
Appeal Decision

Site visit made on 24 July 2025

by R Kent BA (Hons) MTP DipM MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 September 2025

Appeal Ref: APP/P1615/W/25/3364681

1 Sunnyside, Oakwood Road, Bream, Gloucestershire GL15 6HS

- 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 Ms Jenny Kolot against the decision of Forest of Dean District Council.
 - The application Ref is P1143/24/FUL.
 - The development proposed is one self-build dwelling.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Following publication of the revised National Planning Policy Framework (the Framework) in December 2024 the Council has provided an update on its housing land supply position which I have taken into account in my decision.
3. An updated Preliminary Ecological Appraisal (PEA) with a Bat Scoping Survey was submitted with the appeal. The Council has had the opportunity to consider the updated PEA and as a result has withdrawn its second reason for refusal.

Main Issue

4. The main issue in this appeal is the effect of the proposal on the character and appearance of the site and its surroundings with reference to its effect on the landscape.

Reasons

5. The site comprises a grassed garden area situated between a two storey pair of cottages and a one and a half storey chalet bungalow. It contains a small group of outbuildings beyond which is an open field and a recreation ground. A substantial hedge runs along the boundary of the site with Oakwood Road with a large mature oak tree on the roadside verge adjacent to the north eastern corner of the site. A belt of woodland on rising ground provides an attractive, verdant backdrop to the west of the recreation ground which can be seen from the site and over the hedge from the road.
6. To the south of the site, an informal wooded green space and parking area serving a sports club and the recreation ground separates the dwellings on the western side of Oakwood Road from the mixed development to the south of it. Whilst a vehicle repair workshop fronts onto the road a short distance to the north east of the site, the area to the north and east of the site is largely characterised by a loose mix of dwellings of varied building styles and materials including red brick,

render and stone. The dwellings are generally sited in spacious plots which together with various areas of green space fronting the road, gives the area surrounding the site a distinctive spacious, loose pattern of development. The Forest of Dean Residential Design Guide 1998 describes Bream as an example of a sporadic, low density settlement type and my observations concur with this.

7. The site falls within the Bream 'New Road' Locally Distinctive Area (LDA) in the Forest of Dean Allocations Plan 2018 (FDAP). Keynote AP03¹ provides a detailed assessment of the LDA and identifies the important contribution that open areas, both designated and non-designated, make to its distinctive character. Although it falls outside the designated Important Open Area, the site is one such undesignated open area and contributes to the distinctive, spacious character of its surroundings. I saw on my visit that the site blends with the designated Important Open Area abutting its south western boundary and provides both a visual and physical link to it. As a result, the gap it provides between the existing dwellings is an important feature in the character of Oakwood Road and contributes positively to the distinctive spacious character of the LDA.
8. Although some views of the development from Oakwood Road would be oblique, the proposed dwelling would be located in the middle of the gap. Even allowing for the retention of much of the hedge and for future landscaping, its height means that it would be clearly visible over the hedgerow and through the proposed access. As a result, it would reduce the open character and appearance of Oakwood Road. The roof of the dwelling would further limit the views of the woodland to the west which are already restricted by the existing boundary hedge.
9. Despite space being retained between the proposed dwelling and the dwellings on either side, the open area between the existing dwellings would be significantly eroded as a result of the development. Although a limited "through-view" of the landscape beyond the site would still be possible from Oakwood Road, the substantial reduction in the size of the existing gap in the road frontage as a consequence of the development would not complement the established character of the area. As a result of its size and position in the centre of the gap, together with the proposed parking spaces, the development would cause the loss of an open area, the type of which FDAP policy AP6 seeks to protect.
10. The harmful effect of the development on the spacious character and appearance of the LDA would also be apparent from the recreation ground and from the road to the south of it. Although from those viewpoints the proposed dwelling would be seen against the backdrop of the existing buildings on the eastern side of Oakwood Road, the erosion of the open area between the existing houses would nevertheless be evident.
11. As a result, the proposal would cause a moderate level of harm to the character and appearance of the site and its surroundings in conflict with Forest of Dean Core Strategy 2012 (CS) policies CSP.1 and CSP.9 and FDAP policies AP4, AP5 and AP6 in so far as they seek to protect the character of the area.

Other Considerations

12. Set against the harm I have identified, the proposal would provide an additional energy efficient dwelling within the settlement to assist with meeting local housing

¹ Keynote AP03 'Locally Distinctive Areas Keynote' Forest of Dean District Council January 2015

needs. Given the Council's housing land supply shortfall, this small addition to the housing supply would be a moderate benefit of the scheme.

13. The proposal would also present an opportunity to provide one self-build dwelling. The Council indicates that it has met its requirements to give enough suitable permissions to meet the demand for self-build plots. Whilst no evidence has been presented to demonstrate this, nor have I been provided with any clear evidence to show that there is an identified need. Therefore, on the basis of the evidence before me, the provision of an additional self-build unit would be a limited benefit of the scheme. The development would generate employment during the construction stage. However, given the small scale of the development, these benefits would be modest.
14. I am aware of recent appeal decisions in Cheltenham² and on another site in Bream³. The weight to be applied to the material considerations, including the contribution those proposals would make towards meeting a housing supply shortfall, is a matter of planning judgment depending on the individual circumstances of each case. However, I have not been provided with full details of those appeals or their planning context and have considered this appeal on its individual merits.
15. The site falls within approximately 780m of the nearest component of the Wye Valley and Forest of Dean Bat Sites Special Area of Conservation (SAC), the Bream Scowles Site of Special Scientific Interest. The qualifying features of the SAC are its populations of greater and lesser horseshoe bats. The Council has withdrawn its second reason for refusal on the basis that suitable conditions could be imposed if the appeal were allowed. 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 conclusions on the main issue above it is not necessary for me to consider this matter in any further detail.

Planning balance

16. The CS and the FDAP form the development plan for the area in which the site is located. The harm identified above results in conflict with CS policies CSP.1 and CSP.9 and FDAP policies AP4, AP5 and AP6. As a result, there is conflict with the development plan when taken as a whole.
17. Paragraph 232 of the Framework states that due weight should be given to existing policies according to their degree of consistency with the Framework. The policies of the Framework require that planning decisions should be sympathetic to local character. The development plan policies referred to in the paragraph above are consistent with the Framework and therefore conflict with them should be given great weight in this appeal.
18. The Council can only demonstrate 1.93 years' supply of deliverable housing sites. Paragraph 11 d) of the Framework therefore requires that consideration of the presumption in favour of sustainable development is necessary. Applying footnote 7 of paragraph 11d) i. of the Framework, there are no policies in the Framework

² APP/G1630/W/25/3358568

³ APP/P1615/W/24/3355169

that protect areas or assets of particular importance which provide a strong reason for dismissing the appeal. In these circumstances, paragraph 11 d) ii. is engaged.

19. As described above the development would have the moderate benefit of adding one energy efficient dwelling to the supply of housing. The Framework highlights that small sites such as this can make an important contribution to meeting the housing requirement in the area and are often able to be built out relatively quickly. Therefore, this benefit carries moderate weight in favour of the proposal. The modest economic benefits also attract moderate weight. Although the Framework highlights the importance of land coming forward for people wishing to commission or build their own homes, in the absence of clear evidence of a demand for self-build sites or a legal mechanism to secure its delivery, this benefit carries only limited weight in favour of the development.
20. The harm caused by the conflict with the Framework's requirement that developments are sympathetic to local character would significantly and demonstrably outweigh the totality of the benefits when assessed against the policies of the Framework as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

21. The proposal conflicts with the development plan as a whole and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above the appeal should be dismissed.

R Kent

INSPECTOR