



Appeal Decision

Site Visit made on 21 July 2021

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2021

Appeal Ref: APP/C1625/W/21/3273548

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.20/2563/FUL, dated 27 November 2020, was refused by notice dated 22 March 2021.
 - The development proposed is erection of a new dwelling and demolition of existing outbuildings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have invited comments from the main parties on the revised National Planning Policy Framework (the Framework), issued in July 2021. Also, I have taken into account the comments received.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Eastcombe Conservation Area (the CA).

Reasons

4. The CA includes part of the built up area of Eastcombe. Its significance partly lies with its quintessential village appearance including stone buildings and boundary walls and a green at its centre. At various points there are views towards the countryside which help emphasise the village's rural setting. Fidges Lane includes a number of properties but it has a distinct edge of village feel by virtue of its narrowness, lack of pavements and roadside vegetation.
5. The appeal property includes a house and outbuildings with a sizeable garden between it and Maple Cottage. Both Fort View and its neighbour are attractive stone buildings that add to the quality and character of the lane. Along the roadside boundary is a stone wall, behind parts of which is a close boarded fence. However, as the land level rises up, the garden and trees and hedges on the back boundary are seen from the road. Such views emphasise the rural setting of the village and allow clear appreciation from the highway of the attractive architecture of the appeal property and Maple Cottage. The site is not identified as open space worthy of retention, but nevertheless it contributes positively to the significance of the CA.
6. By virtue of its size and height above road level, the proposed house would be clearly visible from Fidges Lane. While garden would remain to the front, the

mass of the dwelling would obstruct views of vegetation along the back boundary and erode the openness of the site. As such, it would undermine the rural feel of the area. Moreover, the proposed dwelling would lie above and would be close enough to compete for attention with Fort View and Maple Cottage. Therefore, it would detract from the contribution that these properties make to the area.

7. The appellants suggest the house would help frame the space between Fort View and Maple Cottage. However, its positioning sideways to the road would not form any meaningful sense of enclosure. Also, there is no evidence to suggest that the existing properties have previously formed the sides of an enclosed area. As such, I am unconvinced by the claim that the proposal would look as though it has always been there.
8. The development would be of a traditional style and constructed of suitable materials. It would be of a scale in keeping with properties in the area and so it would not appear unduly cramped or oversized. The dwelling would be orientated similar to Fort View and so it would not be unusual in this regard. As there is no local consistency, its set back position would not be at odds with any pattern of development. However, these acceptable aspects of the scheme would not address or override the harmful effects as identified above.
9. The proposed works to the access would not result in any net loss of stone wall. Also, the minor increase in hard surface across the roadside grass verge would not be discernible compared to the current situation. Therefore, these elements of the scheme would have a neutral effect on the CA's significance.
10. The flat roof garage does not reflect the prevailing traditional style of buildings in the locality. However, it is screened to a significant degree from the lane by the appeal property and the roadside wall and fence with the only clear view through the existing access gap. As such, its removal would be only a minor benefit. Having regard to all of its elements, the development's overall effect would be harmful to the locality's visual qualities.
11. The appeal scheme is a revision to a previous proposal for a house on the site which was dismissed at appeal. The current scheme omits elements such as fencing that were the cause of concerns for the previous Inspector. However, similar to the original scheme, the proposal before me would result in a loss of openness and the backdrop being obscured. Therefore, it would not be inconsistent with the previous decision to also dismiss this appeal.
12. For these reasons, I conclude the proposal would not preserve or enhance the character or appearance of the CA. As such, it would not accord with policies CP14, ES10, ES13 and HC1 of the Stroud District Local Plan 2015. Amongst other things, these seek to conserve heritage assets and to avoid the loss of open space which contributes to the setting of important buildings or an area.

Heritage balance

13. The proposal would affect only part of the CA and so it would cause less than substantial harm to its significance. In light of the provisions of the Framework, it follows to consider any public benefits of the development against the adverse effects on the CA.
14. The proposal would be within short walking distance of the nearby shop, school, church and pub and so it is likely that occupiers would support the

vitality of a rural community. It would add to the housing stock and as a small development could be delivered quickly. However, the Framework dictates that great weight should be attached to a heritage asset's conservation. As such, I find the public benefits of the development would not outweigh the adverse effects on the CA's significance.

Other Matters

15. The development would lie within the zone of influence of the Cotswold Beechwoods Special Area of Conservation (SAC), a European Designated Site. As I am dismissing the appeal for other reasons, there is no need to consider whether the proposal would affect the integrity of the SAC or to carry out an appropriate assessment. If I had found the scheme to be acceptable in these regards, such a finding would not have affected my overall conclusion.

Conclusion

16. The identified harm means the proposal would not accord with the development plan policies when read as a whole. The benefits and other considerations are of insufficient weight to justify granting planning permission contrary to the development plan. As such, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR