



Appeal Decisions

Site visit made on 27 August 2024

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 August 2024

Appeal A Ref: APP/F1610/W/24/3348205

**Shipton Oliffe Manor, Shipton Road, Shipton Oliffe, Gloucestershire
GL54 4HZ**

- 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 Mrs Bond against the decision of Cotswold District Council.
 - The application Ref is 24/01140/FUL.
 - The development proposed is the erection of a single storey infill extension, a single storey rear extension and associated works.
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Appeal Ref B: APP/F1610/Y/24/3341305

**Shipton Oliffe Manor, Shipton Road, Shipton Oliffe, Gloucestershire
GL54 4HZ**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mrs Bond against the decision of Cotswold District Council.
 - The application Ref is 23/00851/LBC.
 - The works proposed are the erection of a single storey infill extension, a single storey rear extension and associated works.
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Decisions

1. Appeal A is allowed and planning permission is granted for the erection of a single storey infill extension, a single storey rear extension and associated works at Shipton Oliffe Manor, Shipton Road, Shipton Oliffe, Gloucestershire GL54 4HZ in accordance with the terms of the application, Ref 24/01140/FUL subject to the conditions in the attached Schedule for Appeal A.
2. Appeal B is allowed and listed building consent is granted for the erection of a single storey infill extension, a single storey rear extension and associated works at Shipton Oliffe Manor, Shipton Road, Shipton Oliffe, Gloucestershire GL54 4HZ in accordance with the terms of the application Ref 23/00851/LBC and the plans submitted with it subject to the conditions in the attached Schedule for Appeal B.

Preliminary Matters

3. The appeals relate to development and works at The Manor House, a Grade II listed building (List Entry Number: 1341339) located within the Shipton Conservation Area (CA). Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require special regard to be had to the desirability of preserving the listed building or its setting or any

features of special architectural or historic interest which it possesses. Section 72(1) of the Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the CA.

4. The description of the proposals is similar for both the planning appeal (Appeal A) and the listed building consent appeal (Appeal B), although the legal regimes are different. To reduce duplication, I have dealt with both appeals together in this decision letter.

Main Issue

5. The main issue for both appeals is the effect of the proposals on the special interest of the Grade II listed building and the character and appearance of the CA.

Reasons

Significance of designated heritage assets

6. The listed building is described in the official list entry as a former manor house with an L shaped early core, and the house dates from the early to mid-17th century. The Heritage Statement¹ provided describes subsequent extensions and remodelling undertaken in the 19th, 20th and 21st centuries. Today the property is a sizeable and complex, detached building comprising of 1.5, 2 and 2.5 storey elements and is set within generous verdant grounds. Architecturally it possesses features that typify Cotswold vernacular architecture including steep gables, stone-mullioned casements, stone stacks and the consistent use of limestone and stone slate roof tiles. Overall, this results in an impressive and longstanding example of a Cotswold country house.
7. The significance and special interest of the listed building derives largely from the architectural, historic and evidential interest of its manorial origins and oldest fabric. These provide a tangible connection with the past and signal the relatively high status of the dwelling. In turn this reveals social and economic information about the likely historic occupants and their probable relationship with the surrounding land and community.
8. The fabric and appearance of the building also tells a story about the evolution of traditional building techniques and materials, and some architectural interest therefore comes from the subsequent remodelling and extension of the building. In particular, alterations and extensions in the early 20th century were undertaken by Norman Jewson, a notable architect associated with the Arts and Crafts movement who practiced in the Cotswolds.
9. In addition, the configuration of the main house and former stable/coach house enriches an understanding of the historic interest of the site. Notwithstanding that the former stable building now houses a pool and is physically linked to the main house, they still read as two separate buildings. The subordinate status and historic functional role of the former stables is reflected in the overall scale, set back and separation of the main body of the structure relative to the main house. These aspects are apparent as one approaches the house along the main driveway.

¹ Prepared by Built Heritage Consultancy, dated March 2023

10. The Shipton Conservation Area (CA) is in two parts and covers a considerable area of the linear rural settlement of Shipton Oliffe. The separate sections each contain a manor house and a church. Its significance lies in part in the way the considerable number of vernacular buildings set within an attractive rural landscape reflect the evolution of the manorial settlement over time. The consistent use of traditional simple form and local materials contributes towards the coherent and distinctive character and appearance of the village. The appeal site constitutes one of the former manor houses within the CA, and therefore, played an important role within the evolution of the village. Its historic and architectural qualities continue to make a valuable contribution to the character and appearance of the CA as a whole, and its significance as a designated heritage asset.

The proposals

11. The proposals comprise several elements, but all relate to a relatively concentrated area of the north-western part of the main house. Firstly, a single storey infill extension is proposed to the linking section between the main house and pool house to provide a replacement laundry room. Secondly, an additional single storey extension is proposed to the rear elevation to provide a store. Thirdly, it is proposed to open up the original boot room access from the front elevation. A new timber boarded door is proposed to the existing rear hallway on the southeast elevation. Finally, internal alterations are proposed to facilitate the use of the boot room, including closing and creating openings.
12. The Council have only raised concerns in relation to the effect of the first of these elements, nevertheless, I am required to consider the proposals in their entirety.

The effect of the proposals

13. The evidence provided shows that the infill extension would not result in the loss of historic fabric but would join onto external walls of the manor house and former stables building. It would cover a small section of the flanking northwest elevation of the main house. However, this is an area which has a secondary character and has undergone alteration including the existing modern link. The plans² state that the retained door and window, which would be encompassed by the extension, are of 21st century origin. Hence, it would avoid harm to important historic fabric and architectural features.
14. The principal concern raised by the Council is that the proposal would add bulk to the link between the manor house and former stables building thereby eroding their historic separation. The infill extension would increase the volume of built form in the space between the respective structures. However, a physical link already exists which neither party suggest is harmful. The proposals would be relatively modest in scale, and of a broadly similar single storey height to the existing link. As such, it would be considerably lower than the flanking structures and of a modest volume. It would therefore be clearly subordinate in scale and unlikely to make any marked changes to the visual separation seen on approach to the house³.

² Drawing number 2781-115 Rev D

³ Viewpoint 2, Visibility Assessment, Appendix 4, Appellant's Statement of Case

15. Moreover, it would be set back from the southwest elevations of the main house and pool house, with the front wall faced in stone. There would be no windows in the short section of wall, and the flush roof window would be concealed behind coping stones. Hence, the scale and siting of the extension would be inobtrusive, and its design would be visually recessive.
16. Consequently, sufficient space would be retained between the manor house and former stables such that the historic relationship and respective status of the two structures would be easily discernible. Glimpses of the sky and verdant backdrop would still be possible over the top of the extension on the approach along the driveway to the house, unless otherwise shielded by established planting.
17. Taking these factors together, I find that the infill link extension would be sympathetic to the hierarchy found within the listed building as an entity. It would sustain a degree of separation between the manor house and former stables such that it would avoid undermining its value as a heritage asset. In short, the effect would be a neutral one.
18. The single storey rear extension would restore a historic range constructed around 1926-1944. The continuation of the established simple form in matching materials to provide a modestly sized store would conserve the important qualities of the listed building.
19. The restoration of the access, returned functional use of external door and removal of an existing modern partition wall within the proposed boot room would represent marginal improvements to the integrity of the listed building.
20. The existing timber boarded door in the southeast elevation has a functional appearance consistent with its discrete position within a secondary part of the building. Based on the information provided, it is probable that it is 20th century in origin. Its replacement by a timber boarded door with glazing would have boarding detail to match the existing door, and the strap hinges would be refurbished and reused. On that basis, it would avoid causing harm to the important architectural qualities of the listed building.
21. There is little evidence to suggest that the proposed alteration to create an internal opening between the new boot room and back hall would relate to important historic fabric. Rather, it is probable⁴ that this relates to a dividing wall between the 19th century beer cellar and wood store in historically ancillary service accommodation. It is suggested there may once have been a connecting doorway. The closing up of the existing opening in the proposed boot room with the main house would remain legible and would be reversible. Given that these factors make very little contribution towards the listed building's overall significance and special interest, in the context of the interventions that have taken place over time, the effect would be negligible.
22. As such, some aspects of the proposals would have a benign effect on the significance of the Grade II listed building, whereas others would be neutral. Hence, overall, they would preserve its significance and special interest in line with the expectations of sections 16(2) and 66(1) of the Act. It follows that the contribution the appeal site makes to the built backcloth of the CA would be unharmed. Consequently, the character and appearance of the CA as a whole

⁴ Page 36 Heritage Statement

would be preserved indicating that there would be no conflict with section 72(1) of the Act.

23. Therefore, having considered the effect of the proposals on the listed building and CA, I find that there would be no harm caused to their significance as designated heritage assets which would align with the Government's approach to conserving and enhancing the historic environment as set out in the National Planning Policy Framework (the Framework). In these circumstances, it is unnecessary to apply any of the corresponding heritage balances contained in the Framework⁵ or referred to in policy EN10(3) of the Cotswold District Local Plan 2011-2031, August 2018 (LP).
24. Accordingly, for the reasons outlined, I find that the proposals would comply with policies EN1, EN2, EN10 and EN11 of the LP which, amongst other things, aim to protect and promote the special qualities, historic character and local distinctiveness of the district.

Other Matters

25. In relation to Appeal B the refusal reason on the Council's decision notice also refers to policies EN4 and EN5 of the LP. These seek to protect the wider natural and historic landscape as well as the special qualities of the Cotswolds Area of Outstanding Natural Beauty. However, the remit of an application for listed building consent relates to the matters outlined in the main issue. Given that I did not find harm in those respects, it follows that I am not convinced there would be any wider landscape concerns. Hence, conflict with policies EN4 or EN5 of the LP would not arise.

Conditions

26. Conditions relating to time periods for both appeals, and specifying the plans for Appeal A, have been imposed for certainty. In addition, conditions are imposed to ensure that the external materials, any rainwater goods and fenestration used are appropriate, and employed in a manner sympathetic to the architectural significance of the listed building.

Conclusions

27. In relation to Appeal A, planning law requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. I consider that the proposals would be in accordance with the development plan taken as a whole. Listed building consent applications (such as Appeal B) are not required to be determined in accordance with the development plan in the same way as planning applications. However, I am satisfied that the proposals would not conflict with the expectations of the Act, nor national historic environment policy. It follows that both should succeed.
28. For the reasons given above, I conclude that both Appeal A and Appeal B should be allowed.

Helen O'Connor

INSPECTOR

⁵ Paragraphs 207 & 208

Schedule of conditions for Appeal A

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Drawing 2781-0001 Rev A – Site Location Plan
 - Drawing 2781-1105 Rev D – Proposed Site Plan
 - Drawing 2781-1110 Rev D – Proposed Basement Floor Plan
 - Drawing 2781-1115 Rev D – Proposed Ground Floor Plan
 - Drawing 2781-1120 Rev D – Proposed First Floor Plan
 - Drawing 2781-1125 Rev D – Proposed Second Floor Plan
 - Drawing 2781-1140 Rev D – Proposed Elevations
- 3) The external walling and roofing materials used in the development shall accord with samples that shall have previously been submitted to and agreed in writing by the local planning authority.
- 4) Where re-usable, existing stone from the demolished stone wall shall be used in the construction of the laundry room, with its weathered surface facing outwards.
- 5) New external stonework shall be of the same stone type, colour and sizes as existing stonework and coursing, bonding, treatment of corners, method of pointing and mix and colour of mortar shall match that used for the external walling of the existing building.
- 6) Prior to their installation details of the rooflights, windows and doors shall be submitted to and approved in writing by the local planning authority. The details shall be accompanied by drawings to a minimum scale of 1:5 with full size moulding cross section profiles, elevations and sections. The development shall proceed in accordance with the details approved.
- 7) New rainwater goods shall be of cast iron construction or a substitute which has been approved in writing by the local planning authority.

END OF CONDITIONS FOR APPEAL A

Schedule of conditions for Appeal B

- 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
- 2) The external walling and roofing materials used in the works shall accord with samples that shall have previously been submitted to and agreed in writing by the local planning authority.
- 3) Where re-usable, existing stone from the demolished stone wall shall be used in the construction of the laundry room, with its weathered surface facing outwards.
- 4) New external stonework shall be of the same stone type, colour and sizes as existing stonework and coursing, bonding, treatment of corners,

method of pointing and mix and colour of mortar shall match that used for the external walling of the existing building.

- 5) Prior to their installation details of the rooflights, windows and doors shall be submitted to and approved in writing by the local planning authority. The details shall be accompanied by drawings to a minimum scale of 1:5 with full size moulding cross section profiles, elevations and sections. The works shall proceed in accordance with the details approved.
- 6) New rainwater goods shall be of cast iron construction or a substitute which has been approved in writing by the local planning authority.

END OF CONDITIONS FOR APPEAL B