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## Appeal Decisions

Site visit made on 15 September 2025

by **B Phillips BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 October 2025.

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### **Appeal A Ref: APP/F1610/W/25/3359598**

#### **Vine House, Broadwell, Moreton-In-Marsh, Gloucestershire GL56 0TL**

- 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 Jeremy Joiner against the decision of Cotswold District Council.
  - The application Ref is 24/02893/FUL.
  - The development proposed is a vehicular access parking court and garden store.
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### **Appeal B Ref: APP/F1610/Y/25/3359063**

#### **Vine House, Broadwell, Moreton-In-Marsh, Gloucestershire GL56 0TL**

- 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 Mr Jeremy Joiner against the decision of Cotswold District Council.
  - The application Ref is 24/02894/LBC.
  - The works proposed are a vehicular access, parking court & garden store.
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### **Decision**

1. Appeal A: the appeal is dismissed.
2. Appeal B: the appeal is dismissed.

### **Preliminary Matters**

3. The appeal site is the Grade II listed building known as 'Barns and stores adjacent to the Old Barn and the Rectory', which is located within the Broadwell Conservation Area (CA). In reaching my decisions, I have considered the statutory duties under sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 (the Act).
4. The appeals concern the same site and the same scheme. Although the remit of planning permission (Appeal A) and listed building consent (Appeal B) regimes are different, to reduce repetition, I have dealt with both appeals together in a single decision letter.

### **Main Issues**

5. The main issue in both appeals is whether the proposal would preserve the listed building, or any features of special architectural or historic interest that it possesses, in addition to whether the proposal would preserve or enhance the character or appearance of the Broadwell CA.

## Reasons

6. The appeal site consists of the 18<sup>th</sup> and 19<sup>th</sup> century Grade II listed building known as 'Barns and stores adjacent to the Old Barn and the Rectory', formerly part of Rectory Farmhouse. The buildings were listed in 1960, and Vine House, previously known as the Old Barn, consists of a large roadside converted threshing barn, a linking long lower range and a two storey dwelling facing the garden, which the submitted heritage statement<sup>1</sup> sets out became a residence prior to 1956. The building is of coursed squared and dressed limestone, with concrete tile roofs, and the listing description<sup>2</sup> makes note of a part-glazed central double doors and triangular ventilation holes in sides and gable ends of the barn.
7. The former threshing barn, linking structure and main two storey dwelling have a traditional vernacular character through their retention of traditional materials, simple architectural style and consistency.
8. Given the above, I find that the special interest and significance of the listed building to be primarily associated with its historic and architectural interest as a good illustration of a vernacular 18<sup>th</sup> and 19<sup>th</sup> century agricultural complex. Important contributors in these regards which are pertinent to the appeals are its architectural detailing and remaining historic integrity, to which the legibility of its extant historic use and surviving historic fabric contribute.
9. Whilst the submitted heritage statement sets out that the existing garden to Vine House was previously a field associated with the historic agricultural use, it is now a fine landscaped garden. A stone boundary wall runs around its northeast, southeast and south boundary line. This wall is a typical vernacular feature in the Cotswolds and in part delineates the historic curtilage of the listed building, as shown in the historic mapping provided. Whilst it has evidently been repaired and altered to some extent a number of times, it remains a prominent structure that contributes positively to reflecting something of the vernacular and local history of the property and area. It therefore contributes positively to the buildings special interest and significance.
10. The building's garden provides the primary surroundings within which the building is experienced, and the open space and soft landscaping allude to its previous historic agricultural use and helps ensure that this is appreciated. Therefore, the listed building's immediate setting also, in part, supports and contributes in a positive way to its special interest and significance.
11. The Broadwell CA is linear area that is centred on the village green. Its character and appearance and therefore the special interest and significance are mainly derived from the contribution made by the various listed buildings and vernacular architecture, and consistent use of materials, including prominent local stone walling. As a fine and prominent example of high-quality vernacular architecture, the appeal site contributes positively to the character and appearance of the CA as a whole.
12. The proposal seeks to remove a section of drystone boundary walling to form a new vehicular access to the south east corner of the rear garden, including a new parking area. Landscaping, including the lowering of the height of this part of the

<sup>1</sup> By Tose-Smith LLP, September 2024

<sup>2</sup> List number: 1303635

garden and new hardstanding would be needed to create the parking area, and a timber storage structure with natural slate roof would be erected within the rear garden area.

13. The new access would involve the removal of a substantial portion of the drystone boundary wall. This would result in a loss of historic fabric. Whilst the appellant sets out that that stonework would be reused, it would not be in the original characteristic highway fronting location. The significant set back to provide visibility splays, including on the corner with Foxes Row, would be a substantial alteration to the form of the historic boundary wall and would alter its historic character. It would diminish the contribution that this boundary treatment makes to the special significance of the listed building, and the authenticity of how the wider asset is experienced.
14. The hard landscaping needed for the 'sunken' car parking spaces, such as retaining walls, steps and gravel hardscaping would also exacerbate this effect, resulting in significant built form/structural landscaping projecting into the largely open garden area. This would urbanise and alter the character of a large part of the garden area and weaken the historic relationship between the open garden area and the listed buildings. In doing so it would lessen the positive contribution that the asset's immediate setting makes to its significance, as well as reduce the ability to appreciate that significance.
15. The timber and slate outbuilding, due to its modest scale, would however have the appearance of a typical garden structure, and would sit comfortably within the existing garden context.
16. Nonetheless, I conclude that the proposed development and works would fail to preserve the special architectural and historic interest of the Grade II listed building 'Barns and stores adjacent to the Old Barn and the Rectory' and would harm its significance as a designated heritage asset.
17. The above harm to significance would result in some residual harmful effect to the character and appearance of the CA, particularly given the characteristic roadside dry stone walling found within the CA. The referenced access way to Loxley House nearby, which is also through a similar boundary wall, is a substantial main access to three dwellings, and as such is not directly comparable to the proposal.
18. The development and works would not therefore preserve the character and appearance of the CA as a whole and would harm its significance as a designated heritage asset.
19. Given the fairly localised nature of the development and works relative to the building and CA as a whole, I find the harm to both heritage assets to be, individually and cumulatively, at a minor level of 'less than substantial' but nevertheless is of considerable importance and weight.
20. The existing parking area to the appeal property is located near the road as it turns around the corner adjacent to the former threshers barn. This parking space, given its proximity to a blind corner is limited in its visibility and does not provide space to turn around and exit in a forward gear. The submitted technical note<sup>3</sup> describes this existing parking arrangement as substandard, and from what I observed, I

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<sup>3</sup> By Rappor, September 2024

have no reason to disagree. It is noteworthy that the Council also does not disagree with this assessment.

21. The proposed new access would comply with visibility requirements previously set out by the Highway Authority<sup>4</sup> and would include space for a turning area. It would provide, as accepted by the Council, a clear betterment over the existing arrangement. This improved access to the appeal site would be a highway safety benefit to both the occupiers and visitors of the appeal property and to passing traffic.
22. Moreover, the proposal would also result in improved visibility to the access to Foxes Row. This would benefit the residents and visitors of the dwellings utilising this access.
23. There are therefore clear public benefits to the proposed development and works in terms of highway safety. Nevertheless, the technical report notes there is no pattern or history of collisions in the immediate locality of the site (within the 5 years reviewed) and therefore it concludes that '*there is no existing safety issue on the local highway network.*' As such, these highway safety benefits both carry a moderate weight in favour of the scheme.
24. The proposal would also change the surface finish to the existing parking area. Modern block pavements would be replaced by washed Cotswold stone shingle retained in gravel grids. As a more vernacular material, there would be some visual benefit to this alteration. Given the scale of this part of the proposal however, this benefit would be small.
25. There would be some economic benefits brought about through the investment into the property and the construction phase. Also, social benefits would be gained through improvements to the local housing stock. Again, given the scale of development, these benefits would be small. There is no substantive evidence before me that the development and works are required to secure the optimum viable use of the listed building.
26. Paragraph 212 of the National Planning Policy Framework (the Framework) indicates that, when considering the impact on the significance of a designated heritage asset, great weight should be given to the asset's conservation irrespective of whether any harm amounts to less than substantial harm to significance. Overall, the weight I ascribe to the public benefits is not sufficient to outweigh the considerable importance and weight I attach to the harm to significance I have found.
27. Consequently, the harm identified to the significance of the designated heritage assets has not been supported by clear and convincing justification. The works and development therefore would conflict with the statutory presumptions set out in sections 16(2) 66(1) and 72(1) of the Act and fail to satisfy the historic environment conservation and enhancement policies of the Framework. There is also conflict with Policies EN2, EN10 and EN11 of the Cotswold District Local Plan 2011 – 2031 (2018), which amongst other matters, seek to sustain and enhance heritage assets and be of a design quality that respects the character and appearance of the locality.

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<sup>4</sup> For previously withdrawn applications 23/01907/FUL & 23/01908/LBC

## **Other Matters**

28. The special qualities of the Cotswolds National Landscape are set out in the Cotswolds National Landscape Management Plan (2025) (Management Plan). The appeal site does not directly contribute to any of the key attributes listed. Given this, the modest scale of the proposal and location of the proposal within the settlement surrounded by built form, in this case, the natural beauty, wildlife and cultural heritage of the Cotswold National Landscape would be conserved and unharmed.

## **Conclusions – both appeals**

29. For the reasons given above, I conclude that both Appeal A and Appeal B should be dismissed.

*B Phillips*

INSPECTOR