
Appeal Decisions

Site visit made on 24 April 2018

by H Porter BA(Hons) PGDip IHBC

an Inspector appointed by the Secretary of State

Decision date: 03 May 2018

Appeal A Ref: APP/F1610/W/17/3180965

2 Bank Cottage, Great Rissington GL54 2LH

- 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 & Mrs Simon Henty against the decision of Cotswold District Council.
 - The application Ref 17/01753/FUL, dated 25 April 2017, was refused by notice dated 5 June 2017.
 - The development proposed is new enclosed link between house and outbuilding.
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Appeal B Ref: APP/F1610/W/17/3180968

2 Bank Cottage, Great Rissington GL54 2LH

- 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 & Mrs Simon Henty against the decision of Cotswold District Council.
 - The application Ref 17/01754/LBC, dated 25 April 2017, was refused by notice dated 5 June 2017.
 - The works proposed are new enclosed link between house and outbuilding.
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Decisions

1. Appeal A is dismissed. Appeal B is dismissed.

Main Issues

2. The main issue in both appeals is whether the proposed works and development would preserve the special architectural and historic interest of the Grade II listed building. Under Appeal A, there is also the issue of the effect of the proposed development on the character and appearance of the Great Rissington Conservation Area.

Reasons

3. Number 2 Bank Cottage is a Grade II listed building, situated within the Great Rissington Conservation Area (the Conservation Area). The statutory list description identifies the building as dating from the late 18th to early 19th century, constructed of coursed and dressed limestone, with a stone slate roof and ridge, and a rectangular plan. In spite of incremental alterations, including a two-storey addition to the rear, the integrity of the building's historic plan-form and orientation remains legible from its exterior, as does the linear relationship with the attached 1 Bank Cottage (Number 1), which is also Grade II listed. As an example of a modest dwelling, typical of the local vernacular, it

is the building's overall form, layout and materials, which contributes to its overall special interest and significance.

4. Fronting a small triangular green at the upper end of Great Rissington, the appeal building is prominent from various vantages. In age, material and form, Bank Cottage is part of the backcloth of traditional stone-built cottages that contribute to the area's distinctive charm and richness. The appeal site thus makes a valuable contribution to the historic character and thus heritage significance of the Conservation Area as a whole.
5. Separated from the rear of the main dwelling is a small single-storey 'privy', now used as a utility room. In both form and function, this element reflects an historic ancillary and subservient relationship to the main dwelling, which adds to the building's character and authenticity. The proposal would effectively infill, at single storey height, the open patio area that separates the kitchen and independent 'privy'. The existing patio would be excavated so that a flat roofed element would be level with the boundary wall; this would meet a higher, half-pitched and stone-covered roof above a mainly glazed front. A wood burning stove, hearth and flue would be installed centrally along the back wall of the proposed link room.
6. Although the two-storey rear extension was considered acceptable, it does not follow that a further lower, yet substantially longer, addition would not be harmful. Rather, the proposal would exacerbate the impact of two-storey extension, and effectively re-orientate the building's longest elevation through 90 degrees. As a result, the plan-form and design integrity of the original building would be materially and adversely interrupted. So too would the linear relationship with Number 1.
7. The introduction of flat roof lights and a wood-burning stove would introduce a clearly domestic component that would function as an additional room to the main dwelling. Though the flat-roof would not exceed the rear boundary, the height of the roof ridge and pitch would be barely distinguishable from that of the separate 'privy'. Although few new materials would be introduced, the proposed stone roof tiles would have a visual solidity and degree of permanence, which weaken the argument that the works would appear reversible.
8. Despite its relatively simple construction, the proposal would unite the discrete elements of the main dwelling and the ancillary structure, eroding the clear visual and functional distinction between the two. The proposed scheme would therefore undermine the legibility between the primary dwelling and a secondary, subservient structure within its grounds. To this effect, there would be material harm to the building's historic form and layout.
9. The proposed works would fail to preserve the special interest and significance of the Grade II listed building. The development would be visible from the public realm and would stand out as atypical in the context of historic cottages, including Number 1. While reasonably localised in its extent, the proposed development would fail to preserve or enhance the character and appearance of the Conservation Area as a whole. Given the scale of the works and development proposed, the degree of harm to the designated heritage assets would be less than substantial, which should be weighed against the public benefits.

10. There would be some economic benefit through employment associated with the construction phase although this would be short-term and would represent a very modest public benefit. The two-storey extension has added considerably to the overall size of the original building and evidently provided extra living space, including a good-sized kitchen. This indicates to me that the appeal proposal would not be necessary to secure the optimum viable use of the listed building. Ultimately, the year-round convenience of a covered access to the utility facilities and the views facilitated by the proposal would satisfy the circumstances and wishes of the appellants, which does not amount to any wider public benefit.

Other matters

11. While I find the proposal would unacceptably harm the special interest and significance of the listed building, which would fail to preserve the character and appearance of the Conservation Area, I do not consider that there would be any loss of light or outlook from Number 1, to the extent that it would result in material harm to the living conditions of its occupants. A lack of harm in this regard, however, does not alter my overall conclusion.

Conclusions – Appeal A and Appeal B

12. The works and development would fail to preserve the listed building, or its features of special architectural or historic interest, and fail to preserve the character and appearance of the Conservation Area. The proposal thereby runs contrary to the clear expectations in Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. There would also be conflict with Saved Policies 15 and 42 of the Cotswold District Local Plan 2001 - 2011, April 2006 insofar as these seek to ensure that alterations to buildings within a conservation area preserve or enhance the character or appearance of the area as a whole; and that development respects the character, appearance and local distinctiveness of the District with regard to, amongst other things, style and proportion.
13. Though the overall harm to the designated heritage assets would be less than substantial, public benefits do not outweigh the considerable importance and weight I must afford it. I therefore conclude that both Appeal A and Appeal B should be dismissed.

H Porter

INSPECTOR