
Appeal Decision

Site visit made on 14 December 2016

by B Bowker Mplan MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 December 2016

Appeal Ref: APP/C1625/W/16/3155392

Land at Lyday Close, Holloway Road Bisley to Bakers Mill, Oakridge Lynch, Stroud GL6 7NU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Steve Twist against the decision of Stroud District Council.
 - The application Ref S.16/1078/FUL, dated 13 May 2016, was refused by notice dated 11 July 2016.
 - The development proposed is erection of four bed dwelling and change of use from garages to gym and games room.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the surrounding area, with particular reference to the setting of the Grade II listed buildings Lyday House and Sugar House and the Cotswolds Area of Outstanding Natural Beauty (AONB).

Reasons

3. The appeal site comprises an elevated grassed area with garage located to the north east of Lyday House and Sugar House. The modest scale of Peter and Giselas Cottage to the immediate west and the openness of the appeal site contribute to the focal appearance of Lyday House, and thus contribute to its heritage significance. The listing description identifies Lyday House as an example of the Arts and Crafts tradition associated with Alfred Powell, who used the Sugar House as a workshop.
 4. Planning permission was granted at the site for a pair of semi-detached dwellings but I note this decision was issued before the Grade II listed designation. However, it is put to me that the designation was made in full knowledge of this permission. Irrespective, as the permission expired it can only be afforded limited weight. This aside, an extant planning permission is in place for a detached dwelling and garage at the site that was issued after the listed designation. Consequently, this fall-back position attracts considerable weight.
 5. The proposal would have a similar footprint and maximum ridgeline height to the extant planning permission and I understand that the proposed rear and front gables are designed to appear as extensions. In addition, the proposal's
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additional volume is taken from the approved detached garage that no longer forms part of the proposal. The absence of the detached garage has reduced the overall width of the development. However, compared to the extant permission, the proposed south east gable elevation and the ridgeline of the projecting gables would be noticeably larger in scale. Furthermore, the south east elevation would be closer to the former garage giving the proposal an overall appearance of a three storey dwelling.

6. Taking into account the gable design, raised ridgeline and elevated position of the appeal site, despite the three storey scale of Lyday House's south east elevation, the proposal would appear dominant when viewed alongside the listed building. Whilst a number of elevated and large properties are to the rear of the site, the proximity of the proposal to Lyday House would make its large scale more apparent. Consequently, the proposal would draw the eye and challenge the dominance of the listed buildings. The proposal's increase in scale and its impact on the listed building would not be mitigated by the reduction in ground levels.
7. The resultant impact on the listed building would be noticeable from lower lying public vantage points to the south of the site. However, the backdrop of existing dwellings would mean that the proposal would be viewed as part of the domestic and residential character of the wider settlement. Consequently, the proposal would not be seen as part of the wider rural landscape. Whilst this factor would prevent harm to the landscape character of the AONB, it would not remove the harm identified to the setting of the listed buildings.
8. Drawing the above together, I find that the proposal would result in harm to the setting of Lyday House and Sugar House. Whilst the harm to the listed buildings would be less than substantial, I have a statutory duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a listed building or its setting, and therefore this harm attracts considerable importance and weight. In addition, the National Planning Policy Framework (the Framework) is clear that great weight should be given to the conservation of heritage assets such as listed buildings.
9. Paragraph 134 of the Framework states that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal. The proposal would make a modest contribution to housing supply, generate construction employment and support services and facilities within a walkable distance of the site. However, these modest benefits combined would be outweighed by the harm identified to the setting of the listed buildings, a factor which attracts considerable weight against the proposal.
10. Therefore I conclude that the proposal would have a harmful effect on the character and appearance of the surrounding area with particular reference to the setting of the Grade II listed buildings Lyday House and Sugar House. Consequently, the proposal would be contrary to Policy ES10 of the Stroud District Local Plan and paragraphs 131-135 of the Framework which require development to conserve the heritage significance of heritage assets.

Other matters

11. I have not been provided with the full details of development referred to near The Knowle which I understand is a Grade II listed building. Consequently I am unable to fully compare the proposals. Moreover, I must determine the appeal proposal before me on its own individual merits.
12. During my site visit, I viewed the site from Peter and Giselas Cottage. However, I note the Council's assessment of this matter and I observed that the majority of windows at the neighbouring property faced towards the south east. Therefore, I agree with the Council that the proposal would not harmfully affect the living conditions of the adjoining neighbours. However, the absence of harm in this respect would not remove the harm identified above to the setting of the listed buildings.

Conclusion

13. For the reasons given above, and having taken all matters raised into account, I conclude the appeal should be dismissed.

B Bowker

INSPECTOR