



12 January 2022

**PLANNING ACT 2008 (AS AMENDED) – SECTION 89 AND THE  
INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010 (AS  
AMENDED) – DEADLINE 8**

**APPLICATION BY HIGHWAYS ENGLAND FOR AN ORDER GRANTING  
DEVELOPMENT CONSENT FOR THE A428 BLACK CAT TO CAXTON GIBBET  
IMPROVEMENTS**

**APPLICATION REF: TR010044**

**COMMENTS OF THE HISTORIC BUILDINGS AND MONUMENTS COMMISSION  
FOR ENGLAND (HISTORIC ENGLAND)**

In response to matters at Deadline 8, we include here:

1. Responses to The Examining Authority's written questions and request for information (WQ3).

**David Eve**  
**Inspector of Historic Buildings and Areas**



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**1. Historic England Responses to the Examining Authority’s Written Questions and Request for Information (WQ3)**

**Q3.12 Historic Environment**

**Q3.12.1 Methodology**

No further questions at this stage.

**Q3.12.2 Brook Cottages**

Q3.12.2  
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Historic  
England  
Bedford  
Borough  
Council

**Written summary of oral representation at ISH4**

HistE and BBC, submit a written summary of your oral representation for ISH 4 agenda item 6 [EV-055], referring to transcript [EV-066] and recording [EV-061].

*Historic England response:*

*In regards to the role of the existing A1 main road in the setting of Brook Cottages and the consideration we gave to the effect of the proposed development on that setting, we confirmed that the existing road (whilst historically having always been part of the setting of the Cottages) was ultimately a negative aspect of its setting. The increase in the scale of development associated with the proposed Black Cat roundabout would compound that negative impact but this was not considered a significant factor given the nature of the existing road.*

*We confirmed that we were made aware of the problems posed for access to Brook Cottages by the current resident at an early stage after I (David Eve) became involved in the project late in 2019 and that at this stage we also advised the applicant that intensive survey of the building would be required.*

*We reiterated the view (set out in our Written Representations) that the applicant's approach to dismantling and reconstructing Brook Cottages appears to embody certain assumptions about the impracticality of retaining some elements of the historic fabric and the primary importance of dismantling and retaining structural timber members. It is our view but there is no evidence to suggest this is the only method of dismantling and relocation possible and that exploring a range of*





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|               |  | <i>options for this should be built into the methodology agreed under Requirement 16. We are working with the applicants to refine the methodology to include this assessment of options and through it to establish the value and practicality of a process of relocation.</i>  |
| Q3.12.2<br>.2 | Applicant<br>Historic England<br>Bedford Borough Council | <p><b>Surveys of Brook Cottages</b></p> <p>a) Applicant, provide the results for the first stage Survey for anthrax and asbestos [EV-061] [REP6-036] and its implication (if they can be determined) in the relocation proposal for Brook Cottages. HistE may comment.</p> <p><i>Historic England response: We have no comment to make on these matters.</i></p> <p>b) At ISH4 [EV-061] there was a discussion regarding the methodology, practicalities and the value of relocating Brook Cottages. Submit a joint position statement between Applicant, HistE and BBC, on matters including but not limited to:</p> <ul style="list-style-type: none"> <li>• methodology of the survey;</li> <li>• the methodology and practicalities around the demolition and relocation of Brook Cottages;</li> <li>• views on what would be a suitable relocation venue, shortlist of specific locations and progress on any conversations;</li> <li>• the value of the relocation, including in terms of the assessment and significance of effects in the ES;</li> <li>• wording for Requirement 16 of the dDCO [REP6-003] concerning the demolition and potential reconstruction of Grade II listed Brook Cottages, including greater clarity in terms of specific and detailed reasons that would prevent reconstruction and timescale and mechanism for demolition and reconstruction, if considered appropriate.</li> </ul> <p><i>Historic England response: We have added our comments to a joint position statement covering these matters prepared by the applicant who will submit it for this deadline on our behalf.</i></p> |





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| <p>Q3.12.2<br/>.3</p>                        | <p>Applicant<br/><b>Historic England</b><br/>Bedford<br/>Borough<br/>Council</p> | <p><b>Black Cat Junction Options</b></p> <p>a) Applicant, in the Black Cat Options overview report [REP4-032, Appendix C, row 19], the RAG table assumptions relating to “Sites of Archaeological importance / listed buildings disturbed by option” are medium or low. Explain how the ExA can have confidence in this approach given that despite these assumptions, the Proposed Development requires the demolition of a Grade II listed building? HistE and BBC may comment.</p> <p><i>Historic England response: We have no comment to make on this matter.</i></p> <p>b) Applicant, evidence what specific heritage expertise was used to inform the sifting and selection process? Provide evidence. HistE and BBC may comment.</p> <p><i>Historic England response: We have no comment to make on this matter.</i></p> <p>g) HistE, with reference to your comments at ISH3 [EV-045] and your response to the ExA’s WQ2s [REP4-069 Q2.12.2.1] would you like to elaborate on your position in the SOCG regarding the (exceptional) justification for the demolition of Brook Cottages [REP6-016]</p> <p><i>Historic England response: It remains our position that we are not able to comment on the Black Cat junction options and the preferred junction design as these discuss issues of highways engineering in which we do not have expertise. We are therefore unable to comment on the justification for this preferred design and the necessity of demolishing the cottages to implement it. The NPPF asks for the public benefits of the scheme to be weighed against the loss of the listed building, but this is a balance it is for the determining authority to make.</i></p> |
| <p><b>Q3.12.4 Archaeological Remains</b></p> |  |  |
|  |  | <p>No further questions at this stage.</p>   |





**Q3.13 Landscape and Visual Effects**

**Q3.13.1 General**

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|  |  | <i>No further questions at this stage.</i> |
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