
Appeal Decisions

Site visit made on 27 February 2018

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th March 2018

Appeal A Ref: APP/C1625/W/17/3180892

Katherine Lady Berkeley Mews, School Road, Wotton-Under-Edge, GL12 7JL

- 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 Free of Folly Construction against the decision of Stroud District Council.
 - The application Ref S.17/0513/FUL, dated 2 November 2016, was refused by notice dated 25 April 2017.
 - The development proposed is the conversion of an existing outbuilding to single dwelling.
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Appeal B Ref: APP/C1625/Y/17/3180893

Outbuilding Katherine Lady Berkeley Mews, School Road, Wotton-Under-Edge, GL12 7JL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Free of Folly Construction against the decision of Stroud District Council.
 - The application Ref S.17/0735/LBC, dated 29 March 2017, was refused by notice dated 17 May 2017.
 - The works proposed are the conversion of an existing outbuilding to single dwelling.
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Decision

1. Appeal A: the appeal is dismissed.
2. Appeal B: the appeal is dismissed.

Procedural Matters

3. The outbuilding was formerly a classroom / laboratory within the grounds of a grammar school. The school is a grade II listed building and the Council and the appellant have treated the outbuilding as curtilage listed. From the evidence before me, including what I observed at my site visit, I have no reason to disagree. I have therefore determined the appeal with regard to the outbuilding being a grade II listed building.
4. The outbuilding is within the Wotton-Under-Edge Conservation Area. As required by Sections 16(2), 66(1), and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) I have paid special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, and of preserving or enhancing the character or appearance of a conservation area.

5. From the evidence before me, including the listing description and from my site visit, there are a variety of different spellings for the appeal site. As the Council and appellant have used the same spelling, I have referred to that above.
6. The existing and proposed site plans (ie those referenced 01, 01 (with parking annotated) and 02) for the scheme show the outbuilding with different sized footprints and positions. Notwithstanding this, the evidence of the main parties refers to there being no increase in the size of the footprint of the building. The Council have considered the proposal on this basis, and for the avoidance of doubt I have based my decision on the dimensions and position of the building being as shown on the existing and proposed elevation and plan drawings (ie those referenced 04, 07, 03, and 05).
7. As set out above, there are two appeals on the same site, one for planning permission and the other for listed building consent. They seek the conversion of an outbuilding to a dwelling. I have considered each proposal on its individual merits, although to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.

Application for Costs

8. An application for costs was made by Mr Free of Folly Construction against Stroud District Council. This application is the subject of a separate decision.

Main Issues

9. The main issues are firstly, the effect of the conversion of the outbuilding to a dwelling on the character and appearance of the area, having particular regard to whether the proposal would preserve a listed building or its setting or that of other listed buildings, or any features of special architectural or historic interest which it possesses, and also whether it would preserve or enhance the character or appearance of a conservation area; and secondly, the effect of the proposal upon highway safety.

Reasons

Heritage Matters

10. Positioned to one side of a parking courtyard, the outbuilding is a single storey lean-to structure that is currently used as a workshop / store. The size and elegant form of the main school building makes it an impressive building within the town. Due to its position on a steeply sloping hillside, it is one of many historic buildings that form part of the close-knit core of the settlement. This and the repeated use of local traditional materials and the variety of uses within the town is a distinct aspect of the character and appearance of the conservation area. The buildings of the former grammar school make a positive contribution towards the attractive historic qualities of the area.
11. Compared to the large size and elegant grandeur of the main building, the outbuilding has a markedly modest and subservient appearance that denotes its former role within the school. This relationship, the size of the building, its functional form, and its positioning away from the main building, are all part of the special interest of this listed building.

12. The guidance of Historic England in Advice Note 2 advises the retention of as much historic fabric as possible. From my site inspection it was apparent that most of the glazing has been lost and the timber frontage was in a poor condition. Although the scheme has been supported with a brief engineering statement that sanctions the structural integrity of the building, the brick and stone walls of the northern elevation have been partly demolished. The amount of rebuilding and alterations, including the loss of the extractor fans, would give a new and overtly domestic appearance to the building. This would unacceptably erode its subservient historic appearance and functional relationship to the main building.
13. Moreover, the dwelling would be provided with an area of garden. Although details of the demarcation of this area have not been provided, the provision and use of such a space would be at harmful odds with the open and uncluttered functional nature of the parking courtyard, as well as further reducing the already narrow access into the car park. The presence of garden and domestic paraphernalia would be an incongruous and cluttered addition to the open nature of the courtyard, unacceptably eroding the settings of both the outbuilding and the main building, and the contribution the school makes to the conservation area.
14. The National Planning Policy Framework (the Framework) requires that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal. The appellant has drawn my attention to the proposal providing a viable use for the listed building that would prevent its further disrepair. However, the building is currently in use and repairs could be undertaken to it irrespective of the conversion, and so there would not be a public benefit that would outweigh the harm.
15. Thus, for the reasons given above, the proposal would unacceptably harm a listed building, the setting of one nearby, and the character and appearance of the conservation area. This would be contrary to the Policies HC1, ES10, ES12, and CP14 of the Stroud District Local Plan (2015) (LP). These seek amongst other things high quality development that is compatible with the character and appearance of its surroundings, and that which preserves, protects or enhances the historic environment, reflecting objectives of the Framework.

Access

16. Future occupiers of the proposed dwelling would retain the use of the single parking space that currently serves the workshop / storage use of the building. Vehicular access to this space would be through a narrow arch and another parking area, before the access onto School Road. This access has limited visibility splays and is close to the junction of School Road with Potters Pond. However, the speed restrictions and the complexity and nature of the road network near to the access would be such that users of the highway and of the site would be proceeding with care.
17. Furthermore, there is already use of the site access occurring associated with the current uses of the building. The provision of a single parking space along with the modest size of the dwelling and the proximity to the town centre and its nearby facilities and services, would not significantly increase the number of vehicular trips compared to the existing use.

18. Thus the use of the existing access serving the site would not significantly harm highway safety for users of the road and footways, and the proposal would accord with the requirements of LP Policies HC1 and ES3. These require amongst other things, that development would not result in a detrimental impact on highway safety, reflecting the Framework.

Other Matters

19. I have considered the proposal in the context of the presumption in favour of sustainable development, as set out in the Framework. It is made clear that sustainable development has economic, environmental and social dimensions, none of which should not be undertaken in isolation. Whilst the appellant considers the proposed dwelling would have a social and economic benefit, for the reasons given above there would be a significant adverse environmental impact, and taken as a whole, the proposal would not be the sustainable development required by the Framework.
20. The appellant has drawn my attention to previous appeal decisions for dwellings upon the site. However, these decisions were made some time ago under a different development plan and the schemes were different, proposing the demolition and erection of either one or two dwellings. Whilst I have had regard to the other developments referred to, I have based my decision on the merits of this particular case in accordance with the requirements of the current development plan and all other material considerations.
21. The appeal site lies within the Cotswolds Area of Outstanding Natural Beauty (AONB) where there is a statutory duty to protect the landscape and its scenic beauty. However, as I am dismissing the appeals for other reasons, I have not considered this matter further.
22. Finally, the appellant has raised a number of issues regarding the Council's handling of the applications and the appeals. I appreciate such matters would be of concern to the appellant but they have to be pursued through other means separate from the appeal process and are not for me to consider with regard to the planning considerations of this case.

Conclusion

23. Thus, for the reasons given above and having considered all other matters raised, the appeals are dismissed.

J J Evans

INSPECTOR