
Appeal Decision

Site visit made on 10 December 2019

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 December 2019

Appeal Ref: APP/F1610/D/19/3237887

2 School Lane, Shipton Oliffe, Gloucestershire GL54 4JB

- 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 Martin Jones against the decision of Cotswold District Council.
 - The application Ref 19/02072/FUL, dated 31 May 2019, was refused by notice dated 8 August 2019.
 - The development proposed is a 2 storey side extension and construction of greenhouse in the front garden.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the impact of the proposal on the significance of heritage assets with particular reference to the character and appearance of 2 School Lane as a non-designated heritage asset and whether it would preserve or enhance the character or appearance of the Shipton Conservation Area.

Reasons

3. The Shipton Conservation Area (CA) covers most of the linear rural settlement of Shipton Oliffe. Its significance lies in part in the way the considerable number of vernacular buildings set within an attractive rural landscape reflect the evolution of the settlement over time. The consistent use of traditional simple form and local materials contributes towards the coherent and distinctive character and appearance of the village.
4. 2 School Lane is one of a pair of semi-detached cottages dating from the mid-19th century within a group of well-ordered former workers cottages set perpendicular to the principal route through the village along School Lane. Its age, discernible traditional simple form, materials and pleasing spacing within a group of vernacular buildings results in a degree of aesthetic and historic significance. As such, there is no dispute between the parties that it is a non-designated heritage asset¹. Moreover, the aesthetic quality of the wide, balanced principal elevation is emphasised as it is part of a broadly symmetrical pair. Taken in combination these factors contribute positively to the rural character and appearance of the CA.

¹ Paragraph 5.1 Appellant's appeal statement

5. The proposed two storey side extension, due to its height and width would result in an addition, out of proportion, and therefore overly dominant, to the main dwelling. The elongation of the principal elevation would be to an extent that would diminish the balance of the elevation and the prominence of the end chimney, as well as undermine its symmetry with Glebe Cottage.
6. In addition, as the side extension would extend to the side boundary, notwithstanding the difference in levels, it would harmfully erode the space presently between the dwelling and Honeysuckle Cottage, that forms part of the well-ordered spacious character of School Lane.
7. Furthermore, the rear elevation would utilise a gable and a flat roof, introducing a diversity of roof form at odds with the existing simple vernacular form of the main dwelling.
8. Taken together, these factors would be harmful to intrinsic elements of the significance of the building and its relationship within the immediate grouping of vernacular dwellings, thereby having a negative impact on its contribution to the CA.
9. The position of the extension would broadly align with the route of the driveway, which due to its height would mean that views of the side extension would be possible from the access onto School Lane. When combined with the proposed greenhouse located to the front of the dwelling, the overall development would distract attention away from the existing principal elevation.
10. Furthermore, given the proximity to nearby properties, the roof form on the rear elevation would be visible in several private views. I am mindful of my statutory duty² to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA, and this is not restricted to the impact on the public domain. However, overall, in light of the modest scale of the development, the harm to the significance of the CA would be less than substantial.
11. I accept that the use of local materials, lower roof ridge and set back from the main façade would assist in reducing the impact of the two-storey side extension. Nevertheless, it would still retain a prominence that would result in the harm I have identified. Reference is also made to the removal of a bulky Leylandii hedgerow between the appeal property and Honeysuckle Cottage. Be that as it may, in my view the hedgerow makes a small positive contribution towards the spacious verdant character of the area and therefore, its removal would not justify a harmful addition of built form.
12. My attention is drawn to several extensions that have been undertaken at properties nearby in School Lane³ but I am not provided with the details of any associated planning decisions. Of these, the nearest and most comparable example is the side extension at Glebe Cottage, which forms the pair with the appeal property. However, the side addition converted an existing garage and is single storey and is therefore, of a considerably smaller scale than the scheme before me. Moreover, in contrast to the proposal, its reduced height successfully maintains the prominence of the end chimney, one of three regularly spaced across the pair. Accordingly, neither the presence of this

² Section 72 Planning (Listed Building and Conservation Areas) Act 1990

³ Paragraph 2.13 Appellant's statement

extension, nor the others cited, carries more than limited weight. In any event, I have considered the proposal based on the evidence presented and on its own merits.

13. Paragraph 197 of the National Planning Policy Framework (the Framework) stipulates that the effect on the significance of a non-designated heritage asset should be taken into account in determining an application, with a balanced judgement required having regard to the scale of any harm and the significance of the heritage asset. However, in relation to designated heritage assets, paragraph 196 of the Framework states that where there would be less than substantial harm to its significance, this harm should be weighed against the public benefits of the development. Furthermore, great weight⁴ should be given to the designated heritage asset's conservation.
14. The proposal would benefit the appellant in providing for additional and improved accommodation that may assist in caring for an elderly relative. Nevertheless, this would not amount to a public benefit that would outweigh the great weight given to the harm to the CA. Furthermore, given that individual circumstances change over time, neither would it outweigh the permanent harm that would result to the significance of the non-designated heritage asset.
15. In coming to my finding, I have considered whether the use of conditions would overcome my concerns, or alternatively whether a split decision in relation to the greenhouse would be appropriate. However, the use of conditions in relation to materials and detailing would be unable to surmount concerns regarding the impact of the scale and form of the extension. Moreover, the layout plan indicates a close physical relationship between the extended property and the proposed location of the greenhouse. As such, I am not assured that the two parts are clearly functionally severable such that a split decision would be appropriate in these circumstances.
16. Accordingly, I find that the proposal would result in unacceptable harm to the significance of 2 School Lane as a non-designated heritage asset and would neither preserve nor enhance the character or appearance of the CA, a designated heritage asset. Therefore, the proposal would be contrary to policies EN2, EN10, EN11 and EN12 of the Cotswold District Local Plan 2011-2031, August 2018 (LP). Policy EN2 requires design to accord with the Cotswold Design Code which forms appendix D of the LP and seeks the highest standards of design for new development which includes reference to extensions to existing buildings being in scale and character with the parent building. Policy EN10 indicates that great weight will be given to the conservation of designated heritage assets with policy EN11 specifically referring to conservation areas. Finally, policy EN12 only permits development affecting non-designated heritage assets if, amongst other matters, it is designed sympathetically having regard to its significance, features, character and setting.

Other Matters

17. I have had regard to the representation from Shipton Parish Council and the support of a neighbouring resident. Nevertheless, neither these, nor the

⁴ Paragraph 193 National Planning Policy Framework

absence of harm in relation to other planning considerations would overcome the harm that would result to heritage assets.

18. St Oswald's Church, a Grade I listed building, is located to the south east of the appeal site. However, given the separation distance and intervening built form, the proposed extension would not impact upon the surroundings in which the church is experienced, and therefore would not affect its setting.

Conclusion

19. For the reasons given above, I conclude that the appeal should be dismissed.

Helen O'Connor

Inspector