



Appeal Decision

Site visit made on 24 August 2020

by B Davies MSc FGS CGeol

an Inspector appointed by the Secretary of State

Decision date: 17 September 2020

Appeal Ref: APP/C1625/W/20/3252363

Fort View, Fidges Lane, Eastcombe, Stroud, GL6 7DW

- 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 and Mrs Irwin against the decision of Stroud District Council.
 - The application Ref S.20/0035/FUL, dated 7 January 2020, was refused by notice dated 7 April 2020
 - The development proposed is erection of a new dwelling and demolition of existing outbuildings.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposal on the character and appearance of Eastcombe Conservation Area.

Reasons

3. The appeal site comprises a large part of the garden to the side of Fort View house. Together with adjacent Maple Cottage and Laburnum Cottage, they form a grouping of 3 historical buildings, the setting of which is largely uninterrupted by modern development. The boundary of the Conservation Area (CA) extends a limb from the main area to encompass these properties and associated land.
4. There is no CA statement or appraisal for the area, but during the site visit the houses were observed to be scattered along narrow, stone walled lanes that contour around the steep escarpment. I concur with the appellant's Heritage Statement that there are many differing building types, reflecting historical subdivision of plots and infilling. I also agree that the overarching perception of the built form is the predominance of buildings set gable end onto the street frontage. Fort View is a good example of this and still retains its original side garden, so overall conservation of the layout is therefore of some importance.
5. The relationship between the 3 historical buildings is, in part, defined by the openness of the garden at Fort View and the backdrop of stone walling, hedging and mature trees frames the group. Infill with a new building and high wooden fencing along the side boundaries would result in the openness being lost and the backdrop obscured. I consider the relationship between the

- buildings to be an important characteristic of the CA worthy of preservation and the loss of this is therefore harmful.
6. Although not an overly bulky structure per se, by dint of being higher than the other houses and facing the road, the proposal would harmfully dominate the existing cluster of houses when viewed from the public domain. In addition, the nearly parallel boundary lines of fencing perpendicular to the lane would draw attention to the new house and, in partly obscuring the neighbouring properties, result in the proposal appearing even more dominant.
 7. A 1.8 m high close boarded fence is proposed along both side boundaries of the new property. Wooden fences are not seen in the grouping, nor to any significant extent in the wider CA, where side boundaries typically comprise low stone walls, hedging and mature trees. The proposed materials, solidity and height would therefore not be a sympathetic addition to the CA. I acknowledge that fencing would become vegetated, but this will take time and will not change the fundamental discord with the prevailing, traditional boundary treatments.
 8. A long, narrow plot is not typical of development in the CA and would appear more akin to modern development in the wider area, harmfully detracting from the traditional layout. The proximity of the proposal to the existing houses and high side boundaries, means that the development would also appear as an uncharacteristically cramped form of development when compared to the prevailing layout in the CA.
 9. The introduction of a new driveway to the side of the property would result in removal of a long section of traditional wall and a large green verge, which currently provide a particularly attractive setting for Fort View house when approached from this direction, including from the adjacent public footpath. As this is on the edge of the CA, it forms a key view into the area and removal of these features would be harmful.
 10. I have noted arguments that infill and subdivision were a traditional activity, but this does not necessarily make it desirable now, not least because if vigorously pursued, it would lead to erosion of the historical pattern of settlement, which to a greater extent should be preserved. This is not to say that it is not possible to infill in a CA, rather that it needs to be assessed on a case by case basis. For the reasons above, I do not consider it appropriate at this particular location.
 11. I have reviewed the Heritage Statement provided by the appellant, which was developed in response to a previously refused application at the site¹. The scheme appears to be a significant improvement on the previous proposal, including retention of the front wall and a garden, and re-orientation of the house and parking. However, these changes are not sufficient to overcome the harm identified above.
 12. A second reason for refusal was due to harm to character and appearance of the area more generally. I appreciate that the proposal may appear less harmful in the context of more modern development along Fidges Lane, but for the reasons above, I consider that comparison with the CA prevails.

¹ S.19/1281/FUL

13. I have noted arguments regarding loss of 'green space', but as this area is not designated as such, I have not assessed the proposal in this context. This is a different matter to loss of the garden and openness, which I have discussed above.
14. There would be benefits from contribution to the housing supply, but as this is only one house, the benefits from this are limited. It is not in contention that the site is within the settlement boundary and in a good location with respect to accessibility to services and I give significant weight to these benefits.
15. I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the locality in a Conservation Area under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This proposal constitutes less than substantial harm as defined by paragraph 196 of the National Planning Policy Framework (2019). However, there would be limited public benefit from contribution to housing supply to outweigh the harm.
16. The proposal would cause harm to the character and appearance of the CA and conflicts with Policies ES10 and CP14 of the Stroud District Council Local Plan (2015), which aim to conserve and enhance the area's historical assets. This harm is not outweighed by the benefits of contribution to local housing supply and accessibility of the location.

Conclusions

17. For the reasons above, and having regard to all other matters raised, the appeal should be dismissed.

B Davies

INSPECTOR