



Appeal Decisions

Site visit made on 8 April 2025

by **J J Evans BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1 May 2025

Appeal A Ref: APP/F1610/W/24/3354187

Abdale House, High Street, Northleach, Gloucestershire GL54 3EU

- 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 Mrs Sarah Parker against the decision of Cotswold District Council.
- The application Ref is 24/02098/FUL.
- The development proposed is a single storey rear extension following demolition of lean-to, garden room, new bathroom to first floor, and repairs.

Appeal B Ref: APP/F1610/Y/24/3353735

Abdale House, High Street, Northleach, Gloucestershire GL54 3EU

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
- The appeal is made by Mrs Sarah Parker against the decision of Cotswold District Council.
- The application Ref is 24/02099/LBC.
- The works proposed are a single storey rear extension following demolition of lean-to, garden room, new bathroom to first floor, and repairs.

Decision

1. Appeal A: the appeal is dismissed insofar as it relates to the single storey rear extension and the demolition of the lean-to. The appeal is allowed insofar as it relates to the garden room.
2. Planning permission is granted for a garden room at Abdale House, High Street, Northleach, Gloucestershire GL54 3EU, in accordance with the terms of the application Ref 24/02098/FUL and subject to the following conditions:-
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawings entitled: Location of the Garden Room; Plans for the Garden Room showing the elevations and floorplan of the garden room.
 - 3) No development above ground level shall take place until details / samples of the materials to be used in the construction of the external surfaces of the garden room hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details / samples.
3. Appeal B: the appeal is dismissed.

Preliminary Matters

4. A revised version of the National Planning Policy Framework (the Framework) was published on 12 December 2024. Comments of the main parties have been sought concerning the revised national policy, and consideration has been given to those received in reaching the decision.
5. Abdale House and Fawley House are grade II listed buildings within the Northleach Conservation Area. As required by Sections 16(2), 66(1), and 72(1) 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 a conservation area.
6. The site is within the Cotswolds National Landscape (NL). As required by Section 245 of the Levelling-up and Regeneration Act 2023, special regard has been paid to seeking to further the statutory purposes of the NL.
7. The description of development in the headings above has been taken from the original application form. However, in the appeal forms it is stated that the description of development has not changed but nevertheless a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, the description given on the original application form has been used in the headings above.
8. As set out above, there are two appeals on the same site, one seeking planning permission and the other listed building consent. Planning permission is sought for a single storey rear extension and the erection of a garden room, with listed building consent being sought for the rear extension, a new bathroom, and window replacements. Each appeal has been treated on its individual merits, although to avoid duplication the two cases have been dealt with together, except where otherwise indicated.
9. There are two different red site lines shown within the submitted drawings (ie Dwg nos – A.1 Location & Block Plan Existing, A.2 Rev A – Block Plan Proposed, and that entitled Location of the Garden Room). The first two drawings show a much shorter rear garden than that depicted on the Location of the Garden Room drawing. In addition, two drawings depict the position of the proposed garden room but they show different positions for the same building (ie dwg no A.2 Rev A – Block Plan Proposed, and that entitled Location of the Garden Room). The Council's officer report describes the garden room as being approximately 45m away from the house, with the appellant describing the location as being at the end of the garden. These descriptions accord with the position of the building depicted on the Location of the Garden Room drawing, and this was the position of the building referred to at the appeals site inspection. For the avoidance of doubt, the appeal has been determined on the basis of the site area and position of the garden room as shown on the Location of the Garden Room drawing.

Main Issues

10. The main issues for both appeals is whether the works would preserve a listed building and its setting and any features of special architectural or historic interest

it possesses, and linked to that whether they would preserve or enhance the character or appearance of the conservation area.

Reasons

11. Abdale House is at the end of a row of houses that form a line to one side of the High Street. The house abuts the public footway and has a long rear garden that slopes gently downhill towards the River Leach and an area of public open space. There are gardens separating the flank wall of Abdale House from the neighbouring single storey building at the entrance to Bridle Close.
12. Both Abdale House and the adjoining Fawley House are listed buildings. These early 19th century houses have ashlar facades under slate roofs with timber multiple-pane sash windows. The elegantly mannered public frontages of these houses contrasts strongly with that of the more organic nature of their rears, with both houses having a variety of ages and styles of rear extensions. This contrast is visible from the High Street due to the presence of a neighbouring garden, and this legible difference between the public and private elevations reflects the social importance of the front elevations of the houses within the street scene, and is part of the special interest of these listed buildings. In addition to this, the age of Abdale House, its historic fabric, its construction from local stone, and it being a burgage plot, are also part of the significance of this listed building.
13. The elegant appearance of the property makes a positive contribution to the conservation area, as it is one of a number of high quality historic buildings that demonstrate the importance of the town within the area. The High Street dominates the town as it is the principal route through it, having once been the former main coaching route between London and Gloucester. This importance is evidenced by the presence of numerous, high quality historic buildings forming long lines to either side of the road. This, along with the repeated use of the local stone, creates a harmoniously cohesive appearance to the townscape. All these features are part of the distinct character and appearance of the conservation area.

Extension

14. The proposed extension would necessitate the removal of the existing lean-to, part of the kitchen wall, the window above it, and the former external door. The only historic fabric that would be lost by the works would be the stone wall, as all the other fabric is modern.
15. Despite having a flat roof, the extension would appear conspicuously prominent upon the rear of the building, having a bulky, box-like appearance that would be at strident odds with the organic, piecemeal rears of these listed buildings. The use of natural stone would harmonise with the rubble stone flank wall and thereby with the repeated use of this material in the conservation area. Notwithstanding this, the substantial depth of the extension would be unrelieved by any architectural detailing, including that it would not be set back from the flank wall. Not only would this monotonous appearance exaggerate its size, but it would also exacerbate its prominence when viewed from the public realm. The long, unrelieved depth of the extension would harmfully draw the eye away from the elegantly mannered front elevations of these houses, thereby detracting from the dominance of the mannered façade of the house, to the detriment of the special interest of the listed building and to the significance of the conservation area.

16. Although the extension would partly conceal some of the lower level of the modern two storey rear extension to the neighbouring house, it would also conceal this property's single storey rear extension, including its quoins. At ground floor level the extension would conceal the complex intricacies of the rear elevations of these properties and would erode the legibility of the historic expansion of these buildings over time to the detriment of the special interest of the listed building and to the setting of the adjoining one. The long depth of the extension would be comparable to that of the rooms within the ground floor, thereby having an undue primacy rather than a subservience as a rear extension. Furthermore, as the extension would extend to the property boundary, the suggestion to install a screen of vegetation would not be in the control of the appellant, and even if it was, landscaping cannot be relied upon to conceal a development for its lifetime.
17. A number of other extensions have been referred to by the main parties, albeit little detail has been provided to ascertain the nature of these permissions and whether they form direct comparisons with the appeals scheme. Particular reference has been made by the appellant to development at the Old Grammer School, including that it is close by and of a similar age to the appeals property. However, this scheme was for a detached garage with rooms above and has a legible ancillary functional relationship with both the host building and with the public realm. Given these differences, the garage does not form a binding precedent for approving the extension.
18. The Framework requires that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to its conservation. For the reasons given above the works would have a harmful impact upon the special interest of the listed building, upon the setting of the adjoining listed building, and upon the character and appearance of the conservation area. These harms would be less than substantial as the scheme would affect only part of the building, the setting of the neighbouring house, and the conservation area, 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 works.
19. The appellant requires the extension to make the house suitable for modern living and for a growing family, as well as providing natural light for the kitchen and views. Despite the rooflights, the depth of the extension would curtail the levels of natural light experienced within the kitchen. The benefits cited by the appellant would be personal ones and neither these nor local support for the scheme would outweigh the identified harms. Furthermore, the continued viable use of the property would not be dependent on the works as the building has an ongoing residential use.
20. For these reasons the extension would not preserve the listed building or its special architectural or historic interest. It would also erode the setting of the neighbouring listed building, and would neither preserve nor enhance the character or appearance of the conservation area. These harms would be contrary to the Act, and also with the requirements of Policies EN2, EN10 and EN11 of the Cotswold District Local Plan (2018) (LP) and Policy NE3 of the Northleach with Eastington Neighbourhood Plan (2019) (NP). The works would be in conflict with these policies as they require, amongst other things, development that has the highest design standards, that which respects the character and

distinctive appearance of the locality and preserves and where appropriate enhances the character and appearance of the conservation area, and that which does not harm the significance of a designated heritage asset.

Windows

21. The appellant's Window Condition Report (2024) has assessed most of the house's windows, advising that apart from the two windows within the flank wall, the others could be repaired. The Council has welcomed the repair works to the historic windows, pointing out that the repairs could be undertaken without the need for listed building consent.
22. Of the windows to be replaced, the existing ones in the flank wall comprise a modern top hung casement, and one that appears to have had some of its glazing bars removed. Both these windows are in a poor state. In addition, the submitted drawings show that the UPVC window within the first-floor bathroom is to be replaced. The Council has raised no objection to the replacement of any of these three windows, subject to the provision of scaled and sectional drawings.
23. Although the Window Condition Report recommends the replacement of both flank wall windows with four or six pane single glazed outward opening casements, the detailed drawing that has been provided depicts a double-glazed casement window (ie dwg no A.11 Rev C Window Details). What is unclear is where and how such a window would be installed as each window to be replaced is a different size. It has not been demonstrated that the proposed window would fit either of the flank wall windows, or that it could be a replacement for the bathroom window.
24. Given these ambiguities, conditioning the replacement of three windows would be inappropriate as there would be no certainty as to what the replacement would actually be, nor how it would affect the special interest of the building, and this would conflict with the requirements of the Act. There would be modest public benefits arising from the replacement of two deteriorated windows, but the harm to the special interest of the listed building resulting from the ambiguity and uncertainty of any replacements would outweigh these benefits.

Bathroom

25. The scheme also proposes the conversion of a first floor room to a bathroom, albeit this element of the works has subsequently been consented by the Council (application ref: 24/01417/LBC) and is currently under construction.
26. However, full details of the works have not been provided for the appeals, which would include the installation of a stud wall, services, and a soil pipe that would drop through the house into the cellar. The works would necessitate disruption to and loss of historic fabric. In the absence of such details the impact of the works upon the special interest of the listed building cannot be ascertained.
27. Given these ambiguities, conditioning the works would be inappropriate as there would be no certainty as to how they would affect the special interest of the building, and this element of the works would thereby conflict with the Act. The bathroom would provide personal benefits for the appellant rather than public benefits, and as such they would not outweigh the harm to the special interest of the listed building.

Garden Room

28. The garden room would be a detached outbuilding positioned near to the end of the rear garden, constructed from timber clad walls under a flat roof. The garden slopes down away from the house towards the River Leach, and is separated from the house by distance and by this vertical separation.
29. There are a variety of ages and styles of ancillary residential outbuildings within nearby gardens, many of which are of a modest size, are constructed of timber, and have a legible physical and functional subservience to the host building. That proposed would accord with this variety. The use of timber for the walls would reflect the materials found in outbuildings in other gardens, and along with the positioning of the building, its modest size, and simple form, the garden room would preserve the character and appearance of the conservation area, and that of the settings of the listed buildings.
30. For these reasons the garden room would preserve the settings of nearby listed buildings, and the character and appearance of the conservation area. The outbuilding would accord with the requirements of the Act and would meet the objectives of LP Policies EN2, EN10 and EN11, and NP Policy NE3 and their requirements for the highest design standards, that which respects the character and distinctive appearance of the locality and preserves the character and appearance of the conservation area, and that which sustains the significance of designated heritage assets and their settings.

Other Matters

31. The site is within the Cotswolds NL where there is a statutory duty to conserve and enhance its natural beauty. Abdale House is part of the built-up area of Northleach, and is surrounded by other houses and their gardens, and the community open space along the river. The garden building would be seen as one of the many ancillary domestic outbuildings that are found within the gardens of the nearby homes, and in such an urban context it would not conflict with the requirement to further conserve and enhance the landscape and scenic beauty of the NL.

Conditions

32. The standard time condition has been imposed, as has one requiring the development to be carried out in accordance with the approved plans that specifically refer to the garden room and its location, so as to avoid doubt and in the interests of proper planning. Details of the materials from which the garden room will be constructed have been required, to ensure that it does not detract from the settings of the listed buildings nor from the character and appearance of the conservation area.

Conclusion

33. The scheme involves a number of different elements that are physically and functionally independent. In this respect the garden room is clearly severable from the other works. Therefore, a split decision is appropriate in this case and planning permission is granted for the garden room. The appeals are dismissed with regard to the single storey rear extension, demolition of the lean-to, new

bathroom to first floor, and replacement windows, with planning permission and listed building consent for these elements being refused.

34. Thus, for the reasons given above, and having considered all other matters raised, Appeal A is part allowed and part dismissed, and Appeal B is dismissed.

J J Evans

INSPECTOR