **I**, Archaeological Solutions 2017). One was tentatively dated to the Late Saxon period based on a single sherd of pottery, and the second pit was dated to the 13th-14th century based on two sherds of 13th-14th century pottery; 11th-13th century pottery was also recovered from buried soil deposits during the watching brief. Charred plant remains recovered during the evaluation and watching brief demonstrate the use of wheat and oat in this area in the early 13th-14th century. Generally, archaeological evaluations closer to Bedford Castle and the High Street have returned stronger evidence for occupation, whereas evaluations closer to the Site, which most likely lay within the outer extremities of the town during this period, have identified pits closest to the Site (Fig. 3: **I**) and also evidence of medieval iron-working 90m south-west of the Site (Fig. 3: **J**, Albion Archaeology 2007). Considering the likely trajectory of the burh boundary ditches, and the lack of evidence for substantial occupation in the vicinity of the Site, the Site is unlikely to contain evidence of direct Anglo-Saxon or medieval occupation and may have been located outside of the burh boundary entirely. Evidence associated with nearby occupation, most likely comprising pits, could conceivably be present within the Site.

2.16. The town of Bedford is depicted on the Gough Map of Great Britain, which is believed to date to the second half of the 14th century. This demonstrates that the town was considered large and significant enough to warrant depicting at this time. The Speed map of 1610 (not reproduced) shows that the town did not generally extend beyond the boundary of the early medieval burh. The possible extent of Bedford town in the medieval period, as devised by Bedford Historic Environment Record and based on historic maps and the results of archaeological investigations, is shown on Fig. 4.

Post-medieval and modern

2.17. The 1610 Speed Map of Bedford (not reproduced) shows the Site just outside of the expanding town. The predecessor to St Cuthbert's Church, 95m south-west of the Site (Fig. 3: **J**) is shown on the map and several small residential properties are visible on the roads immediately around it, but the Site itself appears undeveloped.

2.18. Between the 17th and 19th centuries, the town expanded east and the Site was developed. The 1884 Ordnance Survey Map shows that the Site, whilst now sandwiched between development along Newnham Street to the west and The Grove to the east, remained largely undeveloped until the late 19th century. The west contains terraced houses along Newnham Street, an L shaped building along the western boundary and four rectangular buildings in the centre of the Site, though these are small so probably sheds or barns for animals (horses?). The rest of the Site was open space and landscaped, as evidenced by the trees depicted on the map. By 1901, this open space had been largely infilled by new buildings, with footprints across almost all but the north-east corner of the Site. By 1950, a large building covered the entire west part of the Site from Grove Place to Newnham Street. The east is covered by a T-shaped building in the south and a rectangular building in the centre but the north remained undeveloped. The T-shaped building was subsequently expanded to meet the rectangular building, but a courtyard area survived in the north-east and south of the Site.

2.19. The Site is currently occupied by a gym, auction house, and former publishers (photos 1-4).

Photo 1 Gym in the south of the Site

Photo 2 Auction buildings in the south-west of the Site

Photo 3 Auction buildings in the south-east of the Site

Photo 4 Publishers building in the north-east of the Site

3. BUILT HERITAGE SUMMARY

3.1. This section considers potential non-physical effects upon the significance of susceptible heritage assets within the Site environs. Non-physical effects are those that derive from changes to the setting of heritage assets as a result of new development. All heritage assets included within the settings assessment are summarised in the gazetteer in Appendix 2, and shown on Figure 2.

3.2. Those assets identified as potentially susceptible to non-physical impact, and thus subject to more detailed assessment, are ‘Bedford Town Conservation Area’ and Grade II Listed ’2-28 The Grove’, ’1-11 The Grove’, ’13-19 The Grove’ and ’12-16 Newnham Street’, all located within the Conservation Area. These are discussed in greater detail within the remainder of this section. Whilst other designated heritage assets are located within the study area, these were scoped out because intervening modern built development provides a visual screen and there is no discernible historical link between these assets and the Site.

Bedford Town Conservation Area and Listed Buildings on The Grove and Newnham Street

3.3. The Site is located entirely within the geographical centre of Bedford Town Conservation Area. The Conservation Area contains a number of Listed Buildings, those closest to the Site comprising ‘2-28 The Grove’, ‘1-11 The Grove’ and ‘13-19 The Grove’ located 10m east of the Site (Fig. 2: E) and ‘12-16 Newnham Street’ located 30m south-west of the Site (Fig. 2: F). It is anticipated that other Listed Buildings within the Conservation Area will not be affected by redevelopment of the Site unless redevelopment is significantly disproportionate in scale to existing buildings within the Site. Therefore, other Listed Buildings will not be focused on within this assessment.

Characteristics and Built Form

3.4. The Conservation Area primarily focuses on Bedford’s historic High Street and 19th century development to the east. The Bedford Conservation Area Appraisal states that it derives its distinctiveness from:

- Its location at the heart of an historic market town, with a rich legacy of historic structures, particularly from the C18 and C19, including 114 listed buildings;
- Its relationship with the River Great Ouse as a primary topographic feature in an unaccented valley landscape, as an east-west axis and anchor of built form and also

as an historic source of trade and sustenance and with a present function as a key amenity space;

- The survival of a medieval street pattern based upon an even older north-south route to and from the river crossing point and upon the layout of two fortified Saxon burh's protected by ditches, including the surviving King's Ditch;
- The continuing significance of the river crossing point, which is marked by the Town Bridge, a listed structure and part of a scheduled ancient monument;
- The survival of ancient sites, including the Castle mound and early church buildings, and a legacy of archaeological potential;
- Its ability to tell a coherent story of settlement from the Saxon period to the present day;
- Its long term civic and educational role and the associated range of historic buildings and spaces;
- The consistency of plot layout, building lines, building scale and proportion and an intricate but accessible skyline;
- Enclosure of the private realm;
- Building and tree framed views, with subtle accents such as St Paul's spire and the suspension bridge;
- The consistent quality of its Georgian and Victorian architecture and the presence of mature public space and tree planting;
- The predominant use of red and soft yellow-grey stock brick, slate and red clay tiles and timber sash windows, in variety and often with richly detailed entrances, recessed porches and decorative features but also with an important vein of ashlar and stucco;
- The unifying presence of stone kerbs and stone sett detail to carriageway margins.

3.5. The Listed Buildings along The Grove (Fig. 2: **E**) and Newnham Street (Fig. 2: **F**) are located within this Conservation Area so will be considered alongside it. The Grove (Photos 5-6) are mid-19th century Grade II Listed terrace houses in a Neo-Tudor style, and cover the south half of The Grove. The Victorian terrace houses (Photo 7) that extend north of the Neo-Tudor properties and 36 and 38 Newnham Street located between the Site and The Grove, whilst not listed, are an attractive extension of Victorian built form and a positive contribution to the Conservation Area. 12-16 Newnham Street (Photo 8) comprise three houses built in 1798 for James Whittingstall and William Long, and are Grade II Listed. As these buildings primary significance is in their group value, and as they form part of the Conservation Area, they will not be dealt with separately unless directly relevant to the Site

Photo 5 10-18 Grove Road

Photo 6 5-7 Grove Road

Photo 7 30-34 Grove Road

Photo 8 12-16 Newnham Street

Experience and contribution of the Site to the Conservation Area

3.6. The Conservation Area is best appreciated from within it. Areas of particular note are the historic High Street, Harpur Street and the Castle, where Bedford's historic character has largely been maintained through retention of historic buildings and planting of trees, but Georgian and Victorian buildings along Newnham Street and The Grove (Photos 5-8) are also highly positive additions to the character of the Conservation Area through their preservation of historic form and architectural styles.

3.7. The buildings within the Site itself are generally not in keeping with this part of the Conservation Area. The present buildings are tired, poorly maintained 20th century buildings constructed in completely separate styles to the historic buildings located in this area. Whilst this Site has historically comprised an industrial enclave within this part of the settlement, and as such forms a peripheral component of the wider narrative of 19th and 20th land-use this is of very limited heritage significance. Furthermore, the present structures represent heavily altered/extended industrial buildings of late 19th/early 20th century date, the modern extensions and alterations generally limit appreciation of this earlier character from Newnham Street. As a result, they have a negative impact on this part of the Conservation Area.

Summary

3.8. It is understood that the allocation would consist of redeveloping the site to accommodate fifty residential units and associated infrastructure. This density is high in comparison to the surrounding area. There are 36 properties along The Grove (between Grove Place and Newnham Street) within an area of *c.* 0.475 (including the road), representing a density of nearly 76 properties per hectare. The proposed development, consisting of fifty properties within an area of *c*. 0.31ha, would represent a density of *c.* 161 per hectare. This would result in a significant difference in density between the immediate surrounding parts of the Conservation Area and the Site. This difference would jar against the prevailing character of the residential pattern and is likely to cause harm (less than substantial) to the heritage significance of the Conservation Area. Furthermore, if development was to exceed 3.5/4 storeys, which seems likely considering the intended number of units within the Site, this could cause further impacts (harm) as the aesthetic values (appearance) of the existing rooftops and streetscape could be broken by the intrusions of taller structures.

3.9. Sensitive design, more than likely at much lower density and building height than has proposed (the 50 units of new development), could reduce, potentially avoid any adverse impacts (harm) or even through high quality design improve (enhance) the heritage significance of the area. Specifically, whilst historic mapping indicates that there wasn't a continued frontage along Newnham Street in the south of the Site, redevelopment has the potential to reinstate the frontage that was once located in the south-west of the Site and improve the rest of the road frontage through development of more sympathetic buildings/frontage. Proposals presented in the letter from DLP Planning to Bedford Borough Council dated 12th August 2020, indicate that development could comprise townhouse/mews style properties. However, whilst townhouses and mews would represent an improvement when compared to the present industrial buildings within the Site, such types of dwellings are not present in this part of the Conservation Area, while terraced houses would be more appropriate for the Site, when considering existing adjacent built form.

3.10. Any residual adverse impacts (harm) to the heritage significance (special architectural and historic interest) of the Conservation Area would need to be weighed up against the public benefits of the proposals in accordance with policy 41S of the Local Plan and paragraph 202 of the NPPF. Furthermore, paragraph 206 of the NPPF states that "Local planning authorities should look for opportunities for new development within Conservation Areas … to enhance or better reveal their significance." The Site is an example of this kind of 'opportunity'.

4. SUMMARY FINDINGS

4.1. This heritage appraisal has been prepared to provide a high-level assessment of the heritage sensitivities with regard to the historic environment resource within and in the vicinity of the Site, including potential archaeological remains and built heritage.

Archaeological remains

4.2. The Site has potential for finds or features associated with the settlement at Bedford during the Anglo-Saxon and/or medieval periods. If present, such features are most likely to comprise rubbish pits or features associated with activity peripheral to the main focus of settlement, but evidence of occupation could still be present. However, the Site does appear to be located outside of the anticipated medieval core of Bedford based on the currently recorded archaeological dataset within the vicinity of the Site. The Site has potential for finds or features associated with 19th and 20th century industrial and residential activity within the Site. Features could include evidence of foundations, services or drainage. The Site is considered likely to have a low archaeological potential for significant features or dating to all other archaeological periods.

4.3. Any development on the Site in future would result in the disturbance to, or loss of, any buried archaeological remains which may be present. Archaeological remains comprise an important, non-renewable and finite resource, and the construction impacts could result in permanent and irreversible loss of, or damage to, any potential buried archaeological remains which may be present within the Site. Any buried archaeological remains within the Site are unlikely to represent an absolute constraint on development, although the known and potential remains would require consideration as part of the planning process.

Built Heritage

4.4. The Site is located within Bedford Town Conservation Area and close to Listed Buildings on The Grove and Newnham Street. At present, it is concluded that the Site contributes negatively to the character of the Conservation Area and the setting of these Listed Buildings. Therefore, redevelopment of the Site has the potential to improve this part of the Conservation Area, though the use of sympathetic materials, design, scale and massing. However, high density residential development, of a nature that has been presented to the LPA (see above) would result in adverse impacts (harm) to the heritage significance of the Conservation Area.

5. REFERENCES

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Archaeological Solutions 2017 *The Ship Inn, St Cuthbert's Street, Bedford, Bedfordshire MK40 3JB; Archaeological Monitoring and Recording*

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Planning (Listed Buildings and Conservation Areas) Act 1990 Act of UK Parliament

The Rural Settlement of Roman Britain 2021 *Map* https://archaeologydataservice.ac.uk/archives/view/romangl/map.html

Viatores 1964 *Roman Roads in the South-East Midlands*

Cartographic sources

1300s	Gough Map of Great Britain
1610	Speed Map of Bedford
1884	Ordnance Survey Map, 1:10,560
1901	Ordnance Survey Map, 1:2,500
1926	Ordnance Survey Map, 1:2,500
1950	Ordnance Survey Map, 1,2,500

APPENDIX 1: HERITAGE STATUTE POLICY & GUIDANCE

Heritage Statute: Scheduled Monuments

Scheduled Monuments are subject to the provisions of the Ancient Monuments and Archaeological Areas Act 1979. The Act sets out the controls of works affecting Scheduled Monuments and other related matters. Contrary to the requirements of the Planning Act 1990 regarding Listed buildings, the 1979 Act does not include provision for the 'setting' of Scheduled Monuments.

Heritage Statute: Listed Buildings

Listed buildings are buildings of 'special architectural or historic interest' and are subject to the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act'). Under Section 7 of the Act 'no person shall execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised.' Such works are authorised under Listed Building Consent. Under Section 66 of the Act 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest which it possesses'.

Note on the extent of a Listed Building

Under Section 1(5) of the Act, a structure may be deemed part of a Listed Building if it is:

(a) fixed to the building, or
(b) within the curtilage of the building, which, although not fixed to the building, forms part of the land and has done so since before 1st July 1948

The inclusion of a structure deemed to be within the 'curtilage' of a building thus means that it is subject to the same statutory controls as the principal Listed Building. Inclusion within this duty is not, however, an automatic indicator of 'heritage significance' both as defined within the NPPF (2021) and within Conservation Principles (see Section 2 above). In such cases, the significance of the structure needs to be assessed both in its own right and in the contribution it makes to the significance and character of the principal Listed Building. The practical effect of the inclusion in the listing of ancillary structures is limited by the requirement that Listed Building Consent is only needed for works to the 'Listed Building' (to include the building in the list and all the ancillary items) where they affect the special character of the Listed building as a whole.

Guidance is provided by Historic England on 'Listed Buildings and Curtilage: Historic England Advice Note 10' (Historic England 2018).

Heritage Statue: Conservation Areas

Conservation Areas are designated by the local planning authority under Section 69(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act'), which requires that '*Every local planning authority shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance*'. Section 72 of the Act requires that '*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*'.

The requirements of the Act only apply to land within a Conservation Area; not to land outside it. This has been clarified in various Appeal Decisions (for example APP/F1610/A/14/2213318 Land south of Cirencester Road, Fairford, Paragraph 65: '*The Section 72 duty only applies to buildings or land in a Conservation Area, and so does not apply in this case as the site lies outside the Conservation Area*.').

The NPPF (2021) also clarifies in Paragraph 207 that '*Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance*'. Thus land or buildings may be a part of a Conservation Area, but may not necessarily be of architectural or historical significance. Similarly, not all elements of the setting of a Conservation Area will necessarily contribute to its significance, or to an equal degree.

National heritage policy: the National Planning Policy Framework

Heritage assets and heritage significance

Heritage assets comprise 'a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest' (the NPPF (2021), Annex 2). Designated heritage assets include World Heritage Sites, Scheduled Monuments, Listed Buildings, Protected Wreck Sites, Registered Parks and Gardens, Registered Battlefields and Conservation Areas (designated under the relevant legislation; NPPF (2021), Annex 2). The NPPF (2021), Annex 2, states that the significance of a heritage asset may be archaeological, architectural, artistic or historic. Historic England's 'Conservation Principles' looks at significance as a series of 'values' which include 'evidential'. 'historical', 'aesthetic' and 'communal'.

The July 2019 revision of the Planning Practice Guidance (PPG) expanded on the definition of non-designated heritage assets. It states *that 'Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as* *having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets.'* It goes on to refer to local/neighbourhood plans, conservation area appraisals/reviews, and importantly, the local Historic Environment Record (HER) as examples of where these assets may be identified, but specifically notes that such identification should be *made 'based on sound evidence'*, with this information *'accessible to the public to provide greater clarity and certainly for developers and decision makers'*.

This defines *non-designated heritage assets* as those which have been specially defined as such through the local HER or other source made accessible to the public by the plan-making body. Where HERs or equivalent lists do not specifically refer to an asset as a *non-designated heritage asset*, it is assumed that it has not met criteria for the plan-making body to define it as such, and will be referred to as a *heritage asset* for the purpose of this report.

The assessment of *non-designated heritage assets* and *heritage assets* will be equivalent in this report, in line with industry standards and guidance on assessing significance and impact. They may not, however, carry equivalent weight in planning as set out within the provisions of the NPPF, should there be any effect to significance.

The setting of heritage assets

The 'setting' of a heritage asset comprises 'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral' (NPPF (2021), Annex 2). Thus it is important to note that 'setting' is not a heritage asset: it may contribute to the value of a heritage asset.

Guidance on assessing the effects of change upon the setting and significance of heritage assets is provided in 'Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets', which has been utilised for the present assessment (see below).

Levels of information to support planning applications

Paragraph 194 of the NPPF (2021) identifies that 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance'.

Designated heritage assets

Paragraph 189 of the NPPF (2021) explains that heritage assets 'are an irreplaceable resource and should be conserved in a manner appropriate to their significance'. Paragraph 199 notes that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'. Paragraph 200 goes on to note that 'substantial harm to or loss of a grade II listed building…should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance (notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites)…should be wholly exceptional'.

Paragraph 202 clarifies that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use'.

Bedford Borough Local Plan

Bedford Borough Council Local Plan 2030 was adopted in January 2020. It contains the following policy relevant to the Site.

Policy 41S - Historic environment and heritage assets

i. Where a proposal would affect a heritage asset the applicant will be required to describe:

> a. The significance of the asset including any contribution made by its setting and impacts of the proposal on this significance, and
>
> b. The justification for the proposal, how it seeks to preserve or enhance the asset/setting or where this is not possible, how it seeks to minimise the harm.

ii. This description must be in the form of one or a combination of: a desk based assessment; heritage statement; heritage impact assessment; and/or archaeological field evaluation. Further information will be requested where applicants have failed to provide assessment proportionate to the significance of the assets affected and sufficient to inform the decision-making process.

iii. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset or nondesignated heritage asset of archaeological interest of demonstrably equivalent significance to a scheduled monument, consent will be refused unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

a. the nature of the heritage asset prevents all reasonable uses of the site; and

b. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

c. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

d. the harm or loss is outweighed by the benefit of bringing the site back into use.

iv. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

v. In considering proposals affecting designated heritage assets or a nondesignated heritage asset of archaeological interest of demonstrably equivalent significance to a scheduled monument, involving their alteration, extension, demolition, change of use and/or development in their setting, the Council will include in their consideration as appropriate:

a. The asset's archaeological, architectural, artistic and historic interest and any contribution to its significance from setting (including the wider historic landscape)

b. scale, form, layout, density, design, quality and type of materials, and architectural detailing

c. boundary treatments and means of enclosure

d. implications of associated car parking, services and other environmental factors

e. effect on streetscape, roofscape and skyline including important views within, into or out of heritage assets

f. impact on open space which contributes positively to the character and/or appearance of heritage assets

g. the positive benefits of the proposal in addressing heritage at risk.

vi. Where heritage assets are included on a Local List and are affected by development proposals the Council will afford weight proportionate to their heritage significance in the decision-making process to protect and conserve the significance which underpins their inclusion. Partial or total loss adversely impacting this significance will require clear and convincing justification.

vii. The effect of proposals on the significance of non-designated heritage assets will be taken into account in determining applications for development. Applications which result in harm or loss of significance to non-designated heritage assets will only be supported if clear and convincing justification has been demonstrated. In making a decision, the Council will weigh the significance of the heritage asset affected against the scale of any harm or loss to it.

viii. Where applications are permitted which will result in (total or partial) loss to a heritage asset's significance (including where preservation in situ of buried archaeological remains is not necessary or feasible), applicants will be required to arrange for further assessment of and recording of this significance in advance of, and where required, during development/works. This assessment and recording must be undertaken by a suitably qualified specialist in accordance with a design brief set by the Council's Historic Environment Team. The work might include: - archaeological and/or historic building fieldwork, - post-excavation/recording assessment, analysis, interpretation, - archiving with the local depository, and - presentation to the public of the results and finds in a form to be agreed with the Council.

As a minimum, presentation of the results should be submitted to the Bedford Borough Historic Environment Record and where appropriate, will be required at the asset itself through on-site interpretation.

Good Practice Advice 1-3

Historic England has issued three Good Practice Advice notes ('GPA1-3') which support the NPPF. The GPAs note that they do not constitute a statement of Government policy, nor do they seek to prescribe a single methodology: their purpose is to assist local authorities, planners, heritage consultants, and other stakeholders in the implementation of policy set out in the NPPF. This report has been produced in the context of this advice, particularly 'GPA2 – Managing Significance in Decision-Taking in the Historic Environment' and 'GPA3 – The Setting of Heritage Assets'.

GPA2 - Managing Significance in Decision-Taking in the Historic Environment

GPA2 sets out the requirement for assessing 'heritage significance' as part of the application process. Paragraph 8 notes 'understanding the nature of the significance is important to understanding the need for and best means of conservation.' This includes assessing the extent and level of significance, including the contribution made by its 'setting' (see GPA3 below). GPA2 notes that 'a desk-based assessment will determine, as far as is reasonably possible from existing records, the nature, extent and significance of the historic environment within a specified area, and the impact of the proposed development on the significance of the historic environment, or will identify the need for further evaluation to do so' (Page 3).

GPA3 – The Setting of Heritage Assets

The NPPF (Annex 2: Glossary) defines the setting of a heritage asset as 'the surroundings in which a heritage asset is experienced…'. Step 1 of the settings assessment requires heritage assets which may be affected by development to be identified. Historic England notes that for the purposes of Step 1 this process will comprise heritage assets 'where that experience is capable of being affected by a proposed development (in any way)…'.

Step 2 of the settings process 'assess[es] the degree to which these settings and views make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated', with regard to its physical surrounds; relationship with its surroundings and patterns of use; experiential effects such as noises or smells; and the way views allow the significance of the asset to be appreciated. Step 3 requires 'assessing the effect of the proposed development on the significance of the asset(s)' – specifically to 'assess the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it', with regard to the location and siting of the development, its form and appearance, its permanence, and wider effects.

Step 4 of GPA3 provides commentary on 'ways to maximise enhancement and avoid or minimise harm'. It notes (Paragraph 37) that 'Maximum advantage can be secured if any effects on the significance of a heritage asset arising from development liable to affect its setting are considered from the project's inception.' It goes on to note (Paragraph 39) that 'good design may reduce or remove the harm, or provide enhancement'.

Heritage significance

Discussion of heritage significance within this assessment report makes reference to several key documents. With regard to Listed buildings and Conservation Areas it primarily discusses 'architectural and historic interest', which comprises the special interest for which they are designated.

The NPPF provides a definition of 'significance' for heritage policy (Annex 2). This states that heritage significance comprises 'The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic'. This also clarifies that for World Heritage Sites 'the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance'.

Regarding 'levels' of significance the NPPF (2021) provides a distinction between: designated heritage assets of the highest significance; designated heritage assets not of the highest significance; and non-designated heritage assets.

Historic England's 'Conservation Principles' expresses 'heritage significance' as comprising a combination of one or more of: evidential value; historical value; aesthetic value; and communal value:

- Evidential value – the elements of a historic asset that can provide evidence about past human activity, including physical remains, historic fabric, documentary/pictorial records. This evidence can provide information on the origin of the asset, what it was used for, and how it changed over time.
- Historical value (illustrative) – how a historic asset may illustrate its past life, including changing uses of the asset over time.
- Historical value (associative) – how a historic asset may be associated with a notable family, person, event, or moment, including changing uses of the asset over time.
- Aesthetic value – the way in which people draw sensory and intellectual stimulation from a historic asset. This may include its form, external appearance, and its setting, and may change over time.
- Communal value – the meaning of a historic asset to the people who relate to it. This may be a collective experience, or a memory, and can be commemorative or symbolic to individuals or groups, such as memorable events, attitudes, and periods of history. This includes social values, which relates to the role of the historic asset as a place of social interactive, distinctiveness, coherence, economic, or spiritual / religious value.

Effects upon heritage assets

Heritage benefit

The NPPF clarifies that change in the setting of heritage assets may lead to heritage benefit. Paragraph 206 of the NPPF (2021) notes that 'Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably'.

GPA3 notes that 'good design may reduce or remove the harm, or provide enhancement' (Paragraph 28). Historic England's 'Conservation Principles' states that 'Change to a significant place is inevitable, if only as a result of the passage of time, but can be neutral or beneficial in its effects on heritage values. It is only harmful if (and to the extent that) significance is reduced' (Paragraph 84).

Specific heritage benefits may be presented through activities such as repair or restoration, as set out in Conservation Principles.

Heritage harm to designated heritage assets

The NPPF (2021) does not define what constitutes 'substantial harm'. The High Court of Justice does provide a definition of this level of harm, as set out by Mr Justice Jay in *Bedford Borough Council v SoS for CLG and Nuon UK Ltd*. Paragraph 25 clarifies that, with regard to 'substantial harm': 'Plainly in the context of physical harm, this would apply in the case of demolition or destruction, being a case of total loss. It would also apply to a case of serious damage to the structure of the building. In the context of non-physical or indirect harm, the yardstick was effectively the same. One was looking for an impact which would have such a serious impact on the significance of the asset that its significance was either vitiated altogether or very much reduced'.

Effects upon non-designated heritage assets

The NPPF (2021) paragraph 203 guides that 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

APPENDIX 2: GAZETTEER OF SELECTED RECORDED HERITAGE ASSETS

Ref	Description	Grade/Period	NGR	**HE ref.** HER ref.
A	**Bedford Castle motte and bailey** Norman motte and bailey. The location of a siege in 1224. Probably built in the 12th century, demolished after 1224.	Medieval	TL 0525 4971	**1010366** DBD1284
B	**Medieval Lime Kiln** Contemporary with Bedford Castle.	Medieval	TL 0517 4976	**1005394** DBD2889
C	**Remains of the George Inn** 15th-16th century gateway with flanking walls.	Medieval to post-medieval	TL 0499 4980	**1004674** DBD2326
D	**Bedford Bridge** Built in 1811-1813 by John Wing (inscribed plaque on bridge) to carry the A6 over the River Ouse.	Scheduled Monument and Grade II Listed Building, modern	TL 0508 4956	**1005399** **1138004** DBD3028 1220 MBD1020 HER Ref
E	**2-28 The Grove, 1-11 The Grove and 13-19 The Grove** Mid 19th century terrace of houses in Neo-Tudor style	Grade II, modern	TL 0544 4995 TL 0547 4993 TL 0547 4996	**1311949** 1258 MBD1258 **1129008** 1260 MBD1260 **1321005** 1259 MBD1259
F	**12-16 Newnham Street** Row of three houses. Build in 1798 for James Whittingstall and William Long.	Grade II, post-medieval	TL 0534 4989	**1114527** 4060 MBD4060
G	**Ickleford to Bedford Roman Road** The exact location of the Ickleford to Bedford Roman Road is unknown but line is based on projection from its known route along London Road over the River Ouse. Limestone slabs have been found along this projected route.	Roman	TL 0634 4621 TL 0475 4974	10480 MBD10480 7681 MBD7681
H	**Western boundary of Edward the Elder's burh** The south-west extent of the burh at Bedford is shown by a boundary ditch and the north-west extent by the Saffron Ditch, a former watercourse which ran through Bedford town centre.	Early medieval	TL 051 493 TL 0476 4975	1198 MBD1198 MBB22812
I	**Pits** An evaluation and watching brief at the Ship Inn in 2016-2017 identified two pits. One pit tentatively dated to the Late Saxon period and one pit was dated to the 13th-14th century. 11th-13th century pottery was recovered from buried soil deposits and charred plant remains demonstrate the use of wheat and oat in this area in the early 13th-14th century.	Anglo-Saxon and Medieval	TL 0532 4991	EBB1348 EBB986
J	**Evaluation at St Cuthbert's Church** Medieval iron working waste found during an evaluation in 2007.	Medieval	TL 0529 4983	EBB1264

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