
Appeal Decision

Site visit made on 10 July 2025

by Mr JP Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 July 2025

Appeal Ref: APP/F1610/W/24/3356564

Troopers Lodge Garage, Bourton-On-The-Hill, Moreton-In-Marsh, Gloucestershire GL56 9TE

- 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 Eastwood against the decision of Cotswold District Council.
 - The application Ref is 24/02106/FUL.
 - The development proposed is a steel-framed Dutch barn and timber framed lean to for vehicle storage yard in association with garage workshop.
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Decision

1. The appeal is allowed and planning permission is granted for a steel-framed Dutch barn and timber framed lean to for vehicle storage yard in association with garage workshop at Troopers Lodge Garage, Bourton-On-The-Hill, Moreton-In-Marsh, Gloucestershire GL56 9TE in accordance with the terms of the application, Ref 24/02106/FUL, subject to the following conditions.
 - 1) Unless otherwise amended under the conditions below, the development hereby permitted shall be carried out in accordance with drawing 2024.48A & the Proposed Block Plan.
 - 2) The building hereby approved shall be used for vehicle storage in connection with the garage/workshop known as Troopers Lodge Garage only, and not for any manufacturing, repair or maintenance process, or for any separate or independent B8 (storage and distribution) use.
 - 3) Prior to the first use of the building hereby approved, it shall be clad in the manner shown on the approved drawings.
 - 4) No further development shall take place on the building hereby approved until a comprehensive landscape scheme, including any means of enclosure and screening, together with a timetable for the implementation of this scheme, have been submitted to approved in writing by the Local Planning Authority. The approved scheme shall then be implemented in accordance with the approved timetable.
 - 5) Any fixed external lighting that is installed shall be in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Main Issue

2. The main issue in this case is the effect of the development on the neighbouring living conditions.

Reasons

3. Next to Troopers Lodge Garage is Troopers House, a part 2 storey, part single storey building that is used as a hair salon and living accommodation. However, following the recent grant of planning permission the garage now has an area of open vehicle storage that runs immediately behind this neighbouring property. The structure before me is to be built on this open storage area, and when I visited a number of its vertical pillars appeared to be in place.
4. The structure would stand behind the single storey element of Troopers House, and this part of that neighbouring property seems to be used as the salon. It would only be a few metres away from the rear elevation of that element and at a slightly higher level, separated by a patio and a tall boundary fence. Noting that a gate restricts access to the remaining area behind that property, I have no substantive evidence before me to show that patio is used by the residents at Troopers House. Indeed, there is little to indicate that the salon makes much use of it either. There are doors opening onto it, but I anticipate that outlook from within the building through these is already restricted by the existing fence a few metres beyond. Moreover, this part of Troopers House has a heavily glazed frontage allowing views over the car park, as well as a window on the side elevation. Taking these factors together, and mindful of the commercial nature of the use, I consider the structure would not have an unacceptably overbearing effect on the salon and would not cause an unreasonable loss of light or undue overshadowing.
5. I am unclear as to how the roof space of this element is used, but on the evidence before me I assume it is in connection with the salon. While rooflights are in the slope facing the development, their angle, their height and the separation distance mean any effects the scheme may have on overdominance or on light or overshadowing would not be unacceptable.
6. The closest ground floor window in the 2-storey element of Troopers Lodge is located beyond the north-western elevation of the scheme. It is on the end of a small single-storey projection, very close to the boundary fence, and appears to serve a utility room or similar. Therefore, any living conditions it offers would not be unacceptably harmed. There is then a further patio beyond, and again I have little evidence about how that is used. However, even if it is an outside area for residents, it is small and already heavily enclosed by projections to either side and the existing boundary fence. I therefore find any impact the scheme would have on the daylight, sunlight or outlook here would not be unacceptable and, once more, it would not be unduly overbearing.
7. A bedroom is at first floor level. The elevated nature of this, and its location beyond the north-western end of the building mean the scheme before me would not cause undue overshadowing, or an unacceptable loss of light, and would not be unreasonably dominant.
8. I have noted the previously imposed condition concerning the location and height of vehicle storage. However, as I have found there would be no harm to living conditions the aims of that condition would not be compromised.
9. Accordingly, I conclude the development would not detract unacceptably from the living conditions at Troopers House and so would not conflict with Policies EN2 or EN15 of the *Cotswold District Local Plan* or Appendix D, the Cotswold Design

Code, which seek development of this nature to be of a quality that respects the area and safeguards amenity of existing land uses.

Other Matters

10. Troopers Lodge is a Grade II listed lodge building to the north. Its significance lies in its detailing and design, and the way these display its original purpose. However, there is a main road, the appellant's workshop and Troopers House between this listed building and the development. I therefore consider that what is before me would not detract from the setting of Troopers Lodge or the way it was experienced and so would not harm its significance.
11. The site is also within the National Landscape, and great weight should be given to conserving and enhancing the landscape and scenic beauty of this designated area. The scheme would be visible from the lane to the south. From here though the site already has a cluttered appearance with the workshop, Troopers House, and the open storage of vehicles all readily apparent. The site is also contained as well by the belt of trees behind, while the building would have a distinctly agricultural appearance. Given these factors, I consider the development would preserve the landscape and scenic beauty of this National Landscape. Indeed, by putting open storage under cover and with the opportunity for more planting, the landscape and scenic beauty could be enhanced.

Conditions

12. As the development appears to have been started, I consider the commencement condition is unnecessary. However, it is still at an early stage so, for the avoidance of doubt, it should be progressed in accordance with the plans. Having regard to the character and appearance of the area lighting and landscaping should be agreed, and mindful of the neighbouring living conditions the building should be used for vehicle storage only in connection with the garage, and not for repair, manufacturing or maintenance associated with that use, or for independent storage. Finally, having regard to the character and appearance of the area and living conditions, the development should be clad before first use in the manner proposed.

Conclusion

13. Accordingly, I conclude the development accords with the development plan when taken as a whole, and the appeal should be allowed.

JP Sargent

INSPECTOR