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## Appeal Decision

Site visit made on 2 February 2021

**by L Page BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 25<sup>th</sup> February 2021**

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**Appeal Ref: APP/G1630/W/20/3259879**

**Cotswold House, Post Office Lane, Cleeve Hill GL52 3PS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
  - The appeal is made by Mr Lloyd Griffiths against Tewkesbury Borough Council.
  - The application Ref 19/00449/FUL, is dated 27 April 2019.
  - The development proposed is addition of single storey summer room to the west of house, with retaining walls and driveway added to garden and a new entry onto Post Office Lane.
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### Decision

1. The appeal is dismissed, and planning permission is refused.

### Procedural Matters

2. The description of development has been amended from the application forms and is taken from the appeal forms, which more succinctly describe the proposal. The Council failed to issue a decision within the prescribed period but has confirmed it would have refused planning permission, outlining the main areas in dispute. The appeal has been dealt with accordingly.

### Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, including on the significance of a potential non-designated heritage asset and the natural beauty of Cotswolds Area of Outstanding Natural Beauty (AONB).

### Reasons

4. The site is located on Post Office Lane in the small settlement of Cleeve Hill, which is characterised by a collection of detached and semi-detached two storey dwellings, many of which comprise Cotswold sandstone and generally appear in their historic proportions with clean frontages without protrusions that go beyond the forward building line. The dwellings are sited on relatively spacious plots, with attractive ornamental gardens. Post Office Lane meanders down the hillside from the south to the north west, with dwellings set both above and below it amongst a wider rural landscape.
5. The site is also located in the AONB. Some of the defining characteristics tied to the AONB's natural beauty include the historic value of the landscape, the use of local material for buildings and the setting of individual settlements, characteristics which are reflected by the site's location.

6. Cotswold House comprises a detached dwelling with similar characteristics to dwellings in the local area, as already described. Its age, form and positive contribution to the local area means the Council has regarded it as a non-designated heritage asset. However, it is unclear what process the Council has followed to formally identify it as a non-designated heritage asset<sup>1</sup>.
7. Consequently, there is no evidence before me that demonstrates it should be taken as such for the purposes of this appeal. Nonetheless, it still makes a positive contribution to the local area due to its consistent relationship with other dwellings nearby whilst also bearing some of the defining characteristics of the wider AONB, such as discernible historic proportions, clean frontage and use of consistent materials.
8. It appears that Cotswold House has been subject to a number of side extensions. However, these present themselves as subservient and sympathetic additions to the original historic form, whilst retaining positive symmetrical proportions and clean frontage, which are prominent features in the landscape given the property's position above Post Office Lane.
9. The proposal would comprise an extension to the front of the property, which would be forward of the existing building line. This would detract from the clean frontage of Cotswold House and also upset the level of symmetry it currently enjoys. Furthermore, the extension would introduce a roof design that would conflict with more traditional approaches in the area.
10. Paragraph 172 of the National Planning Policy Framework (the Framework) is clear in that great weight should be given to conserving and enhancing the landscape and scenic beauty of an AONB, areas which have some of the highest levels of protection in relation to these issues. This would include the protection of cultural heritage features, such as the form and construction of buildings in these areas.
11. Overall, although it has not been demonstrated that Cotswold House is a non-designated heritage asset, the proposal would still harm the character and appearance of the area, including the natural beauty of the AONB. Consequently, it would conflict with Policy HOU8 of the Tewkesbury Borough Local Plan 2006 and Policies SD4, SD7 and SD8 of the Gloucester, Cheltenham, and Tewkesbury Joint Core Strategy 2017.
12. Among other things, these policies seek to ensure all development proposals within the Cotswolds AONB will conserve and, where appropriate, enhance its landscape, scenic beauty, wildlife, cultural heritage, and other special qualities. This is pursuant to Section 85 of the Countryside and Rights of Way Act 2000 and the statutory duty to conserve or enhance the natural beauty of the AONB.

### **Other Matters**

13. Notwithstanding the appellant's comments on the how they feel the planning application was dealt with, the Council's administration of the planning application is not strictly a matter for me to address under the appeal.
14. There is no objective evidence in front of me to demonstrate that the existing highway suffers from congestion or that the proposal would aid congestion and should therefore be weighed as a benefit in the planning balance.

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<sup>1</sup> Planning Practice Guidance, Paragraph:040 Reference ID: 18a-040-20190723

15. Similarly, if there are other potential enhancements that the appellant could make to the property, these are not in front of me as a component part of the proposal and I am unable to weigh them as a benefit in the planning balance.
16. Reference is made to other extensions in the local area. However, there are no details in front of me to determine whether there are sufficient similarities to the proposal in this case to change my conclusions under the main issue.

### **Conclusion**

17. For the reasons given, the appeal is dismissed, and planning permission is refused.

*Liam Page*

INSPECTOR