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# Appeal Decision

Site visit made on 6 January 2023

**by Gary Deane BSc (Hons) DipTP MRTPI**

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

**Decision date: 22<sup>nd</sup> February 2023**

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**Appeal Ref: APP/F1610/D/22/3310148**

**The Forge Barn, Main Road Through Lower Oddington, Lower Oddington  
GL56 0UP**

- 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 Mr and Mrs Ross against the decision of Cotswold District Council.
  - The application Ref 21/04273/FUL, dated 11 November 2021, was refused by notice dated 25 August 2022.
  - The development proposed is described as raising the roof to allow loft studio with two new dormers.
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## Decision

1. The appeal is dismissed.

## Procedural matters

2. The description of development set out in the above heading is taken from the application form lodged with the Council. However, the scheme was amended prior to determination, and it is clear from the plans and accompanying details that the development sought is to place a single dormer extension and a roof light onto the raised dual pitched roof of the appeal building. The Council dealt with the proposal on this basis and so shall I.
3. The Forge Barn falls within the Oddington Conservation Area (CA) and is close to several listed buildings including Rectory Farm situated to the south of the site. Accordingly, I have paid special attention to the desirability of preserving the listed building or its setting and preserving or enhancing the character or appearance of the CA as required by sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended.

## Main issues

4. The main issues are the effect of the proposed development on:
  - the character and appearance of the host building and the CA, and on the setting of nearby listed buildings, bearing in mind the statutory duties outlined above; and on
  - the living conditions of the occupiers of Green Farm Cottage with particular regard to privacy.

## Reasons

### *Character, appearance, and setting*

5. The Forge Barn is a residential conversion of a traditional stables building within the village of Lower Oddington, in which properties are often arranged in tight knit groups and terraces. In my opinion, the conversion of the original building to residential use has essentially and successfully retained the simple form, modest size, low profile, and general appearance of a former farm building. The introduction of two dormers to the main roof slope, new windows and painted render to some exterior walls have, to some extent, diluted the agricultural character of the original building. Nevertheless, it remains clearly legible as a former farm building. That the building's appearance is disjointed and lacks cohesion, as the appellants suggest, overstates the position.
6. According to the submitted evidence, the appeal property dates from before the mid 19th Century. It has a traditional style with materials and a general appearance that typify the local vernacular, which characterises the CA and from which it derives part of its significance as a designated heritage asset. As a historic building with architectural and visual merit, I share the Council's opinion that The Forge Barn is a non-designated heritage asset. It is a significant and positive contributor to the character and appearance of the CA.
7. The appeal building has several parts with a substantial central element providing living accommodation over two floors, which is hereafter referred to as 'the main building'. Attached to one side of the main building is a single storey section with a dual pitched roof. Because this single storey section is set back from the main front wall with a ridgeline and eaves level set below those of the main roof, it visually 'reads' as subordinate to the main building.
8. The proposal is to alter and extend the roof above this single storey section to provide accommodation within the enlarged roof space that would be served by a new dormer on one roof slope and a conservation style roof light on the other. The new dormer would replicate the design and size of the existing dormers on the main roof with external materials to match those of the existing building. The historic footprint of the property would not change.
9. Nevertheless, by increasing the ridge height to just below that of the main roof and introducing a new dormer, as proposed, the proposal would lack subservience to the main building, which is a distinctive aspect of the original property. The new dormer would also introduce a further domestic feature in a prominent elevated position that would erode the traditional character and appearance of the host building. With only a short step in the new ridgeline and 3 dormers in a row, the finished building would appear noticeably wider and larger and more akin to a dwelling with accommodation in the roof space rather than a converted stables building.
10. I saw that dormers are a familiar feature of several properties close to the site and within the CA. However, most these existing dormers are an integral part of the principal building with very few examples on the roof of secondary or ancillary elements, as proposed. As these examples are not directly comparable with the appeal scheme, I am unable to attach more than limited weight to them in support of the appeal.

11. For the reasons given, the proposed development would have a significant detrimental effect on the character and appearance of the host building. In doing so, the appeal scheme would diminish the positive contribution of The Forge Barn to the CA. It would also materially harm the character and appearance of the CA, which would fail to be preserved.
12. Of the listed buildings close to the site, it is Rectory Farmhouse that is most likely to be most affected by the proposal. From the road and the courtyard of The Forge Barn, the raised roof and dormer, as proposed, would form part of the setting of this Grade II listed building situated just beyond. Even so, the proposal would be some distance from this neighbouring building with some screening provided by existing vegetation. On balance, I consider that the setting and significance of this listed building as a designated heritage asset would be preserved if the proposal were to come forward. Other listed buildings in the vicinity of the site would not be affected by the proposal.
13. While the identified harm to the CA would be less than substantial, it still carries considerable importance and weight. In those circumstances, the Framework states that the harm should be weighed against the public benefits. The main benefit arising from the proposal would be an improvement to the living accommodation available for the appellants, which is a largely private matter. I am not persuaded that the proposal would be needed to ensure the long-term conservation of the building or to secure its optimal viable use given that it is already an occupied dwelling. No other public benefits would outweigh the significant harm that I have identified.
14. On the main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the host building and the CA. As such, it is contrary to Policies EN2, EN10, EN11, EN12, and EN13 of the Cotswold District Local Plan (LP). These policies aim to ensure that the design quality of development respects the character and distinctive appearance of the locality, and sustains and enhances the character, appearance, and significance of conservation areas. It also conflicts with the Framework, which states that development should be sympathetic to local character; add to the overall quality of the area; and safeguard heritage assets.

#### *Living conditions*

15. The proposed dormer would face towards the rear of Green Farm Cottage situated just beyond the courtyard of The Forge Barn. From the window of this new addition, views of the garden and glazed lean-to at the back of this neighbouring property would be direct and from an elevated position.
16. In my experience, overlooking of this type is a common characteristic of the relationship between properties in built up areas such as this. I observed that the relatively low-level boundary wall that separates the rear of Green Farm Cottage and the site allows views between these properties at close range. Oblique views of the rear of Green Farm Cottage area also possible from the existing dormer windows of the appeal property.
17. In that context, the additional overlooking possible from the new dormer would have no significant impact on the living conditions of the occupiers of Green Farm Cottage. Accordingly, there is no conflict with LP Policy EN2, the Cotswold Design Guide or the Framework insofar as they aim to safeguard

residential amenity. My favourable finding on this matter does not outweigh the harm that I have identified in relation to the first main issue.

*Other matters*

18. The site also falls within the Cotswolds Area of Outstanding Natural Beauty (AONB). This is a nationally designated area with the highest status of protection in relation to landscape and scenic beauty. As the proposal would have a localised impact, there would be no harm to the wider landscape. Overall, the appeal scheme would have a neutral effect on the landscape and, in conserving it, there would be no conflict with the planning policies cited by the Council or with the Framework in this respect.
19. Interested parties raises several additional objections including light, outlook, precedent, over development of the site, vehicle parking and potential disruption due to construction work. I have had regard these concerns and have considered all the evidence before me. However, given my findings in relation to the first main issue, these are not matters upon which my decision has turned.

**Conclusion**

20. The proposed development would fail to meet the statutory duty with regard to conservation areas. It would also conflict with the development plan. There are no material considerations, including the Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan. Accordingly, the appeal should be dismissed.

*Gary Deane*

INSPECTOR