

TEWKESBURY BOROUGH COUNCIL – DEVELOPMENT CONTROL

Committee:	Planning
Date:	02.03.2020
Site Location:	Dixton Manor, Dixton, Gotherington, Cheltenham, Gloucestershire, GL52 9RB
Application No:	20/00042/FUL
Ward:	Winchcombe
Parish:	Alderton
Proposal:	Proposed demolition of existing stable block and replacement with new stable block and associated outbuildings, felling of 6no. Trees following on from previous consents 17/00048/FUL & 17/00049/LBC. Resubmission of application reference 19/00500/FUL and 19/00501/LBC.
Report by:	Emily Pugh
Appendices:	Site layout plan Proposed Elevations Elevations and floor plans
Recommendation:	Refuse

1.0 SITE DESCRIPTION AND PROPOSAL

This application relates to Dixton Manor, a Grade 2* listed 16th Century Manor House set amongst generous grounds. The site features a number of curtilage listed historic outhouses and stable buildings. The site is located within the Cotswold AONB however is not affected by further restrictive landscape designations.

The current application seeks permission for the demolition of an existing curtilage listed stable building, and its replacement with a modern c-shaped sectional range. The new building would form a courtyard around an existing gravelled area and would be used for stabling, vehicle storage, and uses ancillary purposes incidental to the enjoyment of the main dwelling (gym, games room, WC/shower room and dining hall).

The development would be constructed in red facing brick with Cotswold stone detailing, with reconstituted plain roof slates, painted steel windows and timber doors in stone mullion casements. **{b see attached plans for details}.**

2.0 RELEVANT PLANNING HISTORY

Application Number	Proposal	Decision	Decision Date
07/00452/FUL	Alterations and new extension and reconfiguration of southeastern range. Relocation of garden wall.	PERMIT	24.09.2007
07/00453/LBC	Internal and external alterations and new extension and reconfiguration of the southeastern range. Demolition of existing C20 extensions and demolition and relocation of garden wall. (Grade II Star Listed Building Ref:- 29/18)	CONSEN	24.09.2007
07/01262/FUL	Erection of 12m squared wood pellet store in kitchen garden	PER	29.10.2007
07/01263/LBC	Addition of 12m squared wood pellet store in kitchen garden. (Grade II Star Listed Building Ref:- 29/18)	CONSEN	30.11.2007
08/01319/FUL	Refurbishment of historic brick and stone stable blocks, including demolition of 20th century extensions and replacement with new complementary to original. Demolition of other 20th century outbuildings and replacement with new oak-framed parking block. New walls and gates.	PER	09.04.2009
08/01320/LBC	Refurbishment of historic brick and stone stable blocks, including demolition of 20th century extensions and replacement with new complementary to original. Demolition of other 20th century outbuildings and replacement with new oak-framed parking block. (Grade II STAR Listed Building: 29/18)	CONSEN	02.07.2009
11/00029/FUL	Proposed garden steps and repair of existing terrace wall	PER	10.05.2011
11/00030/LBC	Proposed garden steps and repair of existing terrace wall (Grade II Star Listed Building Ref:- 29/18)	CONSEN	10.05.2011
11/00038/PRE	Improvements and replacement of outbuildings.		
11/01206/LBC	Removal of a lean-to porch on the rear elevation (Grade II_ Listed Building Ref:- 1091732).	CONSEN	03.02.2012
12/00092/FUL	Refurbishment of historic brick and stone stable blocks, including demolition of 20th century extensions and replacement with new complementary to original. Demolition of other 20th century outbuildings and replacement with new oak-framed parking block. New walls and gates. (Extension of time limit for implementation of planning application 08/01319/FUL)	PER	22.03.2012
12/00093/LBC	Refurbishment of historic brick and stone stable blocks, including demolition of 20th century extensions and replacement with new complementary to original. Demolition of other 20th century outbuildings and replacement with new oak-framed parking block. (Grade II Star Listed	CONSEN	22.03.2012

	Building Ref:- 1091732). (Extension of time for implementation of planning application 08/01320/LBC)		
13/00084/PRE	Amendments further to 12/00092/FUL & 12/00093/FUL.	DONE	28.05.2014
17/00048/FUL	Extend existing detached stables outbuilding to create new stable and outbuildings, forming courtyard enclosure, construction of new central horse trough feature within repaved courtyard area with new access gateways to existing paddock.	PER	20.03.2017
17/00049/LBC	Extend existing detached stables outbuilding to create new stable and outbuildings, forming courtyard enclosure, construction of new central horse trough feature within repaved courtyard area with new access gateways to existing paddock.	CONSEN	20.03.2017
19/00500/FUL	Demolition of existing stable block and erection of stables and outbuilding forming courtyard enclosure. Construction of central water trough within courtyard and new access gateway to existing paddock. (Revision of applications 17/00048/FUL & 17/00049/LBC)	WDN	18.09.2019
19/00501/LBC	Demolition of existing stable block and erection of stables and outbuilding forming courtyard enclosure. Construction of central water trough within courtyard and new access gateway to existing paddock. (Revision of applications 17/00048/FUL & 17/00049/LBC)	WDN	18.09.2019
19/00098/CONDIS	Application for approval of details subject to Condition 3 (Windows & Doors), 4 (Walling Samples), 5 (Roof Tile Samples), 6 (Window Dressing Samples), 8 (Hardsurfacing Samples) of the planning application ref number 17/00048/FUL & 17/00049/LBC.	DISCHA	19.11.2019
20/00042/LBC	Proposed demolition of existing stable block and replacement with new stable block and associated outbuildings, felling of 6no. Trees following on from previous consents 17/00048/FUL & 17/00049/LBC. Resubmission of application reference 19/00500/FUL and 19/00501/LBC.		

RELEVANT POLICY

- 3.1 The following planning guidance and policies are relevant to the consideration of this application:
- 3.2 **National guidance**
Section 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990
National Planning Policy Framework; 2019 (NPPF)
Planning Practice Guidance
Historic England Advice Note 2 'Making Changes to Heritage Assets' 2016
- 3.3 **The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy; 2017 (JCS)**
- 3.4 **Tewkesbury Borough Local Plan to 2011; March 2006 (TBLP)**

3.5 **Preferred Options Consultation, Tewkesbury Borough Plan 2011-2031 (2018)**

3.6 Human Rights Act 1998 - Article 8 (Right to Respect for Private and Family Life)

3.7 The First Protocol, Article 1 (Protection of Property)

4.0 **CONSULTATIONS**

4.1 Historic England - Objection. The collection of working buildings which are proposed to be demolished are not only evidence of former service activity, but also as testament to the status and grandeur of the manor. It is therefore considered the buildings contribute heavily to the significance of Dixon Manor. The level of loss to a historic Grade II* curtilage listed structure requires clear and convincing justification (paragraph 194 of the NPPF), and whilst a case has been put forward for the revisions to the consented scheme, we consider this justification to be inadequate for the total loss of the stable block which in this instance is considered to result in substantial harm.

Conservation Officer - Objection. The building is of medium to high significance in association with Dixon Manor. Demolition of the historic stable block would entirely destroy this heritage asset causing substantial harm to the asset and less than substantial harm to the setting of Dixon Manor a Grade II* Listed building. The loss of this building is wholly inappropriate and the harm generated cannot be mitigated as there is no justification or public benefit identified.

Alderton Parish Council - Objects to the planning application on the grounds of the demolition of the Stable Block which contributes to the significance of the Grade II* listed Manor, and raises concerns relating to the removal of trees and requests the Tree Officer be consulted.

Tree Officer – The Tree Officer notes that the scheme seeks to remove 6 trees which would be relocated to a proposed orchard. Conditions are therefore recommended to ensure that this is done (and struggling trees replaced), and further existing trees are formally protected.

5.0 **PUBLICITY AND REPRESENTATIONS**

5.1 The application has been publicised through the posting of a site notice for a period of 21 days and/or the neighbour notification scheme.

5.2 No representations received.

6.0 **POLICY CONTEXT**

6.1 The determination of a planning application is to be made pursuant to Section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of The Town and Country Planning Act 1990. Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which "indicate otherwise". Section 70(2) provides that in

determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other materials considerations."

The development plan comprises the Joint Core Strategy (JCS) (2017) and saved policies in the Tewkesbury Borough Local Plan to 2011 (March 2006) (TBLP).

Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2019.

The relevant policies are set out in the appropriate sections of this report.

7.0 ANALYSIS

7.1 The main issue to be considered is the impact upon the historic environment.

Impact upon the Historic Environment

5.2 Paragraph 184 of the NPPF states that heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

5.3 Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

5.4 Paragraph 194 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), requires clear and convincing justification.

5.5 Policy SD8 of the JCS sets out that development should make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment. Designated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place.

5.6 Dixon Manor is designated as Grade 2* and, as such, is ranked in the top 8% of listed buildings in the country. The Manor itself is located in an elevated position within the hamlet of Dixon. It is accessed by way of a large gated driveway and is somewhat separate from its outbuildings, which are located beyond two cottages and across a formal garden to the East.

5.7 The existing outbuildings are comprised of a coach house, a stable block and an apple store – which are arranged in a courtyard setting, overlooking a stable yard. Albeit in an elevated position, the site is located within a terraced plateau which is screened by well-established trees to the north and east of the site and it is not readily visible from public vantage points.

5.8 The Manor, once a former farmstead, is still identifiable as such largely due to its rural setting and presence of rural historic curtilage listed outbuildings. The outbuildings themselves are evidently original and historic, and are curtilage listed in association with the main Manor. Those buildings are considered to be instrumental to the significance of the Dixon Manor, providing context and alluding to the former sense of grandeur. The stable block in particular contributes to the heritage value of the building group, its narrative and legibility and it forms an important feature within the site.

5.9 The proposal seeks to demolish one of those curtilage listed buildings (a historic stable block) in order to make way for a modern c-shaped arrangement of buildings to surround the stable yard, which would be used for ancillary purposes such as for a gym and storage.

5.10 The application is accompanied by a Historic Statement which attempts to justify the demolition of the stable block, ultimately concluding that *“the wall forming the rear retaining elevation (of the stable block) is deemed to be of historic value, however it requires extensive intervention to enable its repair and stabilisation that the result is tantamount to its demolition and reconstruction”*.

5.11 Essentially, this conclusion infers that, whilst it would be possible to repair and restore the stable block, it would be at great expense and it would be more cost effective to demolish and replace the building. Whilst this is noted, and the cost of works is regrettable, this is not considered to be a reasonable justification for the entire loss of a historic building.

5.12 Paragraph 196 states that, were a development results in less than substantial harm to the significance of a designated heritage asset, it must be refused, unless that harm is outweighed by public benefit. There is no further perceived public benefit for the demolition of the building (other than financial benefits to the applicant) and it is therefore not considered that the harm is outweighed by public benefit.

5.13 As such, the loss of the stable building is considered to be wholly inappropriate and the harm generated is neither mitigated nor justified. The scheme therefore results in demonstrable harm to the significance of the listed building, providing no public benefit and fails to comply with the requirements set out in JCS Policy SD8, and Section 16 of the NPPF.

Design

5.14 Policies HOU8 and SD4 state that development must respect the character, scale and proportion of the existing dwelling and the surrounding development. The detailed design, materials and layout of buildings and structures must be appropriate to their setting and the character of the surrounding area.

5.15 It is of note that a previous scheme was granted permission – which sought to retain the stable building and incorporate it into a new range as opposed to the revised scheme which seeks to demolish it entirely.

5.16 The current scheme seeks changes to the previously approved design. The range is proposed to be more grand and striking than the previous array which was seemingly designed to mimic the historic form and appearance of the stables and adjacent coach house. Although a simpler and more modest design would have

been preferred in order to better reflect the existing historic farmstead outbuildings which are comprised of a distinct agricultural character, the current design is not considered unacceptable or sufficient reason to warrant refusal. It would comprise of a traditional, vernacular appearance, featuring some important detailing to the stonework, roof and fenestration and the form and layout would be appropriate within the context of the site.

5.17 In view of the above, the design of the development is not disputed and is considered to be in accordance with Policies HOU8 and SD4.

Landscape Impact

5.18 Policy SD7 states that developments are required to enhance the landscape, scenic beauty, cultural heritage and other special qualities in The Cotswolds Area of Outstanding Natural Beauty (AONB). The Cotswolds AONB Management Plan is also a material planning consideration which sets out core values for the protection and future enhancement of the AONB with relevant emphasis placed on the creation of local distinctiveness.

5.19 Policy SD6 further states that development should seek to protect landscape character for its intrinsic beauty and for its benefit to economic, environmental and social well-being.

5.20 As set out above, the design of the development the development would comprise of a traditional, vernacular appearance and the form and layout would be appropriate within the context of the site. It is therefore considered that in itself the development would enhance the landscape, scenic beauty, cultural heritage and other special qualities of the AONB.

5.21 In order to facilitate the development, the proposal seeks the removal of six trees. The reason for this is set out in the design and access statement, which states that the trees and their roots are damaging the existing structure and it is implied that they would undermine the proposed structures. It is also stated that one of the trees (T3) is already dead.

5.22 The applicant has not submitted an Arboricultural Statement in support of this position and a number of additional trees are proposed to be planted in replacement of those removed.

5.23 The Tree Officer has been consulted and raises no objection.

Impact on Residential Amenity

5.24 Policy SD14 states that development should seek to improve environmental quality and must not exacerbate conditions that could impact on human health or cause health inequality. Developments should cause no harm to local amenity, and should result in no unacceptable levels of air, noise, water, light/soil pollution or odour. Mitigation measures should be incorporated into development.

5.25 The site is located some distance away from any neighbouring properties and, as such, it is not considered that the proposal would result in any adverse impact to residential amenity.

Highway Impact

5.26 Policy INF1 states that safe and efficient access should be provided to the highway network for all modes of transport and should be designed so as to encourage maximum potential use.

5.27 The stable yard would be laid to concrete and a central water trough constructed in stonework implemented. Parking and turning arrangements would be unaffected and as such. The proposal is considered acceptable in relation to Policy INF1.

8.0 CONCLUSION AND RECOMMENDATION

8.1 Taking into account all of the above, the proposal is considered to be contrary to the relevant policies of the adopted development plan, and it is therefore recommended that planning permission be **refused**.

Reason(s):

The proposed development would result in demonstrable harm to the significance of the Grade 2* Listed Building by way of the unjustified and wholly inappropriate loss of the stable building, contrary to Policy SD8 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (2017), and the advice contained within the National Planning Policy Framework.

Informatives:

1. In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding. However, as a consequence of the clear conflict with Development Plan Policy no direct negotiation during the consideration of the application has taken place.