



Appeal Decision

Site visit made on 28 October 2025

by **SE Hughes BA (Hons) PGDip MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 January 2026

Appeal Ref: APP/Y3940/W/25/3365948

Heleigh Cottage, Bath Road, Middle Hill, Box, Corsham, Wiltshire SN13 8QB

- 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 & Mrs T Gofton against Wiltshire Council.
 - The application Ref is PL/2025/01463.
 - The development proposed is the “replacement and alteration of existing extensions to the main house, internal renovations, addition of an air source heat pump and photovoltaic panels, together with driveway and landscape enhancement works. (Resubmission - PL/2024/07238)”.
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Decision

1. The appeal is allowed and planning permission is granted for the replacement and alteration of existing extensions to the main house, internal renovations, addition of an air source heat pump and photovoltaic panels, together with driveway and landscape enhancement works at Heleigh Cottage, Bath Road, Corsham, Wiltshire, SN13 8QB in accordance with the terms of the application, Ref PL/2025/01463, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this planning permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: ‘Location Plan’ 714 PL 00, ‘PR Site Plan’ 714 PL 11 Rev D, ‘PR Ground Floor Plan’ 714 PL 12 Rev E, ‘PR First Floor Plan’ 714 PL 13 Rev E, ‘PR Roof Plan’ 714 PL 14 Rev D, ‘PR N-S Elevations’ 714 PL 15 Rev D, ‘PR E-W Elevations’ 714 PL 16 Rev D, ‘PR Garage + Bin Plan’ 714 PL 17 Rev D, and ‘PR Garage + Bin Elevations’ 714 PL 18 Rev C.
 - 3) The precautionary working methods set out within the Bat Activity Survey and Assessment dated 24/06/2025 shall be implemented during the course of construction of the development hereby permitted.

Preliminary Matters

2. The appeal relates to a planning application that was not determined by the Council within the prescribed period. The Council contends that the proposal amounts to a disproportionate addition to the original building and if it had issued a decision, it would have refused planning permission on the grounds that it is inappropriate development in the Green Belt without any very special circumstances or other material considerations to justify the harm caused to the Green Belt; and, because it would fail to respect or integrate with the existing property or its setting.

3. I have amended the description of development used in my decision from that set out in the banner heading above. The amended description leaves out wording relating to the application being a resubmission as it is not development.
4. During the course of the appeal, a Bat Activity Survey and Assessment (Bat Assessment) was submitted by the appellant seeking to address the Council's concerns regarding the potential impact on bats species, including those associated with the Bath and Bradford on Avon Bat Special Area of Conservation (SAC). The Council has been given the opportunity to comment on the additional information. Since, I have provided the Council the opportunity to comment on the Bat Assessment, my decision to accept the additional document would not be prejudicial to it.
5. On 16 December 2025 the Government published a consultation National Planning Policy Framework (the Framework). Whilst the format of the Framework is modified, the policies guidance pertinent to this appeal, including that relating to the extension or alteration of an existing building in the green belt remain unchanged, except for their regrouping and renumbering. Therefore, there is no need to invite further comments from the Council or the appellant on the revisions as they do not affect this appeal.

Main Issues

6. The main issues are:
 - (i) whether or not the proposal would be inappropriate development in the Green Belt;
 - (ii) the effect of the development upon the character and appearance of the area; and
 - (iii) the effect of the development upon protected bat species.

Reasons

7. The appeal site falls within the Bath and Western Wiltshire Green Belt. It comprises a detached, two storey dwelling built circa 1960 which has been subjected to various extensions and alterations. The dwelling is of masonry construction, comprising reconstituted stone blockwork and roman clay roof tiles. The property is positioned centrally within a large, established garden and is largely concealed in views from the adjacent highway and wider views from the surrounding countryside by well vegetated tree and hedgerow boundaries.

Whether the proposal is inappropriate development in the Green Belt

8. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Development within the Green Belt is regarded as inappropriate, subject to a number of exceptions listed in paragraphs 154 to 156 of the Framework. One such exception is the extension or alteration of a building, provided that it does not result in disproportionate additions over and above the size of the 'original building'¹.

¹ Reference Annex 2: Glossary of the NPPF: Original building: A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

9. The Framework does not provide a definition of what would amount to a 'disproportionate' addition over and above the size of the original dwelling, therefore this is a matter of planning judgement.
10. The original 1960s building comprises the central core of the existing property. Based on the historic and proposed plans, on the ground floor this encompasses the lobby, part of the living room, approximately half of the kitchen and the pantry and staircase. On the first floor, it encompasses bedrooms numbered 03 and 04, the staircase and hallway and a bathroom. The appellant indicates that the volume of the original building is 295m³. Previous extensions have added a further 395m³, whilst a detached garage has also been added. The appeal scheme would involve the demolition of 250m³ of the existing extensions and the addition of new extensions of the same volume. Whilst this would not therefore alter the overall volume of the existing building, the relevant exception in this case does not cater for replacement.
11. In respect of the original 1960s building, the existing protruding single storey entrance and bedroom to the front would be replaced with a shallow porch area, closer to its original front façade and a single storey flat roofed extension would wrap around the side and back. In terms of its height, scale, volume and position, the single storey extension would be subservient and proportionate to the original 1960s building. Furthermore, constructed from blonde Roman brick, the walls would harmonise with the reconstituted stone of the original property whilst being readily discernible as a latter addition.
12. Although the two-storey side extension would increase the original 1960s building by approximately half its original volume, the proposed asymmetrical roof would reduce its mass at the first floor. In addition, timber panelling to the first floor and glazing to the ground floor, would provide a light weight, submissive contrast next to the reconstituted stone of the original building which would ensure that it would not be unduly dominant or disproportionate.
13. Whilst the proposed single storey and first floor extensions together with the retained extensions and garage would amount to more than double the volume and footprint of the original 1960s building, for the reasons I have outlined above, they would nevertheless appear as subservient additions to the original building. As such, the proposed development would not result in disproportionate additions over and above the size of the original building. Therefore, I conclude that the proposal would not be inappropriate development in the Green Belt.

Character and appearance

14. I have found above that the proposed extensions would be proportionate to the original dwelling. As such, the proposal would appear appropriate in terms of its height, mass, scale and siting.
15. The appeal site is located within a rural area which forms part of Middlehill Conservation Area (CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. Middlehill CA is characterised by its wooded common area and the traditional buildings of the local vernacular that it contains.

16. The proposed development would change the appearance of the dwelling, making it more contemporary in style. However, given that the original dwelling is modern and constructed from reconstituted stone it is not necessary for the materials of the extensions to reflect the local vernacular style of traditional properties in the area. In this instance, the introduction of an asymmetrical metal standing seam roof and contemporary timber panelling would provide an appropriate contrast to the materials of the original dwelling helping to distinguish the extensions as later modern additions, and assert the primacy of the original building. Whilst light blonde bricks would complement the creamy colour of the reconstituted stone. Thus, rather than detracting from the character and appearance of the original 1960s building, the form and composition of the extensions and use of the contrasting, contemporary materials would have a beneficial effect on the host building, complementing its more modern appearance.
17. Furthermore, as the dwelling is largely screened by vegetation, the alterations would have a limited impact on the appearance of the area. For this and the above reasons the character and appearance of the CA would be preserved.
18. Whilst numerous properties in the CA are listed, Hill House Farm and a barn to its southeast, which are grade II* and II listed, are the closest to the appeal site. Section 66(1) of the Act requires that, in considering whether to grant planning permission for development which affects a listed building or its setting, special regard must be given to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses.
19. Due to the separation distances and intervening buildings and established trees and vegetation, the proposed development would not affect the settings of either listed building.
20. As the site is also located within the Cotswolds National Landscape, (formerly the Cotswolds Area of Outstanding Natural Beauty) I am mindful of my duties to further the purpose of conserving and enhancing the natural beauty of National Landscapes. Given the scale of the development within the well vegetated confines of the property's garden, there would be no impact on the wider landscape.
21. Taking the above into account, I conclude that the proposed development would have an acceptable effect on the character and appearance of the area. Accordingly, the development does not conflict with the character or design requirements of Core Policy 57 of the Wiltshire Core Strategy (WCS) which requires development to be of a high standard of design.

Protected bat species

22. The appeal site falls within numerous consultation zones of the Bath and Bradford on Avon Bat SAC. As such the Council's ecologist has advised that there may be potential for the proposal to impact bats associated with this designated site were it to impact foraging habitat supporting commuting bats or if roosting features are present in the building.
23. Under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regs), the competent authority has a duty to satisfy itself that any projects that they regulate (including determining planning applications) is not likely to have a

significant effect on a European site of nature conservation importance. In the case of appeal decisions such as this the competent authority is the Inspector.

24. The appellant's Bat Assessment has found no evidence to indicate that bats are using the property, with the building assessed as providing negligible roost potential, advising that precautionary working methods would be sufficient. Whilst the garden was found to provide optimum foraging and commuting habitat for bat species, the Bat Assessment has found that this would not be impacted by the proposed development.
25. Although the Council was invited to comment on the Bat Assessment it has not provided any comments. Nonetheless, the Bat Assessment has been undertaken by professionals and appears to come to sound conclusions based on the physical inspection of the property and a dusk bat survey. As such, the potential for a likely significant effect on the integrity of the Bath and Bradford on Avon Bat SAC from the proposed development can be excluded.
26. Consequently, I find that subject to a condition which requires the development is carried out in accordance with the Bat Assessment, the proposal would not be harmful to protected bat species or their habitat and would satisfy the nature conservation requirements of Core Policy 50 of the WCS.

Conditions

27. To meet legislative requirements, I shall impose a condition to address the period for commencement. I shall also impose a condition requiring compliance with plans, for the avoidance of doubt and to provide certainty. It is also necessary to impose a condition to ensure that the precautionary working methods within the Bat Activity Survey and Assessment are implemented during the construction of the development.

Conclusion

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

SE Hughes

INSPECTOR