



Appeal Decision

Site visit made on 2 September 2025

by **K Townend BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 October 2025

Appeal Ref: APP/C1625/W/25/3366595

Willow Dene, B4060 Stumpwell Lane to Greenfield, Southend, Wotton-Under-Edge, Gloucestershire GL12 7PB

- 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 Miss Ann Griffiths against the decision of Stroud District Council.
 - The application Ref is S.24/2306/FUL.
 - The development proposed is conversion of an outbuilding into a single self-build residential dwelling, parking area, private amenity space, reconfiguration of an existing access & associated landscaping works.
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Decision

1. The appeal is allowed, and planning permission is granted for conversion of an outbuilding into a single self-build residential dwelling, parking area, private amenity space, reconfiguration of an existing access & associated landscaping works at Willow Dene, B4060 Stumpwell Lane to Greenfield, Southend, Wotton-Under-Edge, Gloucestershire GL12 7PB in accordance with the terms of the application, Ref S.24/2306/FUL, and the plans submitted with it, 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: Location plan 01 Rev A, Block plan 01 rev A, Proposed plans, and elevations 01 Rev E, Planting plan 240761-RAP-XX-XX-DR-L-4101 Rev P01.
 - 3) The development hereby permitted shall not be occupied until the parking and turning facilities have been provided in accordance with the site block plan drawing 01 Rev A. Thereafter those spaces shall be retained for the parking of vehicles only. The 2.4m by 130m north and 2.4m by 138m south visibility splays shall be free of any obstruction exceeding 0.6m in height and shall be retained as such thereafter.
 - 4) With the exception of the first 5m from the carriageway edge, which shall be finished in bound permeable surface, the development hereby permitted shall not be occupied until the means of access for vehicles has been constructed in accordance with the approved site block plan 01 Rev A. The access shall be retained thereafter.

Preliminary Matters

2. The appellant has drawn my attention to the Emerging Local Plan (the ELP) which at the time of the appeal submission was undergoing examination, following a delay. The most relevant policies are referred to and discussed below.
3. During the appeal, the appellant submitted a Unilateral Undertaking (the UU) which relates to mitigation for the Severn Estuary Special Area of Conservation (the SAC). I have addressed this in my reasoning.

Main Issue

4. The main issue is whether the appeal site is an appropriate location for the proposed development having regard to the development strategy for the area and the accessibility to services and facilities.

Reasons

5. The appeal comprises a detached outbuilding which, from the evidence before me, was constructed as an agricultural building but has since been used ancillary to the residential occupation of the host dwelling, Willow Dene. It is single storey, built of block, render and timber cladding with sheet roofing. It has a separate vehicular access to the host dwelling, a large area of hard standing between the building and the road and a separate single storey timber stable building.
6. Policies CP2 and CP3 of the Stroud District Local Plan (2015) (LP) set out the settlement hierarchy and seek to focus new housing development within the settlements. The appeal site falls outside of any identified settlement set out within the LP and is, therefore, for planning purposes, within the open countryside.
7. Policy CP15 of the LP resists development outside of identified settlement limits and provides six exceptions. The proposed development would not meet any of the exceptions listed and would, therefore, fail to comply with Policy CP15. Consequently, the appeal would conflict with the development plan as a whole.
8. The appellant has provided evidence that there were no objections to draft Policy CP15 of the ELP at the examination. However, even with that evidence I cannot be certain that the policy will be adopted in its draft form or when it is likely to be adopted. I, therefore, only give moderate weight to draft Policy CP15 of the ELP.
9. The draft policy adds an additional exception over the adopted policy which supports the re-use of existing rural buildings. The ELP also requires conversion buildings to be appropriately located, capable and worthy of conversion without significant alteration, and involve a building that positively contributes to an established local character and sense of place.
10. Although I did not see a marked bus stop on the highway, the Council's Highway Officer's response confirms that there is public transport available near to the appeal site which would provide alternative means of travel to the nearby settlements and beyond. Moreover, the site is within cycling distance of the two nearest settlements where there is a range of services and facilities. This would provide a choice of modes of transport, including convenient cycling connections, as required by Policies CP13 and CP14 of the LP.

11. The site is not within safe walking distance of a settlement. Nevertheless, due to the access to public transport and the cycling distance the appeal proposal would be appropriately located in relation to services and facilities and, in my judgement, the future occupiers would not be reliant on a private car for day to day needs.
12. Notwithstanding this, the existing building is not a traditional rural building. The low profile of the roof and the three large roller shutter doors on the front elevation result in the building appearing more akin to an industrial or commercial building. It does not have any particular character or interest and it does not positively contribute to the local character or sense of place.
13. Even if I give moderate weight to draft Policy CP15 of the ELP I find that the appeal proposal would fail to comply with the draft policy as the building is not worthy of retention, even if I accept that it is a domestic outbuilding. Neither is it a building that positively contributes to an established local character and sense of place. For the same reasons, the proposal would also fail to comply with draft Policy DES1 of the ELP, even if I give this policy limited weight due to the outstanding objections to the seventh criteria.
14. Paragraph 84 of the National Planning Policy Framework (the Framework) seeks to avoid the development of isolated homes in the countryside unless one or more of a number of circumstances apply. The circumstance relevant to this appeal is part c) which supports development that would re-use redundant or disused buildings and enhance its immediate setting. Nevertheless, the exceptions listed at paragraph 84c) would also not be inappropriate in locations that are not isolated.
15. Policy CP15 of the LP is broadly consistent with the Framework in seeking to restrict development in the countryside to recognise its intrinsic character and beauty. The lack of the same exception as provided at paragraph 84c) does not make the policy out of date or inconsistent with the Framework. However, the Framework is a material consideration in planning decisions and I can give weight to paragraph 84c) in determining the appeal.
16. The appeal building is associated with the host dwelling and near to other housing. However, the houses are read as sporadic and individual properties along the road between the two nearest settlements. The group of buildings around the appeal, including the host dwelling and other houses, do not appear as a settlement. Even though I have found that the appeal site would be suitably located in relation to access to services and facilities by means of travel other than the private car, I also find that the appeal building is isolated when considering the Braintree judgment and for the purposes of paragraph 84 of the Framework.
17. I acknowledge that the building is not redundant and that it could be used for a variety of purposes associated with the host dwelling or for other agricultural or commercial purposes. Nevertheless, the building is no longer being used and is, therefore, disused. Paragraph 84c) only requires the building to be either redundant or disused, not both. In this case I find that the building is disused and is, therefore, suitable for consideration under 84c).
18. The appeal building sits within a backdrop of woodland. The roadside hedge also limits views of the buildings, except from the position of the access where the building is prominent. The Landscape Mitigation Strategy (Rappor, dated November 2024) provides landscape enhancement proposals to provide additional planting around the site which would help to minimise the visual effect of the

development. Although the proposal would result in domestic paraphernalia around the building, the frontage is already laid to hard surfacing and could be used for parking and turning. The garden for the proposed dwelling would be to the side and rear and, therefore, screened from the roadside by existing and proposed landscaping and the building itself.

19. The proposal would remove the large roller shutter doors, which currently result in an industrial appearance, and replace them with windows. The lean-to at the rear of the building would also be demolished. Overall, the proposal would result in enhancements to the immediate setting of the building, in accordance with the requirements of the final part of paragraph 84c).
20. For the above reasons, I find that the appeal proposal would not be an appropriate location for the proposed development having regard to the development plan and specifically Policy CP15 of the LP and draft Policy CP15 of the ELP.
21. However, the Framework is a material consideration and paragraph 84c) would weigh in favour of the development and justify a decision otherwise than in accordance with the development plan. I, therefore, find that the proposal would be an appropriate location for the development having regard to the national planning policies relating to development within the countryside.

Other Matters

Special Area of Conservation

22. The site lies within the zone of influence for the SAC. The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) requires the decision maker to undertake an Appropriate Assessment (AA) where there are likely significant effects from the proposal, either alone or in combination with other plans or projects. This responsibility falls to me as the competent authority in the context of this appeal.
23. The SAC is designated due to its international importance for the range of coastal habitats and wildlife species the estuary supports. As a development for a new house within the zone of influence there is a high likelihood that the future occupants of the proposed development would visit the SAC for recreation purposes. In this regard, it is clear that the proposal, when combined with other development in the area, would have a likely significant effect on the qualifying features of the SAC through increased disturbance as a result of recreational activity.
24. The SAC would be affected by reasons of, amongst others, damage to the vegetation and disturbance to wintering and passage birds. The conservation objectives of the SAC include maintaining favourable conditions for birds and providing enhanced access while balancing the need to protect the nature conservation interest. Given these factors, the proposed development would adversely affect the integrity of the SAC. I must, therefore, carry out an AA.
25. The Severn Estuary Recreation Mitigation Strategy 2024-2029 (the Mitigation Strategy) seeks to mitigate impacts upon the SAC. Development would be expected to contribute towards strategic access management and monitoring (SAMM) which include employment of rangers, raising visitor awareness through provision of signage and interpretation, path, and fence improvements, viewing

platforms, dedicated areas for dogs to access the water, and parking improvements. Mitigation through the provision or enhancement of other countryside areas, away from the estuary, is also proposed as suitable alternative natural greenspace (SANG).

26. The appellant has submitted an executed UU which would secure £1001.95 for expenditure on environmental and ecological mitigation measures relating to the SAC. This would comply with the requirements of the Stroud District Local Plan: Planning Obligations Supplementary Planning Document, April 2017 and the Stroud District Council Strategy for Avoidance of Likely Significant Adverse Effects on the Severn Estuary SAC, SPA and Ramsar Site, December 2017. I have no evidence to show that this figure is not proportionate to this appeal proposal or that the Council would not be able to use the contribution as per the Mitigation Strategy.
27. I have consulted Natural England, and it has confirmed that it is content that the secured financial contribution would ensure that the proposal is unlikely to have a significant effect on the SAC. There is no evidence before me to suggest I should reach a contrary conclusion.
28. The proposal would, whether by itself or when taken with other plans and projects, have a likely significant effect on the integrity of the SAC. However, the UU would appropriately mitigate the effect and the proposal would, therefore, comply with Policy ES6 of the LP. This policy seeks to ensure that all development conserves and enhances the natural environment, safeguards and protects all sites of European and Global importance, would not result in significant adverse effects either alone or in combination, and expects development to contribute to appropriate mitigation and management measures.

National Landscape

29. The appeal site lies within the Cotswold National Landscape (the NL). The Framework advises that great weight should be given to conserving and enhancing landscape and scenic beauty in NLs which have the highest status of protection in relation to these issues. It also advises that the scale and extent of development in these areas should be limited.
30. Section 245 of the Levelling Up and Regeneration Act 2023 (the LURA) amended the duty in the Countryside and Rights of Way Act 2000 in relation to NLs to require relevant authorities, in exercising or performing any functions in relation to, or so as to affect, land in a NL to seek to further the purpose of conserving and enhancing the natural beauty of it.
31. The special qualities and key components of the NL include the tranquillity of the area, extensive dark skies, distinctive settlements, and accessibility of the landscape. As far as it is relevant to the appeal, I consider the character of the landscape is, in part, derived from the open countryside around the settlements. The appeal site is part of the open countryside. However, the existing building already affects the NL and its special qualities. The appeal proposal would not extend beyond the existing building and the land immediately around it. The proposed landscaping and the design changes would provide enhancements. For these reasons, I find no harm to the NL.

Heritage Assets

32. Section 66(1) of the Act requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
33. Southend Farmhouse is a Grade II listed building. It is a detached farmhouse with outbuildings. The setting in which Southend Farmhouse is experienced includes views from the road. However, the appeal site is separated from the listed building and screened by hedges. Therefore, there are limited opportunities for the appeal building to be seen in the same views as the listed building. Moreover, the building is already present and does not adversely affect the setting of the listed building, the significance the setting makes to the heritage asset, or the ability to appreciate it. As such, the proposal would preserve the way the setting of the listed building is experienced and therefore preserve the significance of the listed building.

Other matters

34. The proposal is for a self-build conversion. However, although the appellant has advised that they would be willing to enter into an agreement to secure this, I have no such agreement before me. I, therefore, have no means to ensure that the conversion is carried out as a self-build unit, in accordance with the requirements of the Self-Build and Custom Housebuilding Act 2015. I am, therefore, not able to give this benefit any weight in the decision.

Conditions

35. The Council has provided a list of conditions and the appellant has had an opportunity to comment. I have considered the list in light of the Framework and Planning Practice Guidance, and I have undertaken some minor editing and rationalisation in the interests of precision and clarity.
36. In addition to the standard condition which limits the lifespan of the planning permission I have specified the approved plans for the avoidance of doubt and in the interests of proper planning.
37. So that the development is provided with appropriate parking and turning areas, I have imposed a condition to require that these spaces be provided in accordance with the approved details and retained as such. It is also necessary to ensure that the visibility splays are provided and maintained for highway safety reasons, and that the first five metres of the driveway is surfaced in a bound, permeable, surface to ensure that loose material is not brought onto the carriageway and to minimise the risk of flooding.
38. The cycle storage details are clearly shown on the submitted plans as within the building. Consequently, the approval of this facility is, therefore, secured through the approval of the plans and a separate condition is not required.
39. The Council suggested a condition to remove permitted development rights, in the interests of the amenities and the appearance of the area. Planning Practice Guidance advises that conditions should not be used to restrict such rights unless there is clear justification to do so. Such rights have not been removed for land in the NL within the Town and Country Planning (General Permitted Development) (England) Order, 2015 (the Order). Nevertheless, the order does limit some of the

rights, including removing the right to extend upwards under Class AA and additions to the roof under Class B, amongst other matters. Even though the condition has been agreed by the appellant, there is no compelling evidence that alterations and extensions permitted under the Order would harm the NL. I, therefore, find that there is no clear justification to remove the permitted development rights from the scheme.

Conclusion

40. For the above reasons, whilst conflict arises with the development plan, I have identified that the appeal proposal would comply with the Framework as a whole. Consequently, there are material considerations which indicate that a decision should be taken other than in strict accordance with the development plan. Therefore, the appeal should be allowed, subject to conditions.

K Townsend

INSPECTOR