
Appeal Decisions

Site visit made on 20 September 2021

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

an Inspector appointed by the Secretary of State

Decision date: 29 September 2021

Appeal A: APP/F1610/W/21/3266694

**Apple Tree Cottage, Angel Lane, Broad Campden, Gloucestershire
GL55 6UU**

- 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 Ken Rushton against the decision of Cotswold District Council.
 - The application Ref 20/03026/FUL, dated 26 August 2020, was refused by notice dated 22 October 2020.
 - The development proposed is described as new link between cottage and barn. Conversion of barn to dining room.
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Appeal B: APP/F1610/Y/21/3266709

**Apple Tree Cottage, Angel Lane, Broad Campden, Gloucestershire
GL55 6UU**

- 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 Ken Rushton against the decision of Cotswold District Council.
 - The application Ref 20/03027/LBC, dated 26 August 2020, was refused by notice dated 22 October 2020.
 - The works proposed are described as new link between cottage and barn. Conversion of barn to dining room.
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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 descriptions of development/works in the banner headings above are edited versions of those provided on the application forms, omitting unnecessary reference to previous applications.

Main Issue

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

Reasons

6. The appeal scheme relates to Apple Tree Cottage, which is listed at Grade II under its previous name of Kimberley Cottage. The listing includes a detached outhouse. Both the cottage and the outhouse are subjects of the appeal scheme. In this regard the Act sets out the desirability of preserving the special interest of listed buildings, and the National Planning Policy Framework (the Framework) makes clear that great weight should be given to the conservation of designated heritage assets.
7. Insofar as it is relevant to the appeals, the special interest and significance of the listed building lies in the likely C17th date of the cottage, and its modest vernacular design, which is characterised by its simple form, and its construction from local stone and thatch. It also lies in the visual, spatial and presumed historic functional relationship of the cottage with the outhouse, which stands separately alongside, with its ridge perpendicular. The outhouse appears to have been present by at least the late C19th and is similarly characterised by vernacular construction from stone and thatch. In this case it also additionally includes a traditional broad plank screen across its front.
8. The appeal scheme seeks to connect the cottage and outhouse with a glazed 'link', with the outhouse providing additional domestic accommodation. As the Council has previously approved conversion of the outhouse, its specific objection relates to the effects of providing the link.
9. Old maps show lines running between the cottage and the outhouse. It has been asserted that these represent walls. However, this is far from certain. Indeed, there appears to be no decisive physical evidence that the buildings were linked by walls in the past, and even if they were, it is highly unlikely that any internal connection existed between. This is not least because the buildings stand on different alignments. Notwithstanding inevitable signs that both buildings have undergone modifications over time, it appears that the cottage and outhouse have always been distinctly separate structures. In this regard their separation is reflective of differences in their relative status and function.
10. Despite their modern construction and appearance, glazed links are sometimes employed as a means of discrete connection between historic buildings. Whether or not they are successful or appropriate in this regard clearly varies by context and design. In this case the link would be much wider than required to achieve a simple means of access, entailing the removal of most of the frontage of the outhouse. As this would in effect provide a direct extension of the internal floorspace of the outhouse, the distinction between it and the link would be blurred. This would be further emphasised were domestic use of the outhouse to spill out into the link. In this regard, whether or not the timber screen is a replacement, its removal in conjunction with addition of the link, would erode the physical and visual integrity and identity of the outhouse.
11. The plans show no technical details of how the link would be constructed, weatherproofed and drained, but they do clearly show that its roof would cut

into that of the outhouse, well above the eaves line. Exactly how such a junction would be detailed is unclear, however both the low level of integration achieved, and the awkward appearance created would accentuate the loss of physical and visual integrity and identity identified above.

12. Addition of the link would also result in erosion of the physical and visual distinction between the cottage and the outhouse as separate historic entities. In this regard the insensitive nature of the design proposed, as too of related works, would amplify the harm that this would cause to both parts of the listed building, and the relationship between.
13. Harm caused by the scheme would be appreciable both internally and externally, including within principal views of the main front and rear elevations. Within this context the link would appear and be perceived as an obtrusive and inappropriate addition, detracting from the special interest and significance of the listed building as a whole.
14. Non-reflective glass would be used for the link. However, this would not cause the link to be invisible, or make any difference to my findings above.
15. As noted above, residential conversion of the outhouse has previously been approved. However, it does not therefore follow that its merger with the cottage should thus be considered appropriate, or that its merger with the cottage in the manner proposed would be acceptable. In both regards my findings above indicate the contrary.
16. My attention has been drawn to glazed structures added to other historic buildings, the existence of which I have also acknowledged above. The simple existence of such structures elsewhere does not however indicate that the addition of the proposed link, its design, and related works would be appropriate in this case. Indeed, I have again found that they would not.
17. The scheme would thus both fail to preserve the special interest of the listed building, and fail to conserve its significance. The harm caused to the significance of the listed building would be less than substantial, and such harm attracts great weight. In accordance with paragraph 202 of the Framework it is necessary to weigh this harm against the public benefits of the scheme.
18. The appellant has not identified any public benefits, and the scheme would indeed solely serve the private benefit of the occupants of the dwelling. Insofar as implementation of the scheme would generate building work, the benefits to the broader economy would be negligible. As such, the harm that would be caused by the proposed works would not be outweighed by public benefits. This indicates that the appeals should be dismissed.
19. For the reasons outlined above I conclude that the scheme would not preserve the special architectural or 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 EN2 of the Cotswold District Local Plan 2011-31 (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

20. The site is located in Broad Campden Conservation Area (the Conservation Area). In view of the duty set out in Section 72(1) of the Act, it is thus necessary for me to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
21. Insofar as it is relevant to this appeal, the significance of the Conservation Area resides in the historic layout of the settlement, and the collection and interrelationship of historic buildings and spaces that it contains, both public and private. Within this context the listed building is a notable feature within the streetscene, whose age, vernacular architecture and distinctive appearance positively contributes to the significance of the Conservation Area.
22. Despite the prominent location of the cottage, the link would not be clearly visible from within the public realm. This would however be at least partly due to the presence of boundary planting which could be removed in the future thus exposing the link to view. Moreover, and as outlined above, the Conservation Area is a sum of both its public and private parts. In causing harm to the significance of the listed building which would clearly be capable of being perceived from spaces within it, the scheme would also harm the contribution that the listed building makes to the significance of the Conservation Area as a whole. The harm caused would again be less than substantial. In this instance however, it would attract considerable importance and weight.
23. I am mindful of the fact that the effect of the scheme on the Conservation Area was not a reason for refusal, and that my findings differ from those of the Council who considered the effects to be neutral. However, and 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 202 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 Policy EN10 of the LP, 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 the appeals. I am therefore satisfied that the interests of neither party are prejudiced by my findings.
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 natural beauty. As the scheme 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

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 Appeals A and B should be dismissed.

Benjamin Webb

INSPECTOR