



Appeal Decision

Site visit made on 7 January 2020

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd January 2020

Appeal Ref: APP/P1615/W/19/3239896

The Old Rectory, Albright Lane, Bromsberrow, HR8 1RT

- 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 N Henry against the decision of Forest of Dean District Council.
 - The application Ref P1417/18/FUL, dated 19 October 2018, was refused by notice dated 6 June 2019.
 - The development proposed is a change of use from agricultural land to residential curtilage and erection of new standalone parking shelter with integral workshop and gym.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the setting of the Grade II listed The Laurels.

Reasons

3. The appeal proposal is in close proximity to the Grade II listed The Laurels (also known as the Old Rectory). This is a grand former rectory building built in a classical style, which dates to the early 19th century. The building occupies an imposing position and is surrounded by open parkland and countryside. Its significance lies in its architectural quality, its relationship with the surrounding landscape, and its historic interest including its links to the Yate family.
4. The proposed outbuilding would be sited on land that is currently used as a parking and turning area to the house. This area, and the driveway that leads to it, are later additions that would once have consisted of parkland to the listed building. However, they retain a largely open character and are beyond the high stone retaining wall that surrounds the house and gardens. In my view, this feature serves to demarcate the listed building from its open setting to a far greater extent than the lightweight estate railings that border the driveway and parking area.
5. The proposed outbuilding would be a relatively large structure that would protrude out significantly beyond the existing retaining wall. It would be set at 90 degrees to the listed building and would jut out into its open setting in a relatively prominent position. This would be particularly apparent when

approaching the site along the driveway or when viewed from the surrounding countryside. From these positions, the development would harmfully alter the listed building's relationship with its open setting. Whilst the main views of the proposal would be from private land, Historic England guidance¹ states that the contribution that setting makes to the significance of a heritage asset does not depend on there being public rights or an ability to access or experience that setting. In addition, whilst the site is currently used for car parking, stationary vehicles have a less permanent and intrusive visual effect than would result from the development. In any case, vehicles would still be able to park on the retained forecourt area.

6. It is asserted that the proposed design would be subservient in scale and would blend into the landscape. However, whilst the design would be rural in style it would be in a highly sensitive location that would erode the open setting to the listed building. I note the presence of an existing stable block a short distance to the rear, however, that building is more recessive in terms of its scale and orientation and it does not lend support to the appeal proposal.
7. For the above reasons, I conclude that the development would harm the setting of the Grade II listed The Laurels. This harm would be 'less than substantial' in the context of Paragraphs 195 and 196 of the National Planning Policy Framework ('the Framework'). However, there are no public benefits that would outweigh the harm in this case.
8. The proposal would therefore be contrary to Policy CSP.1 of the Forest of Dean Core Strategy (2012), Policies AP 4 and AP 5 of the Forest of Dean Allocations Plan (2018), and guidance in the Framework relating to designated heritage assets.

Other Matters

9. Reference is made to alternative locations for the development that were purportedly suggested by the Council. However, my remit in this appeal is limited to the development as currently proposed, and any alternative scheme would be a separate matter between the appellant and the Council.
10. It is agreed that the development would not have any harmful effects with regard to residential amenity, ecological matters, trees, flood risk, and landscape impact. However, those are ordinary requirements for new development, and they do not represent a positive benefit.

Conclusion

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

Thomas Hatfield

INSPECTOR

¹ The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) (2017), Historic England