



Appeal Decision

Site visit made on 15 January 2025

by Hannah Guest BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 January 2025

Appeal Ref: APP/F1610/W/24/3355137

Stratton House Hotel, Gloucester Road, Stratton, Gloucestershire GL7 2LE

- 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 Mr Aidan Stevens against the decision of Cotswold District Council.
 - The application Ref is 24/00501/FUL.
 - The development proposed is pergola seating area and bar outbuilding with associated paved hardstanding and pathway.
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Decision

1. The appeal is allowed and planning permission is granted for pergola seating area and bar outbuilding with associated paved hardstanding and pathway at Stratton House Hotel, Gloucester Road, Stratton, Gloucestershire GL7 2LE in accordance with the terms of the application, Ref 24/00501/FUL, subject to the conditions in the attached schedule.

Procedural Matters

2. I saw on my visit that the pergola seating area, bar outbuilding, paved hardstanding and pathway have already been constructed. From my observations, the development appeared to broadly reflect the submitted plans. Nonetheless, for the avoidance of doubt, I have determined this appeal on the basis of the submitted plans.

Main Issue

3. The main issue in this appeal is the effect of the development on the significance of the Grade II listed Stratton House Hotel.

Reasons

4. The appeal site forms part of the garden associated with the Stratton House Hotel, a Grade II listed building. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to give special regard to preserving the building or its setting or any features of special architectural or historic interest which it possesses.
5. The significance of the Stratton House Hotel derives from its architectural value as an early 19th century, substantial, high-status house. The garden is open and mostly set to lawn. However, there are mature trees and other plants lining the perimeter of the garden which is defined by a red brick wall. The size and openness of the garden provides a setting for the listed building commensurate with its historic status. This contributes positively to its significance. In addition, the

brick wall and perimeter landscaping provide an attractive backdrop to the garden and partly screen surrounding development.

6. The pergola is a simple, open structure, and the bar outbuilding is very modest in size. They are positioned on the edge of the garden, close to mature trees, including three large evergreens. I saw on my visit that the use of timber in this location is sympathetic. The structures are not obtrusive, neither do they appear incongruous, rather they blend with their verdant surroundings. Given their position, they broadly maintain the size and openness of the garden.
7. The clear plastic roof, plastic ivy and fairy lights are not high-quality features. Nonetheless, they are only evident in close proximity to the structures. In views from the hotel and from across the garden, the plastic roof is barely visible, and the plastic ivy and fairy lights wrapped around the structure have a similar appearance to climbing plants. Climbing plants are currently being grown up the vertical supports of the pergola, and in time would further soften and integrate it with its surroundings. The climbing plants would also help camouflage the fairy lights and would allow the plastic ivy to be removed.
8. The Council considers its refusal to primarily rely on Policy EN2 of the Cotswold District Local Plan 2011-2031 (2018) (Local Plan). However, it has not identified any specific conflict with the Cotswold Design Code. Given this, and for the reasons above, I find the development would accord with Policy EN2 of the Local Plan, which seeks to ensure that development accords with the Cotswold Design Code and respects the character and distinctive appearance of the locality.
9. Notwithstanding this, garden structures of this style are typically found in the gardens of more modest suburban houses. The pergola and bar outbuilding do not have the formal character and eye-catching appearance of garden structures normally associated with grander, historic houses, such as the Stratton House Hotel. This harms the significance of the listed building to a moderate degree.
10. The development would therefore conflict with Policies EN1 and EN4 of the Local Plan which seek to promote the protection, conservation and enhancement of historic environmental assets and their settings. Nevertheless, the distance between the structures and the listed building, the use of natural materials and the proximity of the mature trees, considerably moderates the harm arising from their inappropriate style.
11. For the reasons above, I find the harm to the significance of the listed building would be less than substantial. This is something I give great weight to. Paragraph 215 of the National Planning Policy Framework (the Framework) states that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the development including, where appropriate, securing its optimum viable use.
12. In terms of benefits, the development provides additional useable space for the hotel business. It is used frequently for events, including community events and weddings, accommodating up to 70 guests at a time. The hotel employs local people and uses local suppliers. Both staffing and supplies are increased accordingly to cater for the events and other local services, such as local artists are used. These are meaningful public benefits, which I afford significant weight.

13. On balance, the public benefits I have identified would outweigh the less than substantial harm arising from the inappropriate style of the garden structures.
14. Accordingly, for the reasons above, the development would accord with Policy EN10 of the Local Plan. This policy permits development that would lead to harm to the significance of a designated heritage asset only where there is a clear and convincing justification of public benefit demonstrated to outweigh the harm.

Other Matters

15. I am mindful that Section 85(A1) of the Countryside and Rights of Way Act 2000 (as amended) places a statutory duty upon me to seek to further the purpose of conserving and enhancing the natural beauty of the Chiltern's AONB. The Council in its Officer Report conclude the development to not adversely impact the character and appearance of the Cotswold National Landscape (CNL). From the evidence before me and my observations on site, I am of a similar view, that the development would conserve the natural beauty of the CNL.
16. In this case, the development provides an event space, which could be the main draw for some customers to visit the hotel and as a result the National Landscape. It therefore contributes to increasing the enjoyment by the public of the special qualities of the CNL. This would be a proportionate means in this instance to discharge the duty to further the purposes of the CNL.

Conditions

17. Given that the permission is being granted retrospectively it is not necessary to attach the standard time limit condition or any materials condition. However, I have attached a condition to ensure the development is in accordance with the approved plans in the interests of certainty. To protect the significance of the Listed Building, it is also necessary to impose a condition requiring the implementation and maintenance of climbing plants to cover the pergola in accordance with details to be approved by the Council.

Planning Balance and Conclusion

18. While the development would conflict with Policies EN1 and EN4 of the Local Plan, this would not be a significant breach, as the harm would be moderated substantially by the positioning of the structures, their simple design and natural materials. In this case, the development would accord with Policies EN2 and EN10 of the Local Plan and the associated provisions of the Framework. I am also mindful that heritage assets are best preserved by being in active use. The development would complement the functions of the hotel, which is a viable use for the listed building.
19. Accordingly, I am of the view that the significant benefits of the development would outweigh the minor conflict with Policies EN1, EN2, and EN4 of the Local Plan. Thus, in this case, other material considerations justify allowing the appeal.
20. For the reasons above, having had regard to the development plan as a whole and all relevant material considerations, I conclude that the appeal should be allowed subject to the conditions in the attached schedule.

Hannah Guest INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 1642(SK)001; 1642(SK)003.
- 2) Unless within three months of the date of this decision details of the climbing plants to cover the pergola, including a schedule of maintenance for a minimum period of five years, are submitted in writing to the Local Planning Authority for approval, and unless the approved details are implemented within three months of the Local Planning Authority's approval, the use of the pergola seating area and bar outbuilding shall cease and the pergola seating area, bar outbuilding and associated paved hardstanding and pathway shall be removed until such time as details are approved and implemented.

If no details in accordance with this condition are approved within six months of the date of this decision the, use of the pergola seating area and bar outbuilding shall cease and the pergola seating area, bar outbuilding and associated paved hardstanding and pathway shall be removed until such time as details are approved and implemented.

Upon implementation of the approved details specified in this condition, the climbing plants shall thereafter be maintained in accordance with the approved details.

If, within a period of 5 years from the date of planting, any plant (or plant planted in replacement of them) is removed, uprooted, destroyed or dies or becomes seriously damaged or defective, another plant of a similar size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original plant.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has finally be determined.