
Appeal Decision

Site visit made on 10 September 2025

by **Jonathan Edwards BSc(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 September 2025

Appeal Ref: APP/C1625/W/25/3368184

Box Green Cottage, Box, Stroud, Gloucestershire GL6 9HW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr Jon Neighbour against Stroud District Council.
 - The application Ref is S.24/2312/FUL.
 - The development proposed is demolition of garages and erection of a dwelling (self-build), garden office, car ports, and associated landscaping.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. A set of plans has been provided with the appeal that had not previously been submitted to the Council. These show changes to the fenestration of the proposed house and the omission of a chimney. The Council and interested parties have had the opportunity to comment on the amendments through the appeal process and they do not fundamentally alter the proposal. Therefore, I am satisfied no injustice would be caused by basing my assessment on the revised plans.

Main Issue

3. The Council made no decision on the planning application leading to this appeal. However, in light of its submissions, the main issue is the effect of the proposal on the character and appearance of the area, including whether it would preserve or enhance the character and appearance of the Box Conservation Area (the CA).

Reasons

The effect on character and appearance.

4. The CA covers most of the hillside village of Box. There is some variety in the appearance and the size of buildings but it is notable that most local dwellings are traditional, stone built cottages with vegetated gardens and stone boundary walls. The significance and attractiveness of the CA derives from the obvious age and attractive traditional Cotswold style of the properties as well as its quintessential village feel. Private gardens provide space to appreciate the cottages and the trees and hedges they contain help soften the visual impacts of the buildings.
5. The appeal site is described as an unused part of the garden to Box Green Cottage. The land slopes up from a small grassed public area called Box Green to Box Lane. A public footpath runs along the side of the site. The stone boundary

walls and the trees, bushes and areas of lawn on the site are clearly seen at close quarters from Box Lane and the public right of way. Also, the openness of Box Green allows clear views of the existing garages in the foreground and the vegetation on rising land behind. The site is in a conspicuous location within the CA and its open, vegetated nature as well as the stone walls all contribute positively to the natural and visual qualities of a central part of the village.

6. The development would require the removal of most of the vegetation on the site although new planting is indicated on the appeal drawings. I understand the scheme has been revised so the proposed house is smaller than originally designed. Even so, the introduction of a new dwelling, home office building and car port would result in a marked change in the appearance of the plot that would be obvious from Box Lane, Box Green, the footpath and nearby private properties.
7. The removal of the existing garages would enhance the appearance of the site as they fail to reflect the local vernacular and they are prominent in views from Box Green. However, the proposed car port and associated turning area would also be visible from Box Green. Tree planting along the boundary of the site may partially screen the development but this would not provide total concealment, particularly during times of leaf fall. In any event, the vehicular access would provide a wide gap that would allow sight of the car port and turning area from Box Green and from the lower parts of the public footpath.
8. The car port building would have a squat appearance as it would be quite wide and it would have a flat roof. Its stone walls would be sympathetic to the local area and there are other similar structures within the CA, including a smaller flat roof garage adjacent to the site. Nonetheless, the form of the car port would fail to reflect the traditional style of older buildings that contribute to the qualities of the CA. Together with the large turning area it would detract from the setting to Box Green in a similar manner to the existing garages. Therefore, the replacement parking facilities would lead to only a minor enhancement to the site's appearance.
9. The proposed house would have accommodation over 3 floors with the uppermost storey within the roof space. It would be set back from Box Green but it would have a tall gable wall facing the open space and it would be on higher land. New tree and hedge planting is indicated but this would not prevent sight of the rear elevation from public vantage points, particularly when the vegetation is without leaf. Compared to other buildings visible from Box Green, the house would appear visually dominant as its tall rear wall would be seen above the level of the car port's roof. Also, it would contain a wide rear window at ground floor level with a canopy above. This would bring an unusual horizontal emphasis that would be at odds with the traditional style of fenestration most commonly seen within the CA. As such, the development would stand out as a unsympathetic addition to the setting of Box Green.
10. The front and side elevations of the house would be visible when approaching from either direction along Box Lane. Other nearby properties, such as 1 Cotswold Cottages, are positioned with side gable walls facing the road. Therefore, the front gable wall of the proposed dwelling would not appear out of place. However, this front wall would include the main entrance as well as windows and so it would be seen as the principal elevation. The flank elevations with the eaves would have a high wall to glazing ratio and so they would appear as secondary elevations. This arrangement would be unusual as on other nearby houses, such as Cotswold

Cottages, the principal elevations are those with eaves and gable walls are secondary side elevations.

11. The proposed dwelling would not be unduly conspicuous simply by virtue of its scale as there are other similar sized properties nearby. However, when seen from Box Lane, the front and each side of the house would be fairly near to the boundaries of the plot. This would lead to the dwelling looking uncharacteristically cramped within the site, particularly when compared to the other properties with wide plots that front onto Box Lane. The height and proximity of the dwelling to the side boundary would also reinforce the effect of a constrained development to pedestrians using the adjoining public footpath.
12. The proposed dwelling and boundary walls would be constructed of materials that reflect those used on most properties in the CA. Its rectilinear form with pitched roof as well as traditional style of windows on the upper floors would also be compatible with the locality. However, acceptability of the scheme in these regards would not address nor override the identified detriment to the qualities of the CA through the prominence of the house, the unsympathetic aspects and the cramped appearance.
13. Box is identified as a settlement where new housing is acceptable in principle under the policies of the Stroud District Local Plan 2015 (the LP). However, it does not follow the proposal would have an acceptable effect on the character and visual qualities of the CA. The identified harmful effects mean the development would not integrate appropriately with its surroundings. Instead, it would be seen as a detrimental loss of vegetated garden land within a central part of the village.
14. The appellant refers to other developments that have been allowed and constructed in the local area. However, the effects of these are not so similar to the appeal scheme to set an irresistible precedent that I am bound to follow. Instead, for the above reasons, I conclude the development would have a harmful effect on the character and appearance of the area and so it would not preserve or enhance the character or appearance of the CA. In these regards, it would be contrary to LP delivery policies ES10 and HC1 and core policy CP14. Amongst other things, these seek to protect the historic environment and to ensure development is respectful of its surroundings.
15. The visual effects would be fairly localised but they would be noticeable from public vantage points within a central part of the CA. Therefore, I consider there would be a moderate extent of harm.

Other considerations and heritage and planning balance.

16. LP delivery policy ES10 accords with the National Planning Policy Framework (the Framework) in stating that any harm to the District's historic environment will require clear and convincing justification. The Framework distinguishes between substantial and less than substantial harm to heritage assets. The proposal would affect only a small part of the CA and so it would cause less than substantial harm. It follows to consider the harm against the public benefits of the proposal.
17. Through its appeal statement, the Council advises the site lies within the Cotswold National Landscape (the NL), although it raises no objection to the proposal in these regards. Section 245 of the Levelling-up and Regeneration Act 2023 includes a requirement to seek to further the statutory purpose of conserving and

enhancing the natural beauty of National Landscapes. The proposed development would have obvious effects on views within the village but it would not affect the natural or scenic qualities of the wider rural landscape surrounding the settlement. Therefore, the proposal would have an acceptable effect on the NL. This is a neutral factor in my assessment.

18. The removal of the garages would be a public benefit as it would enhance the setting of Box Green. However, this attracts modest weight given the overall harmful effects of the proposal on the qualities and significance of the CA.
19. The development would incorporate renewable energy generation and energy efficiency measures. The home office could potentially mean less journeys to work, although there could be no guarantee that all residents of the proposed house would work from home. As such, these measures would make a minor contribution towards addressing the effects of climate change.
20. The appellant suggests the proposal would lead to an enhancement in the biodiversity value of the site. However, no metric has been provided that clearly shows the existing value compared to the value following the development. I would envisage the site as it exists is of some value as it is mainly undeveloped garden land. As such, any public benefits in these regards attracts very little weight.
21. The scheme would generate construction employment and it is likely residents would support services and facilities within Box. These factors would lead to minor economic and social benefits as only a single new dwelling is proposed.
22. The proposal would represent a more efficient use of land within a settlement where development is acceptable in principle. As such, it gains support from sub-paragraph 73(d) of the Framework. However, the site would not constitute previously developed land as residential gardens within a built-up area are excluded from the relevant definition as set out in the glossary to the Framework.
23. The proposal is described as a self-build home and sub-paragraph 73(b) of the Framework supports small sites coming forward for such developments. However, there is no planning obligation before me that requires the proposal to be constructed and occupied by the appellant and so it is uncertain whether it would constitute a self-built home. Even if it is accepted as such, the provision of a single new property attracts only moderate weight as a contribution towards addressing any shortfall in plots for self and custom built dwellings.
24. In any event, the proposal would add to the housing stock. The Council is unable to demonstrate 5 years' supply of housing land, which is a minimum requirement under the terms of the Framework. Figures provided by the appellant indicate that as of January 2025 the Council is able to show 3.24 years' worth of land supply. The public benefit of a single new dwelling towards addressing a significant shortfall in housing land attracts moderate weight.
25. As such, there a number of public benefits to the proposal that add support towards allowing the appeal. However, there is a statutory duty to pay special regard to the desirability of preserving or enhancing the character or appearance of the CA. Paragraph 212 of the Framework states that great weight should be given to an asset's conservation irrespective of whether substantial or less than substantial harm would be caused to its significance. With these factors in mind, I find the public benefits of the development when considered as a whole do not

provide clear and convincing justification for the identified harm to the character, appearance and significance of the CA. Therefore, the development would not accord with LP delivery policy ES10 and the provisions of paragraph 213 of the Framework.

26. The aforementioned shortfall in housing land supply means that footnote 8 and sub-paragraph 11(d) of the Framework are engaged. However, the Framework's policies on designated heritage assets provide a strong reason for refusing planning permission. As such, the presumption of favour of sustainable development as set out under sub-paragraph 11(d) does not apply. The proposal would conflict with the policies of the development plan and material considerations do not indicate a decision other than in accordance with it.

Other Matter

27. The Council has also raised concerns over the effect of the development in terms of additional recreational pressure on Rodborough Common and the Cotswold Beechwoods Special Areas of Conservation (the SACs). I am advised the development would lie within the core catchment zones for these SACs. In response, the appellant has provided an undertaking with reference to section 106 of the Town and Country Planning Act 1990. This makes provision for the payment of a mitigation contribution towards measures to address the impact of the development on the integrity of the SACs. However, I need not consider this matter further as I am minded to dismiss the appeal on other grounds. A finding that the proposal would cause no harm to the SACs would not affect my overall conclusion.

Conclusion

28. For the above reasons, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR