



Appeal Decision

Site visit made on 17 May 2022

by M. P. Howell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: Tuesday 31 May 2022

Appeal Ref: APP/F1610/D/22/3291369

Park House, Road From Junction With A429 To Junction With A436

Maugersbury GL54 1HP

- 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 Simon Meyrick against the decision of Cotswold District Council.
 - The application Ref 21/03621/FUL, dated 22 September 2021, was refused by notice dated 25 November 2021.
 - The development proposed is for the construction of an open sided single storey pole barn for protection of parked cars.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the development on the character and appearance of the site, including whether it would preserve or enhance the character or appearance of the Stow on the Wold and Maugersbury Conservation Area, and the setting of Park house, a Grade II Listed Building.

Reasons

3. The appeal site is located within Stow on the Wold and Maugersbury Conservation Area (Conservation Area) and the Cotswold Area of Outstanding Natural Beauty (AONB). There is no specific appraisal for the Conservation Area, however, the designation appears to be centred principally around the historic core of the Stow on the Wold town, but also extends in a southerly direction to include Maughesbury Manor and its setting. Based on my observations, the Conservation Area is largely defined by the architectural quality, as well as the historic context and identity of its buildings and their settings.
4. The appeal site is land to the north of Park House, a Grade II Listed Building (Listed Building). The land sits in between two roads, and consists of largely undeveloped sloping fields, interspersed with some broadleaved wooded areas and enclosed by traditional stone walling. Park House originally formed a wing of the listed Maugersbury Manor, but has now been converted to a separate residential dwelling. Despite the subdivision of Maugersbury Manor, and the partial erosion of its setting to the west of the forecourt and drive, the land to the north remains largely undeveloped and appears as a naturalised parkland. The naturalised parkland provides context to the rural setting of the Listed Building and Maugersbury Manor. For these reasons, the land has local historic interest as a non-designated heritage asset and is considered significant to the

character or appearance of the Conservation Area and the setting of the Listed Building.

5. The design approach of the proposed development looks to replicate a traditional agricultural pole barn. However, the building is not proposed for agriculture, and the low height, materials and simple flat roof design is more reflective of its function as a residential car port. The siting of the building in this location would also introduce development into an area that is largely undeveloped and devoid of residential outbuildings of this design, size and scale. Consequently, the proposed development would be at odds with the unspoilt character and appearance of the naturalised parkland, which contributes positively to the character or appearance of the Conservation Area and the setting of the Listed Building.
6. The proposed development would not be highly prominent from public vantage points, with most views being from the private access to the east, as well as the wooded area and undeveloped fields to the north. Nonetheless, this does not lessen the harm the proposed development would have on the Conservation Area and the setting of the Listed Building. The statutory duties in Section 72(1) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, relate to the preservation of designated heritage assets, and are a matter of considerable importance and weight. The proposal would fail to preserve or enhance the character and appearance of the Conservation Area and the setting of the Listed Building, harming the significance of the heritage assets.
7. The National Planning Policy Framework (the Framework) states that harm to a heritage asset might be defined as 'substantial' or 'less than substantial'. Planning Practice Guidance (PPG) advises that in general terms, harm resulting from modest or minor development, is likely to be less than substantial. Due to the modest scale of the proposal, I would consider the harm as 'less than substantial'. Paragraph 202 of the Framework is applicable in these instances and indicates that less than substantial harm to heritage assets should be weighed against the public benefits of the proposal. The development is for a car port associated with a residential dwelling. As such, the benefits are principally private, with some minor economic benefits from the construction of the car port, in terms of additional expenditure in the local economy. I consider that the public benefits would be limited and would not be sufficient to outweigh the less than substantial harm that I have identified.
8. Accordingly, the proposed development would adversely impact on the character and appearance of the site, failing to preserve or enhance the character or appearance of the Conservation Area as well as the setting of the Listed Building. Consequently, the proposed development would be contrary to the objectives of Policies EN10 and EN11 of the Cotswold District Local Plan 2018, which seek to ensure development does not result in harm to designated heritage assets and their settings. The scheme would also be contrary to the policies set out in section 16 of the Framework.
9. In line with the statutory duty of s85(1) of the CROW Act 2000, I have given weight to the conservation (and enhancement) of the landscape and scenic beauty of the AONB. However, the changes would be viewed within the context of the parkland, hidden from wider viewpoints in the landscape. Accordingly, I do not find that the proposed scheme would be harmful to the wider landscape

of the AONB, and therefore it would conserve the landscape and scenic beauty of the AONB.

Other Matters

10. I appreciate that the appellant has removed unsightly and dilapidated agricultural buildings from the land, enhancing the significance of the naturalised parkland in the Conservation Area, and the setting of the Listed Building. However, the existence of these agricultural buildings, and their subsequent removal, is not sufficient justification for allowing the proposed development. Despite its design to replicate a pole barn, the proposal is for a residential car port, which would not appear or function as an agricultural building. As such, I would afford this limited weight in my determination, and it does not alter my view on the main issue.

Conclusion

11. For the reasons given above and taking into account the development plan as a whole and all other matters raised, I conclude that the appeal should be dismissed.

M. P. Howell

INSPECTOR