



Appeal Decision

Site visit made on 3 December 2024

by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 January 2025

Appeal Ref: APP/P1615/W/24/3345402

Severn Lodge, Church Lane, Alvington, Gloucestershire GL15 6BQ

- 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 James Winship against the decision of the Forest of Dean District Council.
 - The application Ref is P1332/23/FUL.
 - The development proposed is the change of use of existing residential annexe to an independent dwelling with associated works. Regularisation of single-storey flat-roofed extension. (Part retrospective).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Severn Lodge is a grade II listed building, and this house and the access to the annexe are within the Alvington Conservation Area. As required by Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), special regard has been paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, and of preserving or enhancing the character or appearance of the conservation area.
3. A single story flat roofed extension to the annexe has already been constructed, along with the erection of an oil tank, an oil boiler, and timber and metal fences and gates. Notwithstanding this, the consideration of the appeal has been based on the submission as provided, rather than what has occurred on site.
4. During the consideration of the original application a revised description of development was agreed by the main parties. This description has been cited above.
5. A revised version of the National Planning Policy Framework (the Framework) was published on 12 December 2024, and the main parties were provided with an opportunity to comment. Consideration of those received has been undertaken in reaching the appeal decision.

Main Issue

6. The main issue is the effect of the scheme upon the setting of a nearby listed building, and linked to that the effect upon the setting of the conservation area.

Reasons

7. The annexe is a detached render, stone and tiled building with a flat-roofed extension positioned within the gardens of Severn Lodge, near to the property boundary. The annexe has two courtyard areas, and a mostly lawned garden. The annexe, a former stable block and its associated yard form a discrete cluster of ancillary outbuildings to one side of Severn Lodge.
8. Severn Lodge is a large, detached villa with a central range that is flanked by two gabled wings. It is a high-status building, as denoted by its large size, elegant form, and generous gardens. The house has been designed to capitalise on the spectacular, panoramic views over the Severn Estuary as its mannered, principal elevation faces towards the water. To the rear, tall stone boundary walls separate the garden from the lane, and there are other stone walls to the northern boundary of the property. The deliberate positioning of the house to benefit from the attractive, expansive views, its elegant, imposing form and style, and the use of local stone both in the house and boundary walls, are all part of the special historic and architectural interest of this listed building.
9. The house is a landmark within the area, and its deliberate separation from the lane behind tall walls is an integral element of its setting. The enclosed rear of the building and the defined delineation of other boundaries with stone walls emphasises the physical, functional, and social importance of the house in the area. Severn Lodge is one of a few scattered buildings along Church Lane, and this disparate positioning of buildings, along with their generous gardens and numerous paddocks, gives an essentially rural character and appearance to the lane that makes a distinctive contrast to the more closely spaced buildings along the main road. Severn Lodge and the church are dominant, in part due to their size, function, and form, but also through their positioning away from the linear core of the village. This detachment, along with the tall stone walls that deliberately separate the public and private realms, is part of the special interest of the listed building and its setting and also contributes towards the significance of the conservation area. In addition, the expansive, uninterrupted views over the estuary and the surrounding landscape are key elements of the setting to the listed building and to the conservation area.
10. Severn Lodge and the converted barns are within the conservation area, albeit the annexe and the stables are outside it. There is an existing access and driveway between Severn Lodge and the neighbouring converted barn, with the barn and rubble stone walls to one side and the flank wall of the house and its rear garden to the other. The modest dimensions of this existing access, along with the presence of the historic gate piers are indicative of its function of providing a secondary, service access to Severn Lodge. Future occupiers of the dwelling would use this access rather than the main entrance to the house, using the driveway for parking. The use of the existing access and the drive would retain its function and would thereby preserve the character and appearance of the conservation area.
11. The annexe has a clear ancillary relationship to Severn Lodge. It has no active frontage with the public highway as the doorways are positioned within the side elevations, with the former vehicular entrances to the east. The annexe and the stables have a legible subservience of positioning, form, size and

function to Severn Lodge, and particularly so as the two buildings shared the use of a yard and derived access from the house's main entrance. Along with the positioning of these buildings close to the stone boundary wall, the annexe has a clearly ancillary relationship to Severn Lodge. Although a former modern garage, this subservience and the linkages to the main house comprise an integral part of the setting of the listed building and also of that of the conservation area.

12. The change of use of the annexe to a separate dwelling would harmfully erode this subservience. There would be a duplication of domestic paraphernalia, uses, and activity, all occurring very close to the main house. Rather than appear as physically and functionally linked to Severn Lodge, the annexe would have a distinct, independent presence. An additional home in such a position would consolidate the disparate scatter of dwellings that characterises this part of Church Lane. Even a small new household in such close proximity to Severn Lodge would unacceptably erode the primacy and dominance of this high-status building, and particularly so given its deliberate detachment from the historic core of the village.
13. Numerous tall timber fences would define the annexe's courtyards and gardens resulting in a conspicuous demarcation and identity as a separate dwelling. The positioning and tall height of the fences would appear curiously contrived as they would result in the duplication of pathways separated by high fences, and also small, enclosed garden areas, all of which would be at harmful odds with, and intrude into, the expansive garden setting of Severn Lodge. The long narrow garden to one side of the stable block would be particularly prominent, in part due to the tall fencing, but also because it would project well beyond the stable building. Whilst the existing fencing to this section would be removed, what it would be replaced with has not been detailed. Irrespective of this, the garden would encroach into and erode the open setting to the listed building.
14. Furthermore, the repeated presence of long, monotonous lengths of timber fencing would be conspicuously apparent in wider views, including from as far away as Court Lane. Stone walls are a repeated characteristic boundary treatment within the area, and one which creates a distinctive local identity. In such a context the presence of numerous tall timber fences concentrated within a small area would harmfully draw the eye, to the detriment of the setting of the listed building and also to that of the conservation area.
15. The National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. The scheme would not preserve the setting of a listed building nor that of the conservation area. These harms would be less than substantial as the works would affect only part of these settings, although such harms would be of considerable importance and weight. Under such circumstances, the Framework advises that where development would lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal.
16. With a housing land supply of around 1.82 years the Council has an acute shortfall of supply, and the provision of an additional home would be an important benefit of the scheme that would weigh heavily in its favour. The

appellant has pointed out the dwelling would accord with Policy CSP.5 of the Forest of Dean Core Strategy (2012) (CS) as it would be within the village settlement boundary. However, the modest benefit of an additional single home in such a location would not outweigh the significant harms arising from the scheme. Furthermore, the continued viable use of Severn Lodge would not be dependent on the proposal as the house has an ongoing use that would not cease with the refusal of permission.

17. For these reasons, the scheme would fail to preserve the setting of the listed building and that of the conservation area, and the suggested conditions would not overcome these harms. There would be conflict with the Act and with the Framework, and with CS Policy CSP.1, Policies AP4 and AP5 of the Forest of Dean Allocations Plan (2018), and also with Policies BE1 and BE2 of the Alvington Parish Neighbourhood Development Plan (2021) (NP). These policies reflect objectives of the Framework as they seek amongst other things, that development must conserve, preserve or otherwise respect important characteristics of the environment, that which protects, promotes, and reinforces historic character and local distinctiveness, as well as respecting proportions of space and density. Given this, the scheme would fail to accord with these requirements.
18. NP Policy NE1 has been referenced by the Council, but as this policy seeks the protection and enhancement of local wildlife it has not had a bearing on the main issue.

Other Matters

19. As the appeal is being dismissed for other reasons, whether the extension, the holiday use of the building, and other works have the benefit of permission and consent would be matters for the relevant parties to address.

Conclusion

20. Whilst a key aim of the Framework is to significantly boost the supply of housing, when read as a whole the Framework does not suggest this should happen at the expense of other considerations. Irrespective of the Council's housing land supply shortfall, the policies within the Framework that protect assets of particular importance, in this case designated heritage assets, provide clear reasons for refusing the scheme.
21. There would be conflict with the requirements of the development plan when considered as a whole, and there are no other considerations, including the requirements of the Framework, that outweigh this finding. Thus, for the reasons given above and having considered all other matters raised, the appeal is dismissed.

J J Evans

INSPECTOR