



Appeal Decision

Site visit made on 5 May 2023

by Lewis Condé Msc, Bsc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 May 2023

Appeal Ref: APP/C1625/D/23/3316282

**Yew Tree Cottage, Road Through Box Green to Box Road, Box,
Gloucestershire GL6 9HP**

- 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 & Mrs Kelly against the decision of Stroud District Council.
 - The application Ref S.22/1802/HHOL, dated 11 August 2022, was refused by notice dated 16 November 2022.
 - The development proposed is described as 'Proposed single storey side extension (sunroom)'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development upon the character and appearance of the host property and surrounding area, including the Box Conservation Area and the Cotswolds Area of Outstanding Natural Beauty.

Reasons

3. Yew Tree Cottage is located within the heart of the village of Box and is sited relatively centrally within the Box Conservation Area (CA).
4. I have not been provided with a copy of any conservation area appraisal or character assessment. However, from my site visit it was clear that, despite variety in the detailed design of the built form, there is a general cohesiveness to the CA. This cohesiveness stems in part from a rich, traditional rural architecture and rather consistent use of materials, notably local stone. The CA also has a pleasant, tranquil, verdant quality that adds to its character.
5. Yew Tree Cottage, is a stone built dwelling with a steep pitched roof and gable ends. It is a relatively small building with a traditional appearance stemming from its rather simple detailing and classic proportions. I find that the appeal property positively contributes to the character and significance of the CA.
6. The appeal site also lies within the Cotswold Area of Outstanding Natural Beauty (AONB). Accordingly, I have had regard to the duty under section 85(1) of the Countryside and Rights of Way Act 2000. This requires that decisions have regard to the purpose of conserving and enhancing the special qualities, distinctive character, and key features of the AONB.
7. The appeal property benefits from a generous plot and is sited rather tight to its north boundary, with significant garden space to its sides and to its south.

Nevertheless, despite the size of the plot and the presence of mature vegetation and stone boundary walls, views of the dwelling and garden remain available from public vantage points.

8. The proposed development would be single storey in nature, with modest eaves height. It is proposed to incorporate finishing materials to match the existing property, which could be suitably secured by condition in the event of any planning permission. Additionally, given the spacious nature of the appeal plot, the proposal would not appear as a cramped form of development.
9. Nevertheless, the proposed extension would have a considerable footprint, particularly in the context of the host property. At over 7m in length, the side extension would be disproportionate in scale to the existing property and would result in a significant imbalance in appearance. Furthermore, the precise form and detailing of the proposal, including its window proportions and roof pitch, would also be at odds with the simple traditional character of the existing dwelling. It would therefore be an unfitting and harmful addition.
10. Given the scale and nature of the appeal development I consider it would cause less than substantial harm to the character and appearance of the CA. Nonetheless, any harm to the significance of a designated heritage asset requires clear and convincing justification and in accordance with paragraph 202 of the National Planning Policy Framework (the Framework), I must weigh the harm against the public benefits of the proposal.
11. The appeal scheme would provide additional living accommodation benefiting the owner/occupants of the appeal site. In this instance, there are no public benefits in favour of the proposal that would outweigh the harm.
12. As a result, I find that the appeal proposal would fail to preserve or enhance the character and appearance of the property and the Box Conservation Area. It would also fail to conserve or enhance the natural beauty of the Cotswolds AONB. Consequently, the appeal scheme conflicts with the design and historic environment aims of Policies CP14(5), HC8(2), ES7 and ES10 of the Stroud District Local Plan 2015. When read together these policies require development to be of a high quality of design that should protect, conserve and where possible enhance the historic and natural environment.
13. The proposal would also fail to meet the requirements of Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 or the Framework insofar as it relates to heritage assets.
14. In reaching the above view, I appreciate that other properties within the near vicinity may have been previously extended, including through the addition of conservatories. However, I am not aware of the particular circumstances of those cases, including whether the extensions would have required planning permission. In any event, I must consider the appeal scheme on its own merits. The existence of other forms of extensions or outbuildings in the locality does not justify the harm that I have identified.

Other Matters

15. I note the frustrations of the appellants regarding the manner in which the Local Planning Authority dealt with the original application, however, this is a matter for the Council to address. The appeal has been determined on its own merits.

16. A lack of harm to the living conditions of neighbouring residents is to be expected of new development proposals and therefore does not weigh in favour of the appeal scheme. Additionally, a lack of objections to the proposal, or even support from local residents, does not warrant the approval of unacceptable development.

Conclusion

17. For the reasons given above, having considered the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be dismissed.

Lewis Condé

INSPECTOR