
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/20/3260361

Holly Cottage, Little Rissington, Cheltenham GL54 2ND

- 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 Jeremy Rigg against the decision of Cotswold District Council.
 - The application Ref 20/00570/FUL, dated 11 February 2020, was refused by notice dated 16 June 2020.
 - The development proposed is described as alterations and extension to existing outbuilding to form new dwelling.
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Appeal B: APP/F1610/Y/20/3260362

Holly Cottage, Little Rissington, Cheltenham GL54 2ND

- 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 Jeremy Rigg against the decision of Cotswold District Council.
 - The application Ref 20/00571/LBC, dated 11 February 2020, was refused by notice dated 16 June 2020.
 - The works proposed are described as alterations and extension to existing outbuilding to form new 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. The Appeals relate to Holly Cottage, which is a Grade II listed building. The listing also extends to any structure that is within the building's curtilage and which has existed since before 1st July 1948. The 2 directly adjoined single storey outbuildings, and the section of drystone boundary wall subject of the scheme, lie to the rear and side of the plot. Whilst the outbuildings stand at a higher level to, and a short distance from the cottage, they have a clear visual, spatial and functional relationship with it. This is not obscured or otherwise altered by the cottage's modern extension. For these reasons, and given that the qualifying age of the outbuildings is not otherwise subject of dispute, the outbuildings are covered by the listing.

5. The status of the boundary wall is less clear. As a whole, the wall largely encloses the side of the plot on which Holly Cottage stands, albeit large sections are obscured by ivy. The wall clearly has a principal and ancillary relationship to the cottage, and, in the absence of evidence to the contrary, it appears likely that all or at least part is of pre-1948 date. I have therefore assessed Appeal B on the basis that the boundary wall is covered by the listing.
6. As both the outbuildings and wall form separate features within the curtilage of Holly Cottage, they also exist as components within its setting. This is reflected in my definition of the main issue below.

Main Issue

7. The main issue is the effect of the scheme on designated heritage assets, including: whether the proposal would preserve a Grade II listed building, its setting, or any of the features of special architectural or historic interest that it possesses; and whether the proposal would preserve or enhance the character or appearance of Little Rissington Conservation Area (the Conservation Area).

Reasons

8. Insofar as it is relevant to these Appeals, the special interest and significance of Holly Cottage lies in the seventeenth to early eighteenth century date of its main range, and its vernacular construction and materials.
9. The rear and side walls of the outbuildings and the boundary wall are constructed of materials similar to those of the cottage. One of the 2 outbuildings retains an old sate roof. Elements of the original roof structure appear to survive, together with joinery, including a timber partition and stable door. These features, together with the linear form and modest scale of the outbuildings, suggests possible historic use as stabling.
10. The front of the outbuildings has been subject of insensitive modification. This includes projecting additions which have facilitated use as garaging. The traditional functional character, scale and appearance of the outbuildings nonetheless remains discernible. In this regard, the outbuildings hold modest interest in themselves, and provide the setting of the cottage with historic context. The wall has likewise seen some modification, but nonetheless continues to perform an important traditional function in enclosing the plot. Each therefore plays a modest positive role within the setting of Holly Cottage.
11. The site is also located within the Conservation Area. Insofar as it is relevant to these Appeals, the special interest and significance of the Conservation Area resides in the historic layout of the village, and the collection and interrelationship of historic buildings and spaces that it contains. As the road through the village curves around the plot, Holly Cottage, the outbuildings, and the boundary wall, are each directly visible within the streetscene, and their relationship is apparent. In this regard the traditional character of the outbuildings is also readily perceived, notwithstanding their unsympathetic modification. The character of the wall, and the function it plays in enclosing the plot, is also consistent with the broader pattern within the streetscene. Both the outbuildings and wall therefore make modest positive contributions to the character, appearance and significance of the Conservation Area.
12. The scheme would see the outbuildings converted, including an extension constructed immediately in front of the outbuilding currently roofed with

corrugated sheeting. The extension would be similarly orientated, and of similar form. Its position would nonetheless be clearly at odds with the existing linear arrangement of the outbuildings. This would be further highlighted by the awkward junction created between the roofs, their differing pitches, and differing ridgelines. As such, the extension would appear incongruous. This would be appreciable both within the plot and from the street, causing harm within both contexts.

13. The scheme would also see replacement of the existing corrugated roofing with a slate finish matching that on the other outbuilding. The corrugated roofing holds no obvious interest in itself, and whilst a more uniform appearance would be created, a slight drop in the ridge line would enable the roofs of the 2 outbuildings to remain distinguishable. However, the roof would be obscured, and its form compromised by that of the extension, as established above.
14. The projecting additions would be removed from the frontage of the slate roofed outbuilding, and a rough lean-to structure would be removed from its side. These would be beneficial measures in themselves. The proposed frontage treatment would however feature casement windows of typically domestic type set within a block of timber cladding. This would not reflect or reinforce the historic character of the building in any obvious way. Similar windows would be employed elsewhere within the scheme. These windows would harmfully undermine the historic functional character and identity of the outbuildings. This would be further accentuated by omission of a point of access from the front. The domestication of the outbuildings would be appreciable from both within the plot, and from the street, again giving rise to harm within both contexts.
15. The scheme would additionally include removal of a short section of the boundary wall, enabling widening of the access. Though minor, this loss of enclosure would be made apparent by the fact that the boundary wall would remain in place on the other side of the access. It would also be noticeable viewed relative to the prevailing pattern within the streetscene, and further highlighted by the proposed splay. This would harmfully undermine both the enclosure of the plot, and the traditional role this plays within the streetscene.
16. The Council raised further concern over the proposed independent use of the proposed dwelling. This would mean that the use of the outbuildings and the cottage would be experienced separately. Nonetheless, the buildings would not be physically severed from the cottage given that the plot layout would remain much the same as at present, with access shared off the yard between. In this regard, separate use would not prevent the historic relationship between the two buildings from being perceived. This would nonetheless be harmfully compromised by the changes in character outlined above.
17. In view of my findings above, as a whole the works would not achieve preservation of the outbuildings and wall, or preserve the contribution that they make to the setting and significance of Holly Cottage. They would likewise fail to preserve or enhance the character or appearance of the Conservation Area. With reference to paragraph 196 of the Framework, I find therefore that the proposal would cause less than substantial harm to the significance of both Holly Cottage and the Conservation Area. I attach great weight to harm that would be caused to the outbuildings and wall, and considerable importance and weight to the harm that would be caused to the setting of the cottage, and to

the Conservation Area. It is necessary to balance this harm against the public benefits advanced in favour of the scheme.

18. The scheme would provide a single small dwelling. This would help to satisfy a general demand for new housing, which the appellant claims includes a need for small units. The scale of the social and economic benefits generated by provision of a single dwelling would however be very limited. As such this consideration attracts very limited weight.
19. The appellant states that residential conversion is the only viable option. Even if so, this does not provide direct justification for the design proposed, or the harm that it would cause. As such this consideration does not attract weight.
20. Insofar as removal of insensitive features has been advanced as a benefit, I have considered this within the overall context of the conversion scheme above. Given the harm identified, this consideration does not attract weight.
21. In summary, I have attached limited weight to the public benefits of the scheme. This would not outweigh the harm that it would cause.
22. For the reasons outlined above I conclude that the scheme would have an unacceptable effect on designated heritage assets, failing to preserve the outbuildings and boundary wall, and the contribution that these make to the setting of Holly Cottage, and failing to preserve or enhance the character or appearance of the Conservation Area. With regard to Appeal A, and insofar as it is relevant to Appeal B, the scheme would conflict with Policy EN10 of the Cotswold District Local Plan (the LP) which reiterates national policy relating to heritage assets; Policy EN11 of the LP which seeks to preserve and enhance conservation areas; and Policy EN2 of the LP which seeks to secure design which respects local character and distinctiveness. 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

23. The appellant claims that refusal of the scheme was inconsistent with other approvals in the area. However, whilst the limited details with which I have been provided indicate differences in character and context, I have otherwise necessarily considered the appeal scheme on its own merits.
24. 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 immediate streetscene, and none within the surrounding landscape, the natural beauty of the AONB would be conserved.

Conclusion

25. 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