
Appeal Decision

Site visit made on 7 March 2022

by Mr S Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 April 2022

Appeal Ref: APP/P1615/W/21/3286332

Land at Snigs Acre, School Crescent, Corse, Gloucestershire, GL19 3RQ

- 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 Bondsgate Estates Limited against the decision of Forest of Dean District Council.
 - The application Ref P2162/20/FUL, dated 16 December 2020, was refused by notice dated 29 September 2021.
 - The development proposed is the erection of two residential dwellings and associated landscaping.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (1) whether the location for the proposed dwellings is appropriate given local and national planning policy; and (2) the effect of the development on heritage assets and the Staunton/Corse Locally Valued Landscape (LVL).

Reasons

Location of Development

3. The application site lies in close proximity but outside the settlement boundary of Staunton/Corse. As such, in planning policy terms it is in the countryside. Policy CSP.4 seeks to restrict new dwellings that are proposed outside of settlement boundaries unless a form of development such as affordable housing, which may be an exception. As such, the proposal is contrary to the development principles set out in policy CSP.4. There is no substantive evidence before me that housing is needed outside of any settlement boundary due to the particular housing needs in this area at Corse/Staunton.
4. Whilst not within a settlement boundary, the site is within a short distance of the amenities and facilities at Staunton/Corse to the extent that the development would be accessible. It would be a small scale development within a residential area with public transport links. With regards the location of the development outside the settlement boundaries, the dwellings as proposed would still be in broad accordance with policies CSP.1, CSP.5 and CSP16 of the Core Strategy and also policy AP.1 of the Allocations Plan on this main issue. These policies require that development be sustainable, demonstrate an efficient use of resources, and sets out required housing numbers across the district (including some within rural areas), for example.

5. Further to the above, I acknowledge that the Council cannot demonstrate a sufficient housing land supply. The proposal would result in two new dwellings towards housing supply. This will be considered with the latter planning balance.

Heritage Assets – Snigs End (Staunton Corse) Conservation Area (CA)

6. The site is within the CA. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas in the exercise of planning functions. The National Planning Policy Framework (the Framework) also advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 199 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
7. The proposed two dwellings would be located in an area of mostly open land which appears mainly to have been used in recent times as a paddock, though there is also a tennis court and some other structures within the site area. However, this site once formed part of the plot for the property known as Greenway. As explained in the submitted evidence from both parties, this part of Corse was a Chartist settlement and Greenway was one of the original Chartist cottages. This is of significant historic importance with the plot sizes a reflection of this as they are of a sufficient size to allow the owners of each plot to vote. The two acre plot sizes also would have resulted in a settlement of characteristic openness. It is a combination of the spacious plot sizes with the distinctive cottages that results in the special character and appearance of this former Chartist settlement within the CA.
8. The site of the proposed houses has been separated from the ownership of Greenway for approximately 50 years. However, this has not resulted in any substantial development in the site area, which is a significant part of the Greenway plot, or any considerable changes to its form. The site area still is legible as part of a Chartist plot due to its size, openness and geometric form in association with Greenway, even if in different ownership. Part of the original plot may have been lost already, but the site is still a sizable area which is largely open and maintains this geometric form.
9. The Snigs End Conservation and Character Assessment (CCA) makes clear the importance of the Chartist history. Indeed, the significance of the CA is largely derived from the historic, social and cultural importance of the Chartist settlement. Particularly key to the appreciation of this is the remaining Chartist cottages set within their spacious geometric plots. The CCA has, however, highlighted the examples of infilling as detrimental to the character of the Chartist settlement in its coverage of 'alien and undesirable features' in the CA.
10. There has been change through the years within this area and around School Crescent, which is evident from the maps submitted from different periods. This has diminished the historic layout of the chartist settlement by splitting up the Chartist plots and also the loss of some openness. However, this change has not resulted in the loss of all the Chartist character. Furthermore, it is my view that this means that it is of particular importance to safeguard and enhance where possible what remains of the layout of the Chartist settlement.

Indeed, the CAA states that within the CA it is important to safeguard and enhance what remains of the layout of the estate.

11. The proposal would introduce two new dwellings set within what was a Chartist Plot. In doing so, what remains of this Chartist plot would be partitioned with some loss of openness. The result would be that the original plot would be much less appreciable as part of the original Chartist layout. It would appear as two smaller and separate residential plots, far removed from the original Chartist cottage within its typical two acre plot. The historic openness of the site would also significantly be eroded with the introduction of the two sizable dwellings, which would likely be visible to some degree even with the proposed vegetation enhancements and existing hedgerows.
12. As the site can still be appreciated as part of a Chartist plot, within what was the historic Chartist layout, the proposed development would erode and dilute these qualities. The loss of characteristic openness and the reduced legibility as part of an original Chartist plot as a result of the proposed dwellings would be of detriment to the CA significance, which partially derives this significance from the unique pattern of spacious plots characteristic to the Chartist settlement layout. If developed as proposed, the harm to the significance of the CA in the area of the site would likely be irrevocable. Contrary to the advice and guidance within the CAA, the proposed development would fail to either safeguard or enhance what remains of the layout of the Chartist estate.
13. There would be enhanced landscaping and the proposed single storey dwellings have clearly been designed to be sensitive to the surrounding built form. There is also the benefit to the CA of the removal of the tennis court for example. However, such positive aspects are clearly outweighed by the harm to the CA due to the proposed development within a Chartist plot. The proposal would therefore fail to preserve the CA and would amount to less than substantial harm.

Listed Buildings

14. The Council has highlighted two nearby listed buildings, both Grade II, which they state are harmed by the proposed dwellings within their settings. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, (the Act) is relevant to this appeal as it requires special regard as to whether to grant planning permission for development which affects a listed building or its setting.
15. The first is Greenway cottage, which as stated above is an original Chartist cottage. The site was originally part of the typically large plot of Greenway within this Chartist settlement. The listing states that Greenway was listed principally for its historical and sociological interest, noting that it was built in 1848 for the 'National Co-operative Land Company'. Part of its important history is that it had the plot size which was of fundamental importance to allow the plot holder to have voting rights.
16. The site for the proposed houses is a large part of the original large plot. There are some glimpsed views between the site and Greenway cottage (even if these views are mainly of more modern extensions). As such, the site is part of the setting of this listed building and has a visual and particularly important historic relationship with the listed cottage. Whilst under separate ownership, the historic relationship has not been significantly eroded and can still be

understood. The site as existing is largely undeveloped and the historic relationship with the listed Greenway cottage can still be appreciated, even with some of the surrounding post-Chartist development taken into consideration.

17. However, the infilling of the site with two new dwellings would undermine and further diminish the historic relationship that the site has with the listed cottage, as any link would be largely lost by the further partitioning of the land and the substantial new built development in place of the existing openness. It is therefore my view that the proposal would diminish and therefore harm the historic setting of Greenway cottage. The proposal would result in less than substantial harm.
18. It has been brought to my attention that Greenway was listed after the severance of the land which is now the site of the proposed development. Whilst the severance of this land to a different ownership would likely have been noted, the site was not developed for houses at the time. As such, the setting to Greenway would be much as it exists now, with the general openness and historic relationship.
19. I have had regard to the appeal at 'Lyndale' which has been submitted to me, ref: APP/P1615/W/16/3152190. However, whilst I acknowledge the Inspector comments there are differences between the proposals and the circumstances of each case. In this appeal adjacent to Snigs Acre I do not agree that the historic plot layout has already been lost. I have considered this appeal primarily on its own merits.
20. With regards to The School House, the listing states that this building forms a group with Chartist Cottages, but it was built in 1871 after the Chartist settlement was created. It therefore appears to have less of a connection with the Chartist history than the actual Chartist cottages. The listing does not state, from my reading, that The School House was listed due to any historic connection with the Chartist plots adjacent to it. As such, the infilling of the site with two additional houses would not, in my view, harm the setting of The School House from a historic perspective.
21. The proposed two dwellings would be within the setting of The School House, but there are other modern dwellings adjacent to this listed building. The proposed dwellings would not be of a scale or design that would detract from The School House or harm its setting.
22. As such, with regard to The School House, the setting of this listed building would be preserved, in accordance with policies CSP.1 of the Core Strategy and policies AP4 and AP5 of the Allocations Plan.

Heritage Balance

23. The proposed two dwellings would be harmful to the setting of the listed building at Greenway and the character and historic significance of the Conservation Area. Nevertheless, the harm would be less than substantial to both listed building and CA, and in accordance with paragraph 202 of the Framework, that harm should be weighed against any public benefits of the proposal.
24. There are public benefits, such as the removal of the tennis court, enhanced biodiversity, the provision of two dwellings towards local housing land supply

(where there is a shortfall against the requirement), and the quality of the appearance of the proposed dwellings. I also note the landscaping proposed as part of the development which could have wider visual benefits. However, these public benefits, even when considered cumulatively, do not offset the identified harm to the heritage assets, to which I must attach considerable importance and weight.

25. Therefore, with regards to the CA, the proposal is contrary to policy CSP.1 of the Core Strategy and policies AP4 and AP5 of the Allocations Plan. These policies require development to protect the historic character of the district and take account of local history, amongst other things.
26. The proposal would also fail to preserve the setting of the listed building known as Greenway, therefore being contrary policy CSP.1 of the Core Strategy and policies AP4 and AP5 of the Allocations Plan, which requires, for example, that development pay particular attention to protected buildings including designated heritage assets.
27. The proposal is also contrary to both Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and also Paragraph 199 of the Framework, as the development would not result in the conservation of these heritage assets.

Locally Valued Landscape

28. The site is within the Staunton/Corse Locally Valued Landscape (LVL). Policy AP109 is particularly relevant as it considers this LVL. The policy sets out that development proposals within this LVL would be required to demonstrate that they are able to be implemented without detriment to the setting or the conservation of the CA. It is therefore clear that the LVL designation relates to the CA, which itself is designated for reasons such as to preserve the historic Chartist settlement.
29. As the proposal would fail to preserve the CA then it also has an adverse impact to the LVL, which seeks to ensure against detrimental impact to the Chartist settlement, whether within the CA or the wider setting. As such, the proposal is contrary to policy CSP.1 of the Core Strategy and policy AP 109 of the Allocations Plan due to the harm to the significance and character of the CA, as set out in the 'Conservation Area' section above.

Planning Balance

30. The Council is presently unable to demonstrate a five-year supply of deliverable housing sites. In such circumstances, paragraph 11 d) of the Framework states that planning permission should be granted, unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. As detailed within footnote 6, these areas and assets of particular importance include designated heritage assets. As I have found that the proposal would fail to preserve the setting of a listed building or the significance of a CA, the application of policies in the Framework provide a clear reason for refusing the proposal in this particular instance. As such, the 'tilted balance' does not apply.
31. There would be benefits nonetheless as set out in the heritage balance, particularly the provision of two dwellings towards the local housing land supply

in an accessible location. However, the benefits of providing only two dwellings would be limited.

32. Paragraph 134 of the Framework states that significant weight should be given to development which reflects local design policies and government guidance or is an example of outstanding or innovative designs which promote high levels of sustainability, for example. Whilst I appreciate the design approach, I would not regard the proposed dwellings as outstanding in their design or that they would be particularly innovative. Furthermore, paragraph 130 of the Framework sets out that decisions should ensure that developments are sympathetic to local character and history. In my view, the proposal is not sympathetic to heritage assets and the historic layout of the area and would be an inappropriate change.
33. In terms of the location of the development, outside of a settlement boundary, its location is such that I would regard the site as accessible. It is also within a residential area. Although contrary to policy CSP.4, the harm would be limited to its conflict with the policy, with the location otherwise being of little or no harm due to its good levels of accessibility.
34. Whilst there is very limited harm with regard the site being outside of a settlement boundary, I have found that there would be harm to the CA and the setting of the Grade II listed building of Greenway. These are designated heritage assets which the development would fail to preserve, whereas the Framework states that great weight should be given to heritage asset's conservation. That harm to these heritage assets would not be outweighed by any public benefits of the scheme. The proposal would also be harmful to the designated LVL. This cumulative harm I give great weight in the planning balance.
35. Overall, whilst I have acknowledged that there are some limited benefits to the development, on balance I conclude that the adverse impacts of this development significantly and demonstrably outweigh the benefits. There are no material considerations that indicate a decision other than in accordance with the Development Plan policies with this appeal.

Conclusion

36. For the reasons given above I conclude that the appeal should be dismissed.

Mr S Rennie

INSPECTOR