
Appeal Decision

Site visit made on 3 September 2025 by E Clifford BA (Hons) MA

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 December 2025

Appeal Ref: APP/C1625/D/25/3369386

4 Garns Close, Uley, Gloucestershire GL11 5TJ

- 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 and Mrs Fox-Manning against the decision of Stroud District Council.
 - The application Ref is S.25/0107/HHOLD.
 - The development proposed was originally described as 'resubmission of reduced single and double side extension, porch and rear catslide dormers to roof'.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The description in the banner heading is taken from the application form. The appeal form confirms a change to the description, and I note that this also reflects the description on the decision notice. I have therefore assessed the appeal on the basis of the clearer revised description of 'Erection of a two storey and single storey side extension, porch and rear dormers'.
4. As part of the appeal submission, I have been provided with two alternative schemes to the one considered by the Council. 'Option two' was submitted to the Council prior to their determination but from what I have seen was not accepted. 'Option three' has been presented as a fresh proposal at appeal stage. The appellants do not wish the appeal to be determined on the basis of the plans that were originally submitted for the application that led to this appeal (original plans). They have requested that options two or three are considered instead.
5. However, 'option two' differs from the original plans in that it replaces the proposed rear catslide dormers with smaller pitched dormers. 'Option three' also differs in that it removes the dormers from the proposed development and instead proposes raising the eaves at the rear of the property and inserting three rooflights. A different solar panel arrangement to the front of the property is also proposed on 'option three'.
6. The changes on both 'options two and three' are substantially different to the scheme on which the Council made its decision. I am unaware of any formal

consultation taking place on either of these alternative schemes. Accepting the alternative options for consideration as part of this appeal therefore has the potential to prejudice the Council and/or other interested parties from an opportunity to comment. In line with *Holborn Studios Ltd v The Council of the London Borough of Hackney* [2017] EWHC 2823 (Admin) and in the interests of procedural fairness, I have therefore made my recommendation on the basis of the original plans that the Council also determined the planning application on. In doing so, this does not preclude the appellants from submitting an alternative option to the Council by way of a further planning application should they wish to do so.

7. The evidence before me confirms that the site is located within the Cotswolds National Landscape (CNL). Section 85 of the Countryside and Rights of Way Act 2000 requires that regard be had to the purpose of conserving and enhancing the natural beauty of National Landscapes (previously known as Areas of Outstanding Natural Beauty). I am also conscious of my duty under Section 245 of the Levelling-up and Regeneration Act 2023 to seek to further the purpose of conserving and enhancing the natural beauty of the area. These purposes also include increasing the understanding and enjoyment by the public of the special qualities of the National Landscape. The effect of the appeal proposal on the landscape is not a matter in dispute between the main parties. However, having regard to the purposes, I have considered the CNL under the first main issue.
8. The fourth reason for refusal on the Council's decision notice suggests the proposal would have an overbearing relationship with 3 Garns Close (No 3). The accompanying officer report expands on this and suggests that there would also be a loss of privacy for occupiers of this neighbouring property. The appellants' statement of case also considers neighbouring privacy and so they would not be prejudiced by me taking this matter into account under the second main issue.

Main Issues

9. The main issues are:
 - i) whether the proposed development would preserve or enhance the character or appearance of the Uley Valley Conservation Area and the natural beauty of the CNL;
 - ii) the effect of the proposed development on the living conditions of the occupiers of 3 Garns Close, with particular regard to outlook and privacy; and
 - iii) the effect of the proposed development on ecology.

Reasons for the Recommendation

Character and appearance of the CA and the CNL

10. The appeal property is a two-storey detached property set in a rural location in the CA and CNL. The significance of the CA largely derives from the high quality of its built environment. The character of the part of the CA in which the appeal site lies sees most of the historic development centred around a circular route which, from the evidence before me, historically enclosed a large green space filled with trees and areas of garden, shared amongst the surrounding dwellings. The appeal dwelling and many others to this part of the CA are oriented southwards. The buildings to this part of the CA often date from the late C18 to the early C19 and are commonly of stone construction, with simple roofscapes and are more typically

of modest scale. Where dormers exist, these tend to be small in size. These common factors give cohesion to the CA's built environment and add to its significance.

11. Whilst I understand neighbouring properties on Garns Close sit outside of the CA and are of modern construction, the evidence before me suggests that the appeal dwelling once formed two dwellings and it is indicated on the 1880 maps for Uley. It is modest in scale, incorporates rendered stone facades, has a simple pitched roof form with a steep catslide to the rear, modestly proportioned timber framed windows with stone headers, a gable end brick chimney stack, and a small, central porch to the front. The differentiation in scale between the dwelling's side projections form part of an overall distinctive rustic aesthetic which, together with the building's origins amongst the historic fabric of the CA, warrants non-designated heritage asset (NDHA) status. For these reasons also, the building positively contributes to the high-quality vernacular of the CA.
12. I am required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
13. The Heritage Statement accompanying the appeal acknowledges that the proposed catslide dormers would be discordant with the design of the host dwelling. I concur with this view as due to their considerable width, mass, and blank rendered facades, they would be bulky additions that would detract from the simplicity of the roofscape. In addition, rooflights and solar panels are also indicated on the proposed drawings. Whether or not these elements could be provided under permitted development rights, they have the potential to combine with the catslide dormers to further clutter the roofscape and add to the harm identified.
14. I accept that the host dwelling is not currently symmetrical, that the proposed two storey side extension would step down from the main ridge and that the extensions would be constructed in matching materials. Even so, the proposed two-storey extension would combine with the similarly scaled projection to the other side to form substantial wings that would detract from the modest scale and rustic character of the host building. In addition, the large patio doors, and absence of stone header to this window would not positively reflect the traditional detailing of the NDHA.
15. Given the position of the appeal site at the juncture of two public footpaths, the proposed development would be readily appreciable to passers-by and would also be visible from neighbouring properties. In these views, the proposal would not complement the NDHA and would detract from the character and appearance of the CA's built environment.
16. The Council's delegated report acknowledges that the proposed front porch would be acceptable in principle, and I find no reason to disagree with this assessment. However, this does not overcome the harm that would result from the side extension and catslide dormers.
17. The collective harm resulting from the catslide dormers and side extensions to the appearance of the NDHA and the significance of Uley Valley Conservation Area would be at the lower end of less than substantial having regard to the National Planning Policy Framework (the Framework). Nevertheless, I must attach considerable weight and importance to the desirability of conserving the CA.

18. Whilst I note the appellants' intention to remove outbuildings, install solar panels and to refurbish other elements of the building including the windows, I find that these matters would not amount to public benefits sufficient to outweigh the identified harm to the CA.
19. The Framework also requires that great weight to be given to conserving and enhancing the landscape and scenic beauty of the CNL. Given that the development would sit within the area's existing built form and domestic context, and that intervening buildings and vegetation would reduce the intervisibility of the site with the wider landscape, the scenic beauty of the CNL would be conserved. Even so, this does not overcome the more localised effects identified to the NDHA and the CA.
20. I conclude that the proposed development would not preserve or enhance the character or appearance of the Uley Valley Conservation Area. In that regard, it would conflict with the requirements of Policies HC8, CP14 and ES10 of the Stroud District Local Plan (2015) (LP) to ensure that extensions are in keeping with the scale and character of the original dwelling, that development is respectful of the surroundings including the built environment and heritage, and that proposals conserve the District's heritage assets.

Living conditions for occupiers of 3 Garns Close

21. The neighbouring dwelling at 3 Garns Close (No 3) is set forward in relation to the appeal dwelling. It backs on to a wide, but shallow rear garden. This garden is bound by tall vegetation, and this creates an intimate rear aspect for No 3.
22. Given the position of the extension set away from the shared boundary and the acute angle between the proposed side extensions and the rear facing aspect and substantial parts of the rear garden at No 3, the development would not dominate or unacceptably enclose outlook from this neighbouring property. Furthermore, the first-floor side window would be high level and non-opening reducing the potential to overlook No 3. The appellants have also indicated they would be agreeable to a condition requiring the window to be obscure glazed. Overall, this would ensure that suitable levels of privacy could be retained for occupiers of No 3.
23. In this regard, I find that the proposed development would have an acceptable effect on the living conditions of occupiers of 3 Garns Close and so would comply with Policies CP14 and ES3 of the LP which together seek to preserve the living conditions of neighbouring occupiers.

Ecology

24. The Council's delegated report expands on its reason for refusal relating to this main issue, confirming that its concerns specifically relate to works to the roof of the host building in the absence of a Preliminary Ecological Appraisal.
25. The appellants have provided a Preliminary Roost Assessment (September 2024) as part of the appeal. This concluded that roosting bats are likely to be absent from the roof voids on account of their generally poor suitability and absence of any evidence. It also confirmed that the void between the tiles and roof lining on main roof sections could not be inspected and that there are a number of potential access points for bats. In that particular regard, presence/absence could not be

determined. Nesting birds were recorded albeit there is no evidence to suggest that these were in areas likely to be affected by the proposed works.

26. Following this a Dusk Emergence Survey for Bats (June 2025) has been carried out. No bats were recorded emerging from or entering the host building during the survey. Taking into account the nature of the potential roosting features and the absence of any evidence of bats roosting at the property as determined by this emergence survey, there is nothing to suggest that the proposed development would be harmful to the favourable conservation status of European Protected Species. This is subject to the precautionary mitigation measures set out in the emergence survey which could be conditioned.
27. In the circumstances, the proposed development would not adversely affect ecology. In that regard, it would comply with the requirements in Policy ES6 of the LP for development proposals not to adversely affect European Protected Species

Other Matters

28. The quality of pre-application advice received and any lack of engagement from the Council during the planning application process is not a matter for the appeal process. Furthermore, neighbour support is not a reason to allow development that would be harmful to the character and appearance of the CA.
29. The appellants contend that the internal arrangement and energy performance of the existing dwelling is inefficient and does not meet the nationally described space standards. There is also no dispute that sufficient parking provision would remain. However, there is nothing to suggest that the appellants' desire to improve the functionality, layout and energy performance of the host dwelling could not be achieved through a scheme that preserves the character and appearance of the CA.

Conclusion and Recommendation

30. I have found that the proposal would be acceptable in terms of its relationship with neighbouring living conditions and ecology. However, the harm I have identified to the character and appearance of the CA is significant and overriding. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

E Clifford

APPEAL PLANNING OFFICER

Inspector's Decision

31. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

M Russell

INSPECTOR