



Appeal Decision

Hearing held on 4 July 2023

Site visits made on 4 and 10 July 2023

by Paul Griffiths BSc(Hons) BArch IHBC

an Inspector appointed by the Secretary of State

Decision date: 28 September 2023

Appeal Ref: APP/F1610/W/23/3316891

Honeycombe Field, Church Farm, Little Rissington GL54 2ND

- 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 & Mrs Ben & Maddy Firth against the decision of Cotswold District Council.
 - The application Ref.21/04803/FUL, dated 23 December 2021, was refused by notice dated 19 August 2022.
 - The development proposed is described as 'a new house of exceptional quality (NPPF paragraph 80e) to be built together with Passivhaus Premium Standard with associated landscape and biodiversity enhancement measures'.
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Preliminary Matters

1. I was unable to carry out an unaccompanied site visit in advance of the Hearing. Nevertheless, I carried out an accompanied site visit that took in the site itself, the approach to it, and the immediate surroundings, after the Hearing closed. I returned unaccompanied on 10 July 2023, when I took in the approach to the site, and its surroundings, from public rights of way.

Decision

2. The appeal is dismissed.

Main Issues

3. As set out at the Hearing, these are (1) whether any accordance with paragraph 80 e) of the National Planning Policy Framework¹ would be a matter of such weight, as a material consideration, to justify setting aside the approach of the development plan to new housing outside principal and non-principal settlements, and to the protection of the Cotswolds Area of Outstanding Natural Beauty (AONB); and (2) whether the proposals meet the requirements of paragraph 80 e) of the Framework.

Reasons

4. The development plan for the area includes the Cotswold District Local Plan 2011-2031 (LP) that was adopted in August 2018. LP Policy DS4 sets out the approach to open market housing outside principal and non-principal

¹ A revised version of the Framework was issued on 5 September 2023 but the changes made have no effect on my consideration of the case in hand, so I have not sought comments on those changes post-event

settlements. It states that new-build open market housing will not be permitted outside these settlements unless it accords with other LP policies that expressly deal with residential development in such locations. All agree that the proposal does not accord with any of those exceptions and that what is proposed does not accord with LP Policy DS4.

5. LP Policy EN5 refers to the Cotswolds AONB. It says that in determining development proposals within the AONB, or its setting, the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight.
6. LP Policy EN4 deals with the wider natural and historic landscape. Development will be permitted where it does not have a significant detrimental impact on the natural and historic landscape (including the tranquillity of the countryside) of Cotswold District or neighbouring areas; and proposals should take account of landscape and historic landscape character, visual quality and local distinctiveness; and are expected to enhance, restore and better manage the natural and historic landscape, and any significant landscape features and elements, including key views, the setting of settlements, settlement patterns and heritage assets.
7. I appreciate that conclusions against LP Policies EN5 and EN4 depend, to a large extent, how one approaches the quality of the design of the proposal. Nevertheless, what is proposed here is very clearly contrary to the provisions of LP Policy DS4. Given the fundamental importance of this policy to the Local Plan, the proposal is, in my view, contrary to the development plan viewed as a whole. The question then is whether there are any material considerations that might justify the scheme, nevertheless.
8. The Framework is one such material consideration. Paragraph 80 sets out that planning policies and decisions should avoid the development of isolated homes in the countryside unless certain circumstances apply. The appellants rely on circumstance e) in this case which states: the design is of exceptional quality in that it: is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the rural area.
9. It is agreed that if the proposal meets the requirements of paragraph 80 e) then that would justify the setting aside of the approach of the development plan, in this case. On that basis, the next step must be to assess the proposal against paragraph 80 e).
10. There is however, another matter which needs to be addressed first. The parties agreed in the Statement of Common Ground (SoCG), submitted in advance of the Hearing, that the site of the proposed 'Honeycombe House' is 'isolated' for the purposes of the first part of paragraph 80. Having visited the site after the Hearing closed, and considered the position of the site relative to other development that has taken place along the lane that gives access to the site, I subsequently asked for some elaboration on that point.
11. In the light of the most helpful responses, and the approaches taken by the Courts in *Braintree* and *Bramshill*, I am content to agree that the dwelling proposed would be 'isolated' in the sense the word is used in paragraph 80 of the Framework.

12. Turning then to the workings of paragraph 80 e), all accept that the bar it sets is a high one that demands a rigorous assessment of design quality. I do not consider that the proposal reaches that high bar, for a number of reasons.
13. The scheme is presented as a modern reinterpretation of the Cotswolds 'Arts and Crafts' tradition designed to attain Passivhaus Premium Standard. It was put to me that a traditional country house, built to meet those standards, would be a 'world first' and that it would provide a pathway to the continued use of traditional construction methods in the context of developing environmental standards in building. All that may be so, but I have to observe that there are significant compromises involved in all that.
14. Most fundamentally, one must question the logic behind designing a house to meet Passivhaus Premium Standard to look like something that is part of the 'Arts and Crafts' tradition. The 'Arts and Crafts' movement was based on a number of precepts, including respect for traditional building skills and materials, but was also, in its focus on the relationship between form and function, a reaction against some of the worst excesses of Victorian architectural practice, notably the way in which building facades did not always reflect what lay behind them. In doing so, it acted as a source for the 'Modern Movement' that followed.
15. It seems to me that conceptually, dressing a Passivhaus Premium Standard house in the clothes of the 'Arts and Crafts' tradition would involve a similar subterfuge to that the 'Arts and Crafts' tradition set itself against.
16. Further, I was told that that the plan form of the house is deep and square in order for the Passivhaus Premium Standard to be met. While of course, there may be examples of 'Arts and Crafts' houses with plan forms of this type, generally speaking 'Arts and Crafts' houses of the scale proposed have more strung-out plan forms of much less depth, and a lot more outside wall. The plan of Nether Swell Manor (by Guy Dawber) cited by the appellants as one of the reference points for the design shows those characteristics. That is one example of a design decision made to ensure Passivhaus Premium Standard is attained that undermines the 'Arts and Crafts' form of the house.
17. Another is in terms of construction. It was explained to me that the house would be constructed from panels with a stonework outer skin. Windows would be double- or triple-glazed. Again, those construction methods, necessary for the proposal to reach Passivhaus Premium Standard, would not be traditional.
18. I would question whether a house built in that way would be redolent of the 'Arts and Crafts' movement. I believe it would appear more as house that met very high environmental standards, dressed up in the clothes of 'Arts and Crafts'. I have my doubts that the costume would be convincing.
19. A further example of that relates to the provision of chimneys. There are two significant chimneys at either end of the proposed west front, one located alongside the tower on the entrance (south) front, and the other alongside the loggia on the north elevation. These chimneys are employed as elevational devices but of course, there are no working fireplaces proposed within the house. These chimneys could be used for service risers but functionally, they are not justified. To my mind, an authentic 'Arts and Crafts' design would not employ architectural devices like chimneys, if they were not working ones.

20. That brings me to the arrangement of the house and its outbuildings on the site. The eastward turn in the driveway around the proposed woodland has the potential to 'announce' the house, the outbuildings, and the garden in a pleasing way. However, the first major element that would be seen as the driveway turns would be the long building housing the pool and gym. As the driveway turns further east, it would head directly towards the garage block.
21. To my mind, that represents a missed opportunity in the composition. The outbuildings would have more prominence on the approach than the house itself which seems to me wrong in terms of hierarchy. What is more, the long building housing the pool and gym would have an elongated tithe barn form that would not accord with 'Arts and Crafts' tradition, or the Cotswolds vernacular. The garage building proposed has much the same failings.
22. Overall, I accept that the scheme is thoughtful in many ways, and a creditable attempt to marry the Cotswolds 'Arts and Crafts' tradition with the Passivhaus Premium Standard. However, to achieve that marriage convincingly is no easy task and, in my view, the design has too many compromises, as set out above, for its quality to be considered exceptional. Neither is it truly outstanding, and reflective of the highest standards in architecture. It would not help to raise standards of design more generally in rural areas.
23. For the reasons set out, the proposal would fail to significantly enhance its immediate setting, and be sensitive to the defining characteristics of the rural area. In that way, it would fail to accord with LP Policies EN5 and EN4 as well as the general housing policy, LP Policy DS4.
24. Consequently, the proposal does not meet the high bar set by paragraph 80 e) of the Framework and as such, there is no material consideration before me of sufficient weight to justify setting aside the provisions of the development plan in this case. As a result, my conclusion is that the appeal should be dismissed.

Paul Griffiths

INSPECTOR

APPEARANCES

FOR THE APPELLANT

Stephen Whale	Counsel
James Ellis MRTPI	Rural Solutions
Kit Knowles MEng	Ecospheric
Nicholas Worlledge IHBC MRTPI	Nicholas Worlledge Associates
Jeremy Musson FSA	Architectural Historian
Selby Stocks RIBA	Rural Solutions
Alex Robinson CMLI	Rural Solutions
Ms Maddy Firth	Appellant

FOR THE LOCAL PLANNING AUTHORITY

Martin Perks	Cotswold DC
Justin Ayton	Cotswold DC
Tom Rosser-Smith	Cotswold DC

DOCUMENTS

Document 1	Copy of Appeal Decision APP/F1610/W/19/3236430
Document 2	Completed Unilateral Undertaking
Document 3	List of Appearances on behalf of the appellants
Document 4	List of Suggested Conditions
Document 5	Curtilage Plan
Document 6	Plan of Nether Swell Manor
Document 7	Responses to the Inspector's post-event query on the question of 'isolated'