
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: 25 September 2025

Appeal Ref: APP/C1625/W/25/3368323

Land North Of Limekiln Lane, Waterlane, Near Stroud, Gloucestershire GL6 7PL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) (the Act) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Johnson Dennehy against the decision of Stroud District Council.
 - The application Ref is S.25/0723/FUL.
 - The development proposed is described as “proposed 2 storey dwelling, single storey home office and cart lodge self-build and custom build application including landscaping, new access, ecological and biodiversity net gain”.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Reference has been made in the submissions to an emerging local plan to replace the existing Stroud District Local Plan 2015 (the LP). However, it would seem there is significant uncertainty over whether this document would be adopted and so it attracts little weight in my assessment.

Main Issues

3. The main issues are (i) whether the development would be in a suitable location having regard to LP policies and the National Planning Policy Framework (the Framework), and (ii) its effect on the character and appearance of the area.

Reasons

Suitability of location.

4. The appeal site lies within and next to a cluster of residences that make up Waterlane. The hamlet is not defined as a settlement under the terms of LP core policy CP3. As such, the development would be contrary to LP core policy CP2 as this states housing development will take place within settlement development limits. Moreover, LP core policy CP15 resists development outside identified settlements unless in compliance with specified principles. The proposal would not accord with any of the principles and so it would be contrary to this policy.
5. Waterlane contains no meaningful services that would meet the day-to-day needs of residents of the development. Oakridge Lynch is the nearest village designated as a settlement under LP core policy CP3 but this contains a limited range of facilities such as a post office, a pub and a primary school. Moreover, it is unlikely occupants of the proposed house would walk to and from Oakleigh Lynch given the significant separation distance and the lack of pavements and street lighting

along the connecting roads. Instead, it is more likely future occupants would travel by car to the broader range of services at towns such as Stroud or Cirencester, rather than support facilities within Oakridge Lynch or at any other village within the area. Even when considering the countryside location of the site, the residents would be unduly reliant upon the private car with little option for other modes of travel. Therefore, the development would be contrary to the provisions of the Framework that look to prioritise the use of sustainable modes of transport and that support rural housing where it would enhance or maintain rural communities.

6. I understand the appellant intends to live at the house and wishes to run their business from the proposed home office. This potentially could reduce the need to travel for work purposes. However, there can be no guarantee that the development would be occupied or used as intended. Also, future residents may not wish or be able to work from home. In any event, the inclusion of the office space would not preclude the need to travel significant distances to access facilities other than places of employment. Therefore, the office area does not fully address the identified shortcomings to the location of the proposed house.
7. Paragraph 84 of the Framework resists new isolated homes in the countryside unless one or more of specified circumstances apply. The proposed dwelling would not be isolated as it would be near and within sight of existing residences. However, it does not follow the dwelling would be in a suitable location having regard to the provisions of the Framework when read as a whole.
8. The appellant refers to an appeal decision made in 1978 that I am advised allowed a new dwelling on the site, although this was never implemented. A copy of this decision has not been provided but it was made a significant time ago when there would have been a different national and local planning policy context. Therefore, this appeal decision fails to affect my views on this matter.
9. For the above reasons, I conclude the development would be in an unsuitable location in light of the provisions of LP policies and the Framework. In these respects, it would not accord with LP core policies CP2, CP3 and CP15. The Council's refusal reason also refers to LP core policies CP1 and CP14 but these contain no provisions that are specifically relevant to this matter.

Character and appearance.

10. The appeal site is a field with the overgrown remains of a former house in the centre and an agricultural building on the rear boundary. The site is partially screened by roadside vegetation but there are views from the highway onto the field through gaps in the hedges as well as through a gated access. Adjacent to the site to the rear are allotments and a community orchard. The locality is attractive with buildings of the Cotswold vernacular seen amongst mature vegetation and open land.
11. The separate office and cart lodge outbuilding would be towards the back of the site. It would be single storey but it would have a tall, pitched roof. Also, the outbuilding would be wide and so from the allotments it would be prominent and appear overbearing. There is little evidence to indicate the former agricultural building was as large as the outbuilding now proposed. A stone wall would be reinstated on the rear edge of the site and the submitted plans indicate tree planting between the outbuilding and the allotments. However, the proposed boundary treatments are unlikely to fully screen the outbuilding, particularly during

times of leaf fall. As such, this element of the proposal would appear unduly dominant when viewed from the allotments.

12. The outbuilding would not be prominent from the road as it would be set back and hidden to a degree by the proposed house. Moreover, the central position of the dwelling on the plot would not appear unusual as there are other properties within the hamlet that are set back from the road. The development would generally follow the local vernacular with the use of stone in the construction of the buildings and front boundary wall. In these regards, it would respect the character and appearance of Waterlane. However, acceptability in these regards does not address nor overcome the harmful visual effect of the outbuilding when seen from the allotments.
13. For these reasons, I conclude the development as a whole would be harmful to the character and appearance of the area and so it would not accord with LP core policy CP14 and delivery policy ES12. Amongst other things, these promote high quality development that protects and enhances the environment.

Other considerations and planning balance.

14. The site lies within the Cotswold National Landscape (the NL). The proposed buildings would erode the openness and current natural feel of the site. However, existing trees and bushes around the edges of the site would be largely retained and woodland planting is proposed that would significantly increase the tree cover on the land. This would ensure the natural qualities of the site are preserved, despite the built development. The proposal would avoid any harm to the scenic qualities of the area as it would introduce a house within the central part of a hamlet where other dwellings are visible. Therefore, the development would in overall terms conserve the natural and landscape qualities of the NL. This is a neutral factor in my overall assessment.
15. The appellant claims the proposal would enhance the biodiversity value of the site, even though it is stated that any planning permission granted would not be subject to the mandatory biodiversity gain condition due to the self-build exemption. There is no metric to demonstrate how the land following the development would compare to the current site in terms of biodiversity value. However, a planning condition could be imposed to ensure new planting that I envisage would secure improvements. This is a modest benefit of the scheme.
16. The construction of the development would create employment opportunities. It is suggested residents would also support local rural businesses and facilities, although I consider this would be less likely given the lack of services within Waterlane and the distance from the site to other rural villages. Therefore, the proposal would have only limited economic benefits.
17. The appellant claims the development would provide a self-built home and so it would help address a recognised need for such properties. A self-build verification note has been provided but there is no undertaking or agreement that requires the development to be constructed and occupied as a self-build dwelling. Even if the appellant's contentions are accepted, the scheme's benefits in terms of addressing the legal requirement for sufficient self-build housing land attracts only moderate weight as it would provide a single new dwelling.

18. The proposal would help boost the general supply of housing. The Council is unable to demonstrate 5 years' worth of housing land supply as required under the terms of the Framework. The appellant suggests the current position is 4.33 years. As such, the benefits of the proposal in contributing to the housing stock attracts moderate positive weight, even though only a single new dwelling would be provided.
19. The deficiency in housing land supply is recognised by the Council. The circumstances set out in footnote 8 of the Framework exist and so sub-paragraph 11(d) of the Framework is relevant. This means permission should be granted unless the adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework's policies.
20. The development would not be in a sustainable location as required under the terms of the Framework. Moreover, the harm identified under the second main issue means the proposal would be contrary to the provisions of the Framework that look for developments to be visually attractive. Therefore, I find the adverse effects of allowing the appeal would significantly and demonstrably outweigh the benefits of the proposal. As such, the presumption in favour of sustainable development as set out in paragraph 11 of the Framework does not apply.

Other Matter

21. The appeal site is within the core catchment area for Cotswold Beechwoods Special Area of Conservation (the SAC). The Council indicates a contribution is required to mitigate the potential impact of recreational activities associated with the development on the integrity of the SAC.
22. The appellant has provided 2 completed unilateral undertakings under section 106 of the Act that require the payment of a contribution as requested by the Council. The first undertaking dated 22 May 2025 states that the deed is conditional upon the grant of planning permission by the Council. This undertaking would not come into effect as the Council has refused planning permission. The second undertaking dated 10 September 2025 comes into effect upon the grant of planning permission whether by the Council or otherwise and so I am satisfied this second planning obligation would be effective.
23. However, I have found that planning permission should be refused on other grounds and so there is no need for me to consider the effect of the development on the integrity of the SAC. A finding that the development would be acceptable in these regards would not affect my overall conclusion.

Conclusion

24. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR