

Appeal Decision

Site visit made on 4 September 2024

by R Kent BA (Hons) MTP DipM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 October 2024

Appeal Ref: APP/P1615/W/24/3343515

Land adjacent to Beulah Chapel, Green Bottom, Littledean GL14 3LH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Bob Levey against the decision of Forest of Dean District Council.
 - The application Ref is P1706/22/FUL.
 - The development proposed was originally described as “change of use of vacant plot of land from agricultural to class C1 to allow for the installation of a single static caravan holiday let unit and associated works”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Notwithstanding the description of development set out above, which is taken from the application form, it is clear from the revised plans and details that the proposal was amended from the installation of a “single static caravan” to a “log cabin.” The Council dealt with the proposal on this basis and so shall I.
3. The plans include various amendments to the layout and details to reflect the changes referred to above. For clarity, I have determined the appeal on the basis of the proposed site plan reference PL01 rev C and log cabin details PL04 rev A.

Main Issue

4. The main issue in this case is the effect of the proposal on the character and appearance of the site and its surroundings, including the effect on the significance of Beulah Chapel as a non-designated heritage asset (NDHA); and if harm arises whether this is outweighed by other material considerations.

Reasons

5. The appeal site is currently a small, overgrown field lying between the chapel and a single storey garage building to its west and served by a narrow, winding single width road. A stone wall runs along its northern side separating the site from the road. Opposite the site are 3 detached houses and outbuildings with further occasional houses beyond. To the south is a substantial woodland tree belt with further woodland rising above existing houses to the north. Overall, the site and its location has a pleasant, rural character and appearance.
6. The simple stone chapel, enclosed by green railings, dates from the 19th century and derives its significance as a NDHA from its age, location,

architectural merit and use. Its traditional design also makes a positive contribution to the character and appearance of the appeal site and surrounding area. Whilst there are more recent buildings in the vicinity of the site, and some have rendered elevations which contrast with the stone chapel, the chapel is still of moderate significance as a heritage asset.

7. The site is part of the chapel's rural setting, providing an open, undeveloped, green space which contributes positively to the significance of the chapel as a heritage asset due to its close physical and visual relationship with it. It forms an important part of the views of the chapel from where the chapel's significance can be particularly appreciated. It is in the foreground of the view approaching along the road from the east, visible when passing the site and forms part of the backdrop of the chapel when viewed from higher ground to the west.
8. The proposed log cabin and timber decked perimeter terrace together with the proposed parking and turning area would result in the loss of the site's current open, undeveloped, rural character. Whilst a single storey structure, it would be clearly visible from the road and its development would give the site a much more developed, residential appearance. Its design, incorporating a shallow, albeit slate, pitched roof, recessed veranda and timber materials, together with the proposed parking and turning area, would appear incongruous next to the traditional stone chapel with its large, rectangular windows, modest entrance and steeply pitched roof. As a result, the proposal would harm the chapel's significance as a NDHA.
9. The timber cabin would also differ significantly in design from the rendered, two storey houses opposite the site and would be out of character with them. Although there are other occasional timber structures in the hamlet, including a small shed next to the chapel, I am not aware of their planning status. They are largely within the curtilage of existing buildings and less prominent than the appeal proposal. Regardless of this, I have considered the appeal proposal on its individual merits.
10. The log cabin would be set back from the road and partially screened by the boundary wall. In time, new planting which has been carried out would, if maintained, provide further screening. Nevertheless, the cabin would still remain visible from houses opposite and from the road, particularly from the north west through the proposed access. It would significantly harm the character and appearance of the site and its surroundings. As it would be sited away from the chapel and set back into the site, it would be less prominent from the east. Although it would still be visible in views to and from the chapel and impact on the ability to appreciate the chapel, the harm caused to the significance of the chapel as a NDHA would be moderate.
11. For these reasons, the proposed development would harm the character and appearance of the site and its surroundings and would harm the significance of the NDHA. Consequently, it would conflict with Policy CSP.1 of the Forest of Dean District Council Core Strategy 2012 and Policies AP.4 and AP.5 of the Forest of Dean District Council Allocations Plan 2018 which seek to ensure new development makes a positive contribution to design quality and protects historic character and local distinctiveness. It would also fail to comply with the National Planning Policy Framework's (the Framework) policies to conserve and enhance the historic environment; and achieve well designed and beautiful places.

Other Considerations

12. Against the harm I have identified, the proposal would provide self-catering holiday accommodation, which would have a beneficial impact on the rural economy due to future visitors' expenditure on local services and tourist activities. However, whilst a Business Plan has been submitted, it is unclear, about the extent of this economic benefit. As I have found that the development would not respect the character of the countryside, it would nevertheless conflict with the Framework's policy for enabling rural tourism.
13. Reference has been made to the effect of the proposed access on highway safety. I note that the Highway Authority considered that, as the road is lightly trafficked, there would be sufficient visibility for vehicles leaving the site. Whilst the road is also used by walkers and cyclists, I have no evidence to come to a different conclusion.
14. The site is located within close proximity to the Wye Valley and Forest of Dean Bat Special Area of Conservation (SAC) and falls within the core sustenance zone for both lesser and greater horseshoe bats. Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 indicates that the requirement for an Appropriate Assessment is only necessary where the competent authority is minded to give consent for the proposed development. Therefore, given my overall conclusion on the main issue, it would only be necessary for me to consider this matter in any further detail if other considerations lead me to the view that planning permission should be granted.

Planning balance

15. The Framework requires me, when weighing applications that directly or indirectly affect a NDHA, to make a balanced judgement having regard to the scale of any harm and the significance of the heritage asset. As described above, Beulah Chapel still has moderate significance as a NDHA and the harm caused to it by the proposal, whilst also moderate, carries substantial weight. I have also found that the proposals would cause significant harm to the character and appearance of the site and its surroundings which also attracts substantial weight. As the proposal is for a single unit, I consider that the economic benefits of the proposal would be quite modest and therefore accord them limited weight.
16. As there are no policies in the development plan which positively favour proposals of this kind and it would be contrary to the policies referred to above, there would be conflict with the development plan as a whole.

Conclusion

17. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

R Kent

INSPECTOR