



Appeal Decision

Site visit made on 5 July 2022

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 July 2022

Appeal Ref: APP/F1610/W/22/3294617

Cliffordine House, Cheltenham Road, Rendcomb, Gloucestershire GL7 7ER

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Mr Simon Collier against Cotswold District Council.
 - The application Ref 21/03879/OUT, is dated 5 October 2021.
 - The development proposed is described as "erection of four bedroom house located as block plan 'A'".
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Decision

1. The appeal is dismissed and planning permission for erection of four bedroom house located as block plan 'A' is refused.

Preliminary Matter

2. The application form indicates that outline planning permission is sought with all matters reserved. However, drawing 'A' shows the position and footprint of the proposed house and it is not annotated as being submitted for illustrative purposes. Therefore, my decision is based on the details as shown on this plan.

Main Issues

3. In light of the Council's comments, the main issues are (i) whether the development would be in a suitable location having regard to the policies of the Cotswold District Local Plan 2018 (LP) and the National Planning Policy Framework (the Framework), (ii) its effect on the character and appearance of the area and whether it would conserve or enhance the landscape and scenic beauty of the Cotswolds Area of Outstanding Natural Beauty (the AONB), and (iii) whether it would preserve the setting of the listed buildings, Rendcomb Manor and its associated barn (the LBs) and its effect on their significance.

Reasons

Suitability of location

4. The proposed development would be outside any defined settlement and no case is made that it would comply with any LP policy that allows new housing in the countryside. As such, it would not accord with LP policy DS4. Also, the Framework resists isolated new homes in the countryside except in certain circumstances. There is no evidence that the proposal would fall within any of the acceptable categories of development at paragraph 80 of the Framework.
5. The appellant contends the proposed house would not be isolated and it would be seen with other properties. Even if I was to accept this contention, it is

unlikely that occupants of the dwelling would walk to the nearest facilities in Rendcomb village due to the significant separation distance and the lack of pavements on the route. There is a nearby bus stop but no information has been provided on the frequency of bus services. In any event, it is probable that future residents would mainly travel by car to access facilities. Therefore, it is likely they would drive longer distances to the broader range of services in the nearest towns rather than support the limited facilities in Rendcomb. As such, the proposal would conflict with the Framework's aim to locate housing where it would enhance or maintain the vitality of rural communities.

6. For the above reasons, I conclude the development would not be in a suitable location having regard to LP policies and the Framework.

Character and appearance

7. The appeal site is a small part of a paddock next to Cliffordine Lodge. A drive from the road leads pass the site and around the paddock to Cliffordine House, which is adjacent to the LBs. Despite these nearby properties and the buildings on the other side of the road, the area largely comprises fields and woodlands. The pasture land and mature vegetation on the sides of the River Churn valley create a highly attractive countryside environment. The appeal site itself contains no features of any particular visual interest now that the tree that it once contained has been felled. However, the lack of buildings on the paddock as a whole reinforces the rural nature of the locality.
8. There is limited information on the details of the proposed development. However, a four bedroom house with associated parking, domestic paraphernalia and lighting is bound to change the appearance of the site. The dwelling and residential activity would erode the openness of the plot and would undermine the rural character of the area.
9. Only a small part of the paddock would be affected by the scheme. Moreover, the house would not be prominent from the highway as it would be screened by roadside vegetation and Cliffordine Lodge. However, it would be seen from adjacent properties and fields and from the driveway. From these vantage points, the proposed encroachment into the paddock would be readily apparent.
10. Where visible, the house would be viewed near to other residences. Also, the reserved matters approval process could secure a development of high quality, sympathetic design as well as sensitive landscaping. In these regards, the house would be in keeping with its surroundings.
11. However, it has not been demonstrated that the scheme would enhance the area as claimed by the appellant. I am unconvinced that any positive aspects of the proposal's design would fully address or overcome the harm to the rural characteristics of the area and associated detriment to the scenic and natural beauty of the AONB. The development would have only localised visual effects but even so, it would undermine the intrinsic qualities of the countryside.
12. Therefore, I conclude the development would harm the character and appearance of the area. Also, it would not conserve or enhance the landscape and scenic beauty of the AONB. In these regards, it would not accord with LP policies EN1, EN2, EN4 and EN5. Amongst other matters, these seek to protect the natural landscape from harm.

Effect on setting and significance of listed buildings

13. Rendcomb Manor is a grade II listed house that originates from the 17th century. The barn is a grade II listed building from the 18th century. Both gain their significance from their age and the retention of architectural features of interest. Also, the surrounding open countryside illustrates the buildings' historic agricultural connections and allows distant views of the LBs.
14. The proposed dwelling and the loss of part of the paddock would erode the countryside setting to the LBs. Moreover, the development is bound to block views of the Manor and the barn, particularly from the section of the drive directly in front of the site. Such views would be from a distance and the sight of the LBs from this position is already partially restricted by trees and by the garage at Cliffordine House. Nonetheless, the diminution of open pasture land as well as the obstruction of views would cause harm to the setting of the house and the barn. There is no convincing explanation as to how the proposal would be designed so as to enhance the setting of the LBs and I am unaware of any planning conditions that would address the identified harm.
15. As a consequence of the detriment to the LBs' setting, the development would undermine their significance. The level of harm caused would be less than substantial given that only a small element of the LBs' setting would be affected. Even so, the harm attracts considerable weight.
16. In such circumstances, the Framework and LP policy EN10 requires any public benefits of the development to be considered against the adverse impacts. The scheme would add to the housing stock but this attracts only modest weight as only a single unit is proposed and there is no evidence of any significant need for new residences. As such, I find the public benefits of the scheme would not outweigh the identified harm.
17. Therefore, I conclude the development would not preserve the setting of the LBs and that it would undermine their significance. In these regards, it would not accord with LP policies EN1 and EN10 which aim to prevent harm to the significance of designated heritage assets and their settings. LP policy EN2 is referred to by the Council but this contains no provisions relevant to this issue.

Other Matter

18. I am advised that recreation is causing harm to the Cotswold Beechwoods Special Area of Conservation (SAC). However, as I am dismissing the appeal on other grounds, there is no need for me to consider the development's effects on the SAC or carry out an assessment under the provisions of the Conservation of Habitats and Species Regulations 2017. A finding that the scheme would be acceptable in these regards would not affect my conclusion.

Conclusion

19. The proposal would not accord with LP policies for the reasons identified above. Insufficient justification exists to grant planning permission contrary to the development plan and so I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR