



Appeal Decision

Site visit made on 17 September 2019

by M Bale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 October 2019

Appeal Ref: APP/F1610/W/19/3228632

**Nethercote Bridge Cottage, Marshmouth Lane, Bourton-on-the-Water,
Gloucestershire GL54 2EE**

- 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 George Macropoulos against the decision of Cotswold District Council.
 - The application Ref 18/02715/FUL, dated 16 July 2018, was refused by notice dated 16 November 2018.
 - The development proposed is the demolition of existing garage and erection of detached annexe.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing garage and erection of detached annexe at Nethercote Bridge Cottage, Marshmouth Lane, Bourton-on-the-Water, Gloucestershire GL54 2EE in accordance with the terms of the application, Ref 18/02715/FUL, dated 16 July 2018, subject to the conditions listed in the attached schedule.

Procedural matter

2. I have been provided with a number of plans that show slightly different forms of development. However, I have determined the appeal on the basis of the plans listed in the conditions appended to the Council's appeal statement and detailed in the Council's officer report, which also accord with the description of development described therein.
3. The submitted plans are not fully dimensioned and no drawing has been provided by the appellant showing the proposal in context with the existing dwelling. However, the plans are drawn to a recognised metric scale and they are sufficiently clear to understand the proposal.

Main Issues

4. The main issues are the effect of the development on the character and appearance of the area and the setting of the listed Nethercote Bridge Cottage.

Reasons

5. Marshmouth Lane is a narrow road that leads away from the main built up area of Bourton-on-the-Water. Its location and characteristics, with development along one side and a watercourse on the other, give it a tranquil, rural

- character. Dwellings around the appeal site are set back from the highway edge behind sizable front gardens, giving a spacious appearance.
6. The Grade II listed Nethercote Bridge Cottage is distinct from its neighbours which face towards the road, as it is orientated facing down Marshmouth Lane. Accordingly, it has a more prominent position on approach to the site from the main part of the settlement, although its siting is also reflective of a bend in the road at this point. As such, the open area between the dwelling and road, whilst reflecting and contributing to the open appearance of the lane, reads as a side, rather than front garden.
 7. The Council's appeal statement indicates that, despite surrounding modern development, Nethercote Bridge Cottage retains much of its historic plot. Its setting is derived from its position in the plot and the open views down Marshmouth lane.
 8. An existing garage sits alongside the dwelling in this side garden area. It is a relatively small structure with a gable end facing forward, unlike the ridge line of the dwelling which is parallel to the front elevation. Due to its scale, the garage does not compete with the significance of the listed building as a relatively simple, traditional 18th Century Cottage, or harm its setting.
 9. The proposed annexe would be considerably larger than the existing garage in both width and height. Indeed, the proposed width would appear to be similar to that of the original part of the dwelling. However, whilst the increased bulk and mass would be exacerbated by the ridge running broadly parallel to that of the main dwelling, it would still appear considerably lower than the main dwelling.
 10. Although many outbuildings in the Cotswolds may be constructed of stone, there is no substantive evidence that the resulting development, whilst somewhat functional in appearance, would be harmful by virtue of its external materials, or of a poor quality. Moreover, the use of timber boarding would give it a clearly subservient character and appearance to the dwelling. Thus, the prominence of the listed building would be retained in relation to the outbuilding and the built environment would not appear muddled.
 11. The Council has drawn my attention to part of the Cotswold Design Code¹ that requires new outbuildings to relate to the scale and character of the main building and the plot in which it sits. The foregoing, analysis leads me to conclude that this requirement is met.
 12. In light of the above, and given the position of the dwelling relative to the bend in the road, the proposal would not impinge on the rural character and open appearance of the immediate street scene, nor the landscape and scenic beauty of the wider Area of Outstanding Natural Beauty within which the site is located. For the same reasons, the proposal would preserve the setting of the listed building and any features of special architectural or historic interest which it possesses, and would not harm its significance.
 13. There is, therefore, no conflict with Policies EN10 or EN2 of the Cotswold District Local Plan 2011-2031 which seek to promote quality design that respects the character and distinctive appearance of the locality, and ensure

¹ Quoted at paragraph 3.12 of the Council's appeal statement

that development proposals sustain and enhance the significance of designated heritage assets and their significance.

Other matters

14. The site is located in a quiet residential area, away from the main tourist areas of the settlement, accessed via a narrow lane with limited passing opportunities. There is concern amongst local residents that the appellant may choose to let the dwelling to short term holiday guests and that the increased size of the property that would result from the addition of the annexe would lead to unacceptable levels of noise and disturbance. I am told in the representations that this would differ from the majority of accommodation in Bourton-on-the-Water, which is said to be provided through bed and breakfast accommodation, targeting families and couples.
15. I can appreciate that large groups may have a greater propensity to generate noise regularly than a small family and may sit outside, close to neighbouring property boundaries later in the evening. Without a landlord present on site, it may prove difficult to manage any resulting disturbance. However, no change of use of the property is proposed and in this context, limited weight can be given to potential future uses of the site when in planning terms it would continue to be a single dwellinghouse. Moreover, as noted in the Council's officer report, the scale of development would not be disproportionate to the existing dwelling nor result in an unusually large property. There is no substantive evidence that the inclusion of rooflights would facilitate further expansion in the future.
16. Similarly, whilst some local residents predict that up to 6 cars could be attracted to the site, there is no substantive evidence to support this claim. In any event, there is no clear evidence that it would result in an additional danger to highway safety or significant inconvenience, be that as a result of additional traffic movements, use of private access points for passing or indiscriminate parking around the bridge or elsewhere on the lane. Nor is there any substantive evidence of an intention to provide additional hard surfacing at the site.
17. I noted that due to its nature, the boundary between the site and Bluebell House could be easy for intruders to cross. However, there is no substantive evidence that a larger property would necessarily increase the risk of such an occurrence. I, therefore, attribute limited weight to this and the other matters that have been raised before me.

Conditions

18. In addition to the statutory time limit for the commencement of development, a plans condition is required in the interests of certainty. To protect the character and appearance of the area and setting of the listed building, conditions are required in respect of the finish of the external walls, to secure details of the roofing material, to ensure that all windows and doors are constructed from timber and that any rooflights do not protrude forward of the roof.
19. For the same reasons, the Council has recommended a condition that may require a deviation from the approved plans in respect of the eaves and fascia details. The appellant indicates that further clarification could be given so I

have amended the condition to one seeking approval of these details. The Council's recommended condition in respect of wall detailing led to a discrepancy with the details shown on the drawings. Therefore, having sought the views of the main parties, I have proposed a condition requiring approval of the necessary details.

20. To prevent any increase in flood risk, further details of surface water drainage facilities are required. I have made some changes to the Council's suggested conditions in the interests of clarity and to ensure compliance with the Planning Practice Guidance.

Conclusion

21. For the reasons given above I conclude that the appeal should be allowed.

M Bale

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 35359/06 and AC/DO/120918/02 B.
- 3) Prior to its installation, full details of the finished treatment for the external walls shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented before the building is brought into use and shall thereafter be maintained as such.
- 4) All windows and doors shall be of timber construction and shall thereafter be maintained as such.
- 5) Prior to their installation, samples of the proposed roofing materials shall be submitted to and approved in writing by the local planning authority. The approved details shall be installed prior to the building being brought into use and shall thereafter be maintained as such.
- 6) The rooflights shall be of a design which, when installed, shall not project forward of the roof slope in which the rooflights are located and shall thereafter be permanently maintained as such.
- 7) Prior to their construction, full details of the eaves of the proposed building shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented before the building is brought into use and shall thereafter be maintained as such. No other bargeboards or eaves fascias shall be used other than those which may be permitted under this condition.
- 8) No part of the development shall be occupied/brought into use until surface water drainage works serving the development have been constructed and thereafter maintained in accordance with details that shall first have been approved in writing by the local planning authority.