
Appeal Decisions

Site visit made on 4 July 2022

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

an Inspector appointed by the Secretary of State

Decision date: 14TH July 2022

Appeal A: APP/F1610/W/22/3290884

The Dovecote, Hidcote Farm, Hidcote Boyce, Chipping Campden, Gloucestershire GL55 6LT

- 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 Gavin Summers against the decision of Cotswold District Council.
 - The application Ref 21/03699/FUL, dated 29 September 2021, was refused by notice dated 24 November 2021.
 - The development proposed is described as orangery to rear.
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Appeal B: APP/F1610/Y/22/3290877

The Dovecote, Hidcote Farm, Hidcote Boyce, Chipping Campden, Gloucestershire GL55 6LT

- 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 Gavin Summers against the decision of Cotswold District Council.
 - The application Ref 21/03700/LBC, dated 29 September 2021, was refused by notice dated 24 November 2021.
 - The works proposed are described as orangery to rear.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Main Issue

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

Reasons

4. The Dovecote, together with 2 adjoining properties, The Linhay and Settlestones, form the Grade II listed building in this case. Whilst the Act sets out the desirability of preserving listed buildings, paragraph 199 of the National Planning Policy Framework (the Framework) makes clear that great weight should be given to the conservation of designated heritage assets.
5. Insofar as it is relevant to these appeals, the special interest and significance of the listed building resides in its original vernacular construction as a simple

linear structure serving to accommodate a range of agricultural functions. These comprised a cart shed, barn and stable, with a row of pigeon holes incorporated above the latter. Notwithstanding the modern property names, neither a dovecote nor lincay formed part of the building. In this regard The Dovecote occupies the part of the building which historically functioned as the stable.

6. The conversion of the listed building for residential use was not achieved without significant domestication of both the building and its setting. Aside from the addition of chimney stacks, this included the insertion of dormer windows across the previously largely blank rear elevation. It also included a number of ground floor doors and windows within the latter, whose insertion was allowed through excavation of the ground into which the building was built. Domestication has clearly diminished the special interest and significance of the listed building. Nonetheless, and despite the addition of a side extension of indeterminate character to The Lincay, when taken in the round the original functions of the listed building remain capable of perception.
7. The scheme would see the addition of an orangery to the rear of The Dovecote. Structures of this type are wholly alien within an agricultural context. As such, its addition would not in any way reflect the historic character or function of the building. Though, as established above, the rear elevation has been heavily domesticated already, the orangery would be a more overt expression of domestication than has occurred previously. This would be further emphasised by its projection from the rear elevation, at odds with the historic linear form of the building. Whilst thus causing harm in its own right, the orangery would greatly accentuate the existing adverse effects of the original conversion scheme.
8. Enlargement of a window to provide access to the orangery would additionally see some loss of fabric. Though it is suggested that the light colour the stonework in question may indicate that it is not historic, its relatively fresh appearance could otherwise reflect the fact that the lower part of the wall was historically set into the ground. The loss of fabric would be modest, particularly when set against the amount of material previously removed to form the existing opening. Considered within the context of the scheme as a whole, this would nonetheless slightly increase the overall amount of harm caused.
9. In relation to Appeal A, the scheme would also include relocation of a set of steps within the modern retaining wall to the rear. Given that the effect of this on the setting of the listed building would be neutral in nature, this aspect of the proposal is uncontentious. As the purpose of relocation would be to provide a direct link between the garden and the orangery, it nonetheless forms an integral part of the overall scheme. In this regard the fact that relocation of the steps would be acceptable when taken in isolation does not alter my overall finding of harm.
10. As noted above, The Lincay has previously been extended. The extension in question is however of differing design and type and does not project from the rear elevation. Whether or not it holds merit in itself, it is not therefore comparable to the current proposal. The farmhouse with which the listed building was historically associated has also been extended. However, this has no direct relevance to the current case given that the farmhouse is a distinctly separate building of domestic type.

11. The rear elevation is not mentioned within the list description. However, list descriptions of that date principally serve to identify the building, and so rarely extend beyond the front elevation. This does not mean that the rest of the building lacks interest. My findings above are therefore unaltered.
12. Visibility of the orangery would not extend much further than the surrounding private gardens. Nonetheless, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.
13. I therefore find that the scheme would fail to preserve the special interest of the listed building and fail to conserve its significance. The harm caused in relation to the latter 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.
14. Here 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 scheme would not be outweighed by public benefits.
15. 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 EN10 of the Cotswold District Local Plan 2011-31 (the LP) which reiterates national policy relating to heritage assets. With regard to both Appeals the scheme would otherwise fail to satisfy the requirements of the Act and heritage policy set out within the Framework.

Other Matters

16. The site is located in Hidcote Boyce Conservation Area (the Conservation Area). In view of the duty set out in Section 72(1) of the Act, it is thus necessary in relation to both appeals for me to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
17. Insofar as it is relevant to the appeals, the special interest and significance of the Conservation Area resides in the historic layout of the small rural settlement, and the collection and interrelationship of historic buildings and spaces that it contains, both public and private. Historic agricultural buildings play a particularly important role within this context. The listed building as such makes a positive contribution.
18. As noted above, the rear elevation of the listed building is not readily visible from within the public realm. Views of the orangery would therefore be unlikely to extend beyond adjacent private garden spaces, much, but not all of which are excluded from the Conservation Area. The Conservation Area is however ultimately a sum of both its public and private parts. By causing harm to the significance of the listed building which would be capable perception from spaces within it, the scheme would also harm the positive contribution that the listed building makes to 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.

19. I am mindful of the fact that the effect of the scheme on the Conservation Area was not considered in any detail by either party. It was also not a reason for refusal for either application. 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 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.
20. 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

21. The scheme would cause unacceptable harm to a listed building, 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