



Appeal Decision

Site visit made on 29 October 2024

by N Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2024

Appeal Ref: APP/U1620/W/24/3345741

215 Bristol Road, Quedgeley, Gloucester, Gloucestershire GL2 4QW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Andrew and Susan Crosby against the decision of Gloucester City Council.
 - The application Ref is 23/00914/FUL.
 - The development proposed is erection of a 2 bedroom house on land adjacent to Packers Cottage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the surrounding area including the setting and significance of the listed building known as Packers Cottage.

Reasons

3. The appeal site comprises a roughly triangular parcel of land on the east side of Bristol Road. The site comprises amenity space associated with Packers Cottage and contains a mature oak tree and a garage and car port. The vehicular access to Nos 211,213,213a and 215 Bristol Road runs alongside the site's northern boundary. Dwellings in the surrounding area predominantly comprise modern suburban brick dwellings.
4. Statute requires that I pay special regard to the desirability of preserving a listed building or its setting¹. Packers Cottage is a grade II listed timber-framed building originating from the early 17th century. The significance of the building appears to lie in the historic and architectural interest of its built fabric. Modern residential development surrounds the site and consequently the setting of Packers Cottage has changed from rural to suburban, altering how the asset is experienced. Nonetheless, the site can still be understood as being part of the curtilage of Packers Cottage. The site's open nature contributes positively to the setting of Packers Cottage, allowing views of the asset which enable aspects of its significance to be appreciated. The open nature of the site and mature planting within the site and in neighbouring

¹ Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

gardens contribute positively to the spacious and verdant character of the area.

5. The appeal proposal seeks permission for the erection of a 1.5-storey detached dwelling house. The dwelling would be set back from the site frontage in line with 209 and 221 Bristol Road. The appellant has sought to design a dwelling consistent with the design of older rural buildings in the county and would have the appearance of a building which formed part of the original small holding. Whilst I acknowledge that there is no particular design ethos associated with the local area, the proposed dwelling would neither accord with the modern dwellings on Bristol Road nor Packers Cottage. Furthermore, there is no particular evidence that Packers Cottage ever contained an outbuilding in this location. Given this, it would be an inauthentic addition leading to a loss of integrity of the building which would appear wholly incongruous within the suburban residential setting. Whilst other development nearby has altered the setting of Packers Cottage, this does not justify further development where harm would occur.
6. The dwelling would be visible in views from the street scene where it would appear dominant, adversely affecting the open nature of the site and its positive contribution to the setting of Packers Cottage and the spaciousness of the area. The appellant has expressed a willingness to amend the proposed materials. However, no such proposals are before me to give substantial credence to. In any case, this would fail to address the harm arising from the incongruous form and siting of development, the resultant harm to the setting of Packers Cottage and how the building is experienced in its setting. The harm would be less than substantial but nevertheless of considerable importance and weight. Under such circumstances, the Framework advises that this harm should be weighed against the public benefits of the proposal.
7. There would be limited economic benefits during construction and the development would result in 1 energy-efficient dwelling in a location with good access to facilities and services which would contribute to the area's housing requirement. I attach moderate weight to this public benefit. Nevertheless, heritage assets are an irreplaceable resource. I do not consider that collectively the public benefits are sufficient to outweigh the great weight that I must attach to the harm caused to the listed building. Conflict therefore arises with the historic environment protection policies in the Framework.
8. The appeal proposal would result in harm to the character and appearance of the surrounding area and the setting and significance of Packers Cottage. I therefore find conflict with those aims of Policies SD8 and SD4 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017) and Policies A1 and D1 of the Gloucester City Plan 2011-2031 (2023) which seek to ensure that development proposals conserve the character, appearance and significance of designated heritage assets and their settings and do not have a significant adverse impact on the character of the locality. I also find conflict with the Framework, which requires that great weight be given to an asset's conservation when considering the impact of a proposal on its significance.

Other Matters

9. The appeal site lies within 15.4km of the Cotswold Beechwoods Special Area of Conservation (SAC) in which proposals including a net gain in residential development have the potential to give rise to significant effects (either alone, or in combination with other proposals). Whilst not a reason for refusal, the Council's officer report raised concerns regarding the effects of the proposal on the SAC. As I have found harm in relation to the main issue, it is not necessary in this instance to undertake an appropriate assessment to consider the effect on the SAC.
10. The Council raised no concerns with the effect of the proposal on highway safety, the proposed level of amenity space, the effect on the living conditions of the occupiers of neighbouring properties or the effect of the proposal on the mature oak tree. Based on the information before me I see no reason to take a different view. Nonetheless, compliance with the relevant development plan policies on these matters would be required in any case. Thus, these matters weigh neutrally, rather than in favour of the proposal.

Conclusion

11. For the reasons set out above, there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with the development plan. The appeal should therefore be dismissed.

N Robinson

INSPECTOR