



Appeal Decision

Site visit made on 11 December 2023

by Zoe Raygen DipURP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 January 2024

Appeal Ref: APP/G1630/W/23/3319454

Land at Postlip, Winchcombe, Cheltenham GL54 5AQ

- 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 N Scarsbrook against the decision of Tewkesbury Borough Council.
 - The application Ref 22/01029/FUL, dated 26 September 2022, was refused by notice dated 18 December 2022.
 - The development proposed is the siting of 3 shepherd huts for short-term holiday accommodation. (Revised Application).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 22 November 2023, all designated Areas of Outstanding Natural Beauty (AONB's) in England and Wales became 'National Landscapes' (NLs). I have therefore referred to NLs in my Decision and specifically referred to the Cotswold AONB as the Cotswolds National Landscape. However, for the avoidance of doubt, the legal designation and policy status of these areas are unchanged, and I have proceeded on this basis, continuing to refer to the AONB where relevant.
3. As part of their appeal documents the appellant has submitted an updated ecology report. The council has had the opportunity to comment on the report and I return to the matter later in my decision.
4. On 19 December 2023, the Government released an updated version of the National Planning Policy Framework (the Framework). As the changes do not affect the consideration of this appeal, I have not sought comments on the revisions.

Main Issues

5. The main issue is whether the proposal is in an appropriate location having regard to the character and appearance of the area, particularly in respect of the landscape and scenic beauty of the Cotswolds National Landscape and the setting of listed buildings and accessibility.

Reasons

Character and appearance

Significance/special qualities

6. Postlip Hall is a Grade I listed building dating from the seventeenth century constructed mainly from limestone ashlar with stone slate roofs. Originally constructed as a fine, large, detached country house it has now been subdivided into apartments. However, externally it retains most of its original construction and materials as it evolved over time. Its significance is largely derived from its historic and architectural interest as an example of a country house and estate.
7. To the rear of the Hall is St James' Chapel a Grade I listed building dating from the twelfth century of limestone ashlar and stone slate roof. Its significance lies in its historic and architectural interest as an early example of a Roman Catholic chapel.
8. To the south of Postlip Hall is the Tithe Barn a Grade II* listed building probably dating from the fifteenth century constructed from thin bedded coursed limestone with large flush quoins, plinth and a very steep roof with some slates and coped main gables. Its significance is largely derived from its architectural and historic use as a tithe barn exemplified by its simple, largely unaltered, exterior appearance.
9. West Lodge and South Lodge lie to the east of Postlip Hall being Grade II listed buildings. Originally constructed as a Lodge, coach house and stables they have now been converted into two houses. Constructed from dressed limestone with freestone dressings they have Cotswold stone tiled roof with gabled ends. Their significance lies in their architectural and historic interest from their original use which remains discernible from their external appearance.
10. The gate piers and supporting flank walls northeast of Postlip Hall are Grade II listed structures from the late nineteenth century including limestone ashlar piers with squared limestone wall and weathered coping. At the entrance to Postlip Hall from the former A46 are a pair of gates, supporting standards and flanking railings constructed from cast and wrought iron which are Grade II listed. The significance of both structures is derived from their architectural and historic significance marking the formal entrance to Postlip Hall.
11. As a whole these structures form a fine group of buildings portraying the historic evolution of the country estate and its agricultural origins. Their setting is the surrounding rolling countryside and woodland largely devoid of development. This contributes to the understanding of the buildings as a country estate, particularly the estate road which, in my view, signifies the formal grand entrance to Postlip Hall located within its rural setting. The gates and railings mark the entrance to the access road from the road, one of the only visible signs of the buildings from the main road, given the presence of trees within which the buildings are located. The long estate road from the former A46 is lined by trees but the surrounding countryside is visible beneath the high canopies.
12. The special qualities of the Cotswolds National Landscape are defined in the Management Plan 2018-2023 (the MP). These include the unifying character of the limestone geology evident in its landscape and as a building material. Other qualities include grasslands, woodlands, river valleys, high wolds, tranquillity, vernacular architecture and significant archaeology.
13. I saw at my site visit that the landscape of the appeal site and its environs demonstrate many of those special qualities. The appeal site being an open

field within a rolling landscape with woodland and a river valley close by. Vernacular architecture is evident in most of the buildings nearby in the small settlement of Postlip. The appeal site therefore contributes positively to the CNL. Furthermore, I noted that the surrounding landscape was also largely undeveloped with minimal agricultural buildings and structures.

Effect on significance/special interest

14. The proposal is for three shepherd's huts to be located to the northeast of Postlip Hall from an existed gated access on the estate road. This would lead to three large structures being located in an area largely devoid of development, harmfully eroding the open agricultural landscape. Although the structures would be moved off the site during off peak months, they would still be there for much of the year. In addition, the proposal would require the provision of parking spaces close to the existing fence. These would be provided through the provision of grasscrete and post and rail fencing. Although this would be relatively discrete, the parking of vehicles within the field would be particularly obtrusive.
15. While I appreciate the structures are designed to represent shepherd's vehicles and would be coloured green, it is unlikely that traditionally they would have additional paraphernalia which may be more likely with holiday accommodation such as play equipment, barbecues etc. Furthermore, the requirement for above ground storage tanks for grey water and waste disposal, located underneath the proposed structures, would not be traditional features. Moreover, portable solar panels to provide electricity as well as a storage area for bicycles would also add to the clutter associated with the huts increasing the visual obtrusiveness.
16. There would be no direct line of visibility between the listed buildings and the huts. Furthermore, the huts would be located close to the treeline of the adjacent woodland. However, while the woodland would restrict visibility from certain directions, I saw that they would be in clear view from the estate road within the setting of the listed buildings and from the access road to the adjacent Hollingsworth and Vose paper mill. In addition, the huts would be visible from the Cotswold Way which I walked on my site visit.
17. As a result, the provision of the holiday accommodation together with car parking would result in obtrusive discordant features in an otherwise undeveloped field harmfully eroding the rural setting of the listed buildings and the formal approach road to Postlip Hall through that rural setting and the landscape and scenic beauty of the CNL.

Location

18. Policies TOR1, TOR2 and TOR3 of the Tewkesbury Borough Local Plan 2011-2031 (adopted 2022) (the Local Plan) support tourism related development subject to various caveats. Policy TOR2 relates to serviced/self-catering accommodation and Policy TOR3 to caravan and camping sites. The appellant believes that Policy TOR3 is not relevant as the accommodation offered is primarily self-catering accommodation. I can see how these structures could fall within both categories, particularly given the mobile nature of the huts. Moreover, the requirements of the policies are similar. I have therefore considered both policies.

19. The proposal should be within or adjacent to existing settlements as defined within the development plan or existing sites of tourism. In addition the reuse of existing buildings or extension of existing facilities is supported. None of these criteria apply to the appeal site. Neither does the appellant provide evidence as to why the proposed location in the open countryside is essential as required by Policy TOR3.
20. The proposal is sited in the open countryside and is difficult to see how prospective visitors would arrive other than private car. The nearest bus stop of use is some distance away and there are no convenient footways from that bus stop. In reality, with the need to bring luggage etc, there would be reliance on the car. However, given that there are only three proposed huts, it is unlikely they would attract substantial numbers of visitors which would require the proposal to be accessible by all modes of transport under the terms of Policy TOR1.
21. Policy INF1 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 adopted 2017 requires that connections be provided, where appropriate, to existing walking, cycling and passenger transport networks and should be designed to encourage maximum potential use to enable travel choice for residents and commuters. However, this proposal is specifically for tourist development which does not particularly relate to residents and commuters. I am also mindful that Policies TOR1, TOR2 and TOR3 as well as the Tewkesbury Borough Council Economic Development and Tourism Strategy 2017-2021, the Winchcombe and Sudeley Neighbourhood Plan 2011-2031 (the NP) and the MP are generally supportive of tourism development in the area. Therefore, on that basis I am satisfied that, in this instance, the accessibility of the proposal is acceptable particularly given its size and limited potential for traffic generation.
22. Nevertheless, even if I were to find that all of the above factors were acceptable the policies TOR1, TOR2 and TOR3 require that the proposal supports the wider plans objectives in terms of conservation, heritage conservation, and the environment as well as respecting the character of the area with overriding protection afforded to the landscape and character of the area. As I have already found that the proposal would be harmful to heritage assets and to the CNL then it would be in conflict in these respects.
23. For the reasons above, I conclude that the proposals would not be in an appropriate location with regard to the character and appearance of the area particularly in respect of the landscape and scenic beauty of the Cotswolds National Landscape and the setting of listed buildings. Therefore, it would conflict with Policies SD4, SD6, SD7 and SD8 of the JCS, Policies TOR1, TOR2, TOR3 and HER2 of the Local Plan, Policies 1.1 and 5.1 of the NP and Policy CE1 of the MP. Together these require that development responds to the character of the site and its surroundings and protect the landscape character for its own intrinsic beauty. Development should preserve the landscape and scenic beauty of the AONB and conserve and enhance heritage assets appropriate to their significance.

Other matters

24. Although not a reason for refusal, despite the up to date survey, the Council considers that the appellant has not submitted sufficient information to fully

assess the impacts of the scheme in relation to ecology. As I am dismissing the appeal on other matters, I have not pursued this issue further.

Heritage and Planning Balance and Conclusion

25. I have found that there would be less than substantial harm to the heritage assets. The appellant considers that if harm were to be found it would be at the lower end of less than substantial harm. However, I am mindful that less than substantial harm does not equate to a less than substantial planning objection and that any such harm is to be given considerable importance and weight.
26. There would be benefits to the local economy through the provision of tourist accommodation in an area within the NL and close to the Cotswold Way. However, even though significant this would not be sufficient to outweigh the harm to the heritage assets.
27. The proposal would conflict with policies of the development plan which seek to protect the landscape and scenic beauty of the NL as well as conserve and enhance heritage assets. It would therefore be contrary to the development plan as a whole. The material considerations I outline above would not outweigh that conflict.
28. For the reasons above I conclude that the appeal should be dismissed.

Zoe Raygen

INSPECTOR