
Appeal Decisions

Site visit made on 8 March 2021

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 19 March 2021

Appeal A: APP/F1610/W/20/3263553

Rose and Crown House, Lower High Street, Chipping Campden GL55 6DY

- 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 Laycock against the decision of Cotswold District Council.
 - The application Ref 19/04468/FUL, dated 4 December 2019, was refused by notice dated 28 August 2020.
 - The development proposed is described as extension to form link between the front and rear of the dwelling.
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Appeal B: APP/F1610/Y/20/3263554

Rose and Crown House, Lower High Street, Chipping Campden GL55 6DY

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) against a refusal to grant listed building consent.
 - The appeal is made by Mr Laycock against the decision of Cotswold District Council.
 - The application Ref 19/04469/LBC, dated 4 December 2019, was refused by notice dated 28 August 2020.
 - The works proposed are described as extension to form link between the front and rear of the dwelling.
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Decisions

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

Procedural Matters

3. As set out above, there are 2 appeals on this site. Each relates to the same scheme but they address separate applications for planning permission in the case of Appeal A, and listed building consent in the case of Appeal B. I have considered each on its individual merits, however, to avoid duplication I have dealt with the Appeals together, except where otherwise indicated.
4. Three previous schemes which sought to provide an extension in a similar location to that now proposed, were dismissed at appeal in 2009, 2011 and 2013 (the previous appeals). I have taken the previous appeals into account where relevant, but necessarily assessed the current scheme on its own merits.

Main Issue

5. The main issue is whether the scheme would preserve a Grade II listed building, or any of the features of special architectural or historic interest that it possesses.

Reasons

6. Insofar as it is relevant to these Appeals, the special interest and significance of Rose and Crown House lies in its age, vernacular character, and layout. This comprises a seventeenth century frontage building, and an attached former stable range to its rear, each built from Cotswold stone. Their arrangement within the plot is typical of historic development within the town, with the stable range attached perpendicular to the frontage building, and separately accessed via a linear passage/courtyard to its front. In this context, the interrelationship of the varied roof forms and eaves lines of the frontage building, the cellar and kitchen attached to its rear, and the stable range beyond, provides strong visual interest.
7. The scheme would see the passage/courtyard partially infilled with a 'detached' solid pent roofed structure, and glazing over of adjoining spaces. This would link the rear of the frontage building with the stable range, whilst providing additional living space.
8. The pent roofed element of the scheme would house a kitchen, and is designed to appear as an outbuilding. This would back onto an outbuilding of similar, but more modest form, which runs along the side of the adjacent plot. In this regard the scheme is presented as involving reinstatement of an outbuilding previously present on the site. The photographic evidence before me however indicates that the previous structure was of different form and smaller. It was also not linked to the listed building via glazing over of the spaces between. As such, the provision of this element of the scheme would not constitute reinstatement.
9. The scheme would otherwise cause the adjoining and adjacent elevations of the listed building to be both physically and visually obscured. Whilst this would be an inevitable consequence of adding a solid structure, the glazing, its junctions with the building, and other features likely to be required to address matters such as drainage, would also clutter and obstruct views from both inside and outside the extension. This would harmfully compromise the ability to appreciate the relationship between the individual component parts of the listed building, and the visual quality of their varied roof forms and eaves lines.
10. Infill and internalisation of the courtyard/passage space would itself greatly compromise the character of this historic space, further obscuring the historic layout of and relationship between the stable range and the frontage building. This would be true whether or not the glazed-in area was designed to retain the appearance of an 'outdoor' space.
11. The enlargement of a window within the stable range to form a narrow doorway would also be required. This is one of 2 windows flanking the existing access, which together provide a balanced arrangement. The removal of historic stonework below the window opening, and the requirement to cut through the large quoin stones which form the existing doorway opening adjacent, would have an adverse physical and visual impact upon the fabric and appearance of the building. This would be increased by the junction between the wall and the glazed infill which would run between the 2 doorways, and loss of balance and consistency in the form of openings. Here I acknowledge the Council's indication that the impact of this alteration would be offset by the limited projection of the glazed infill that it would enable.

However, such 'support' can only be logically understood in the basis that the design would otherwise be acceptable, which in this case, it would not.

12. In each of the above regards the scheme would fail to preserve the listed building, thus conflicting with the expectations of the Act, and paragraphs 193 and 194 of the National Planning Policy Framework (the Framework), which state that great weight should be given to the conservation of designated heritage assets, and require clear and convincing justification for any harm. With further reference to paragraph 196 of the Framework, I find that the scheme would cause less than substantial harm to the significance of Rose and Crown House. I attach great weight to the harm that would be caused. In accordance with the Framework it is necessary to balance this harm against the public benefits advanced in favour of the appeal scheme.
13. The main purpose of the scheme, and thus its principal benefit, is that it would link 2 parts of the existing accommodation, at the same time as providing expanded living space. These would however be private rather than public benefits, and as such they do not attract any weight. The scheme would otherwise generate work for building contractors. However, given the very small scale of the scheme, any broader economic benefits would be negligible. As such they attract negligible weight in favour of the scheme. Consequently, the public benefits of the scheme are insufficient to outweigh the harm that it would cause.
14. For the reasons outlined above I conclude that the scheme would fail to preserve the special architectural and historic interest of the listed building. In relation to Appeal A, and insofar as it is relevant to Appeal B, the scheme would therefore conflict with Policy EN1 of the Cotswold District Local Plan 2011-31 (the LP), which seeks to secure development that promotes the protection, conservation and enhancement of the historic environment; Policy EN2 of the LP which seeks to secure design which respects the character and distinctiveness of a locality and Policy EN10 of the LP which reiterates national policy relating to heritage assets. With regard to both Appeals the scheme would fail to satisfy the requirements of the Act and heritage policy set out within the Framework.

Other Matters

15. The site is also located in Chipping Campden Conservation Area (the Conservation Area). This is briefly addressed by the appellant, but aside from acknowledging the fact, the Council's officer reports reach no specific conclusion on the matter. In view of the duty set out in Section 72(1) of the Act, it is nonetheless necessary for me to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
16. Insofar as it is relevant to these Appeals, the special interest and significance of the Conservation Area resides in the historic layout of the town, and the collection and interrelationship of historic buildings and spaces it contains. As Rose and Crown House is one such building, it makes a positive contribution to the character, appearance, special interest and significance of the Conservation Area.
17. Visibility of the proposed extension would not extend much beyond the limits of the plot, and that adjacent. The impact of the scheme on the appearance of the

Conservation Area would therefore be limited. However, given that the scheme would obscure the historic layout of the building within the plot, thus undermining an attribute which helps to characterise the historic townscape at large, some harm would be caused to the character of the Conservation Area. The harm caused would again be less than substantial, but in this instance, it would attract considerable importance and weight.

18. I am mindful of the fact that the effect of the scheme on the Conservation Area was not a reason for refusal, and that the Council's Conservation Officer considered that no harm would arise. The findings of Inspectors in the previous appeals was however varied in relation to area-effects.
19. Notwithstanding the additional weight that the identified harm lends in favour of dismissing the Appeals, this does not alter the outcome of my findings in relation to paragraph 196 of the Framework set out above. Similarly, the additional conflict that a failure to preserve or enhance the character or appearance of the Conservation Area would cause in relation to the Act, the Framework, and the development plan, does not alter the outcome of my conclusion in relation to the main issue. As such the matter is not determinative of the outcome of this appeal. I am therefore satisfied that the interests of neither party are prejudiced by my findings.
20. The site is located within the Cotswolds Area of Outstanding Natural Beauty (the AONB), within which there is a duty to have regard to the purpose of conserving and enhancing the natural beauty. As the proposal would involve works with little exposure beyond their immediate setting, and none within the surrounding landscape, the natural beauty of the AONB would be conserved.

Conclusion

21. The scheme would cause unacceptable harm to designated heritage assets, and, in relation to Appeal A, conflict with the development plan. There are no other considerations which alter or outweigh these findings. Therefore, for the reasons set out above, I conclude that Appeal A and B should be dismissed.

Benjamin Webb

INSPECTOR