
Appeal Decision

Site visit made on 6 October 2015

by Jacqueline Wilkinson Reg. Architect IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 October 2015

Appeal Ref: APP/U1620/W/ 15/3084370
183 Barnwood Road, Gloucester GL43HH

- 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 Dr Mark Evans against the decision of Gloucester City Council.
 - The application Ref 14/01108/FUL, dated 16 September 2014, was refused by notice dated 24 February 2015.
 - The development proposed is erection of a single storey dwelling and associated works.
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Procedural matter

1. The Council was not able to be at the site at the appointed time. I was satisfied that I could see the majority of the site from the public road, so after a phone call between the appellant's agent and the Council, both parties agreed to me conducting the visit unaccompanied. The appellant's agent left and I assessed this appeal on that basis.

Decision

2. The appeal is dismissed.

Main Issues

3. The main issues are the effect of the proposal on (i) the setting of the adjacent listed buildings at no's 181 and 183 Barnwood Road, and on the character and appearance of the area and (ii) the safety of highway users.

Reasons

4. The appeal building, along with its neighbour at 181, was once a farmhouse dating from the mid to late 16th century. It is listed Grade 2 and the list description points out interior features of interest, which were seen and noted by the previous Inspectors. As explained above I was unable to enter the site, but no-one has advised me that the interior has changed and as such, this outwardly rather plain building is in fact of high architectural and historic significance in this locality.
5. The appellant's Heritage Statement describes in some detail the way this Roman Road has over the centuries become an outlying suburb of Gloucester. The historic maps also show how the once large field to the rear of the former farmhouse became divided into two unequal parts in the 19th century, at the time when the building was subdivided into two dwellings. The land to the rear of 181 is likely to have retained some form of agricultural use and a range of

buildings can be seen on the maps. Finally, this larger plot of land was developed for housing in the 1930's. It is likely that the land to the rear of 183 was simply a large cottage garden, and a small garden bothy and glass house can be seen on the 1884 map.

6. Whilst to some degree 181 and 183 now read as separate dwellings, to the reasonably tutored eye, the shape and form of the building, with its half timbered gable, attached stack and exceptionally wide plot, alerts one to the possibility of an earlier history.
7. Three appeal decisions relating to proposals for a dwelling on this site have been put before me¹. All of these Inspectors dismissed appeals against the refusal of permission for the development of a single dwelling on the appeal site, but these schemes varied in their height, design and position. I do not have the drawings of these proposed dwellings before me, so it is difficult to make a comparison between them and the appeal proposal, which I have assessed on its own merits.
8. The appellant asserts that the garden in itself does not contain anything that contributes to the setting of the building or to an understanding of its origins or any sense of its history as a 16th century farmhouse. However, I fully concur with the previous Inspector (ref 05/00057/FUL) that "the spacious setting sets the pair apart from the relatively undistinguished dwellings that surround them and serves as a visual reminder of the building's original higher status". That said, I would add that some significance should also be placed on the garden as part of the 19th century phase of history, when it was a cottage garden. This also distinguishes it from the suburban plot sizes to be seen elsewhere.
9. The appellant has attempted to address the concerns of the previous Inspectors by setting the proposed dwelling right to the back right hand corner of the site. The flat roofed single storey one bed dwelling would be set approximately 0.7m below the garden level to reduce its impact. There would be a rear garden retained for the existing dwelling. The roof would be a "green roof". The forecourt would be laid out for the parking and turning of four cars.
10. I stood at the edge of the crossover into the property and found that despite the reduction in levels, the roof of the proposed building and the associated subdividing fencing and car parking would all be clearly visible from the street through the opening, over the low wall and from a number of points in the medium distance along the same side of the street and at the opposite corner with Church Lane, which is slightly elevated. It would be seen across the side fence with 185, although the listed building itself would screen it when walking in the southerly direction down Barnwood Road.
11. There would be a wide space in front of the proposed dwelling, which would retain a spacious gap along the frontage. However, the proposed building, would be alien in form and despite its lowering, it would be visually over dominant in the setting of the listed building. The use of a green flat roof for a domestic building would not be especially innovative and it would not be effective in reducing the impact of built form on the garden. The view of the building, partly sunken into the ground in a generally level area, would be visually disconcerting. The solid fencing and the tightly laid out parking area

¹ APP/U1620/A/05/1178886 (October 2005), APP/U1620/A/07/2044545 (2007) and APP/U1620/A/09/2097269 (2009).

- would be suburban in character and unattractive. Nothing of the sense of the former cottage garden would remain.
12. The bungalow and garage to the rear of 181 has been pointed out as a significant incursion into the setting of the listed buildings. However, the gables of this building are set well to the rear of 181, beyond the line of the rear of the appeal site. When seen from the street it appears to be part of the 1930's development along Welveland Lane I have referred to and it does not stand out or dominate the listed buildings. I agree that the garage is more problematic, being directly in the setting of the rear of the two listed buildings and there is also a significant amount of tarmac surface to the side of 181 with a wide suburban style access. However, the harm caused by this past development is mainly to the setting of 181 and does not diminish the significance of the rear and side garden adjacent to 183.
 13. The proposal would require hard surfaces across the whole frontage to allow vehicle manoeuvring, with little space for any significant planting. This part of the site is laid for parking at the moment, but it is not intensively used and retains an informal character. Whilst a soft gravel surface could be required by condition, vehicles would still dominate the space.
 14. The appellant refers to the most recent guidance on the assessment of the setting of heritage assets published by Historic England in March 2015². This advises that what comprises the asset's setting may change as the asset and its settings evolve. This is not intended to support the notion that development which is harmful can be justified simply because the assets original setting has changed. In this case I have agreed with a previous Inspector, who found that the garden was a "visual reminder of the building's original higher status". This could be equally well re-phrased "the building's original significance as a high status farmhouse". The existing garden has relevance to the significance of the building in the 19th century phase of its life as a subdivided farmhouse and its subdivision would harm that aspect of the significance of the listed building.
 15. I therefore conclude that the setting and significance of the listed building would be harmed. The proposal would therefore fail to satisfy the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework (the Framework), Section 12, paragraph 132. These broadly require that special regard shall be had to the desirability of preserving the setting of a listed building.
 16. The architectural character of the area is mixed and plot sizes do vary, but I found that the road still had a pleasant suburban character, largely due to a number of properties with soft landscaped frontages, mature trees with an identifiable theme of low and high enclosing walls. Where forecourts have been devoted entirely to parking elsewhere in the locality, it has been at odds with this softer character. Whilst the frontage space between the appeal property and its neighbour would still "read" in most long views, the proposed dwelling would become apparent in the closer views, especially from the opposite side of the street. Its roof would be visible and would look at odds with the more traditional building styles around it and it would give the

² The Historic Environment Good Practice Advice Planning Note 3: The setting of Heritage Assets (Historic England, March 2015).

- impression of being squeezed into the corner of the site at the back of a car parking area. This would harm the character and appearance of the area.
17. In the light of the appellant's evidence submitted with the appeal, the Council now states that the Highway Authority's objection is withdrawn. I conclude that subject to a condition requiring the existing access to be widened to 4.1m and the creation of specified visibility splays, the requirements of policies TR.31 and H.13 of the Gloucester Second Stage Deposit Local Plan (2002) (Local Plan) would be satisfied and the proposal would provide safe access as required by paragraph 32 of the Framework.
 18. However, the widening of the opening would open up the view of the proposed dwelling and the forecourt parking even more and would be likely to result in the loss of some of the hedge and fence along the frontage of the building. This adds to my concerns about the harmful dominance of vehicles on the forecourt.
 19. Policies BE.7 (*Architectural design*), BE.22 (*Alterations to and development within the setting of listed buildings*), BE.23 (*Development affecting the setting of listed buildings*) and H.13 (*The subdivision of plots for in-fill development*) of the Local Plan have been quoted by the Council. The appellant points out that the plan has not been formally adopted and refers to an appeal decision³ but the Council confirms that it has been adopted for development control purposes after two periods of consultation. I find that the broad aims of these policies accord with the broad aims of the Framework and therefore they attract significant weight. The proposal would be at odds with the aims of these policies and to similar aims set out in Section 12 of the Framework.

Conclusions

20. The Framework, paragraph 134, requires me to weigh the harm I have identified to the setting and significance of the listed building against any public benefit, including securing its optimum viable use. Paragraph 132 requires me to give great weight to the asset's conservation.
21. The provision of one additional dwelling would have a benefit to the housing supply but this would be very small in relation to the housing requirement, and I therefore give this benefit limited weight. I have no evidence before me that the existing listed dwelling is not in its optimum viable use, and indeed the future attractiveness of the listed building as a dwelling would be likely to be reduced, due to the negative impact on its setting.
22. I therefore conclude that there would be no public benefits which would outweigh the harm I have identified to the setting and significance of the listed building.
23. For the reasons given above I conclude that the appeal should fail.

Jacqueline Wilkinson

INSPECTOR

³ APP/U1620/A/14/2228683.