



Appeal Decision

Site visit made on 2 December 2025

by Alison Fish BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 January 2025

Appeal Ref: APP/F1610/W/25/3362067

New Barn Farm, Temple Guiting, Cheltenham, Gloucestershire GL54 5RW

- 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 Mackenzie Miller Developments Ltd against the decision of Cotswold District Council.
 - The application Ref is 24/00066/FUL.
 - The development proposed is described as 'Full planning application for the conversion of a traditional barn to residential use and the erection of five new-build residential dwellings, the provision of landscaping, demolition of six existing agricultural barns and associated works'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the site address from the Council's decision notice as one was not given on the planning application form.
3. I saw that with the exception of the roadside barn and one other barn, the existing agricultural barns, referred to in the description above had been demolished and the site cleared.
4. The Council's committee report confirms that there is no objection in principle to the conversion of the roadside barn to a dwelling and erection of units 4 and 5 on the appeal site. I have therefore determined the appeal on this basis.

Main Issue

5. The main issues are:
 - whether the proposal would preserve or enhance the character or appearance of the Temple Guiting Conservation Area;
 - the effect of the proposal on the setting and significance of the roadside barn, a non-designated heritage asset; and
 - the effect of the proposed development on the character and appearance of the Cotswolds National Landscape.

Reasons

Temple Guiting Conservation Area (CA)

6. The application site relates to a former farmyard on the south western edge of Temple Guiting. A stone barn adjoins the highway to the east ('the roadside barn') whilst the submissions indicate that the remainder of the site comprised a number of post-war agricultural buildings. The school is located to the north of the site and an existing dwelling and a track are located to the south. The western boundary of the appeal site adjoins agricultural fields. The appeal site lies wholly within the CA.
7. The proposal includes the conversion of the roadside barn to form a dwelling. In addition, two dwellings (units 4 and 5) constructed in a Dutch barn style replace a similar building in roughly the same location. Three new detached dwellings are proposed to the west of the site (units 1-3).
8. I have not been provided with a Conservation Area Appraisal detailing the significance of the CA. However, I nonetheless observed that the CA comprises of dispersed clusters of dwellings with the historic Manor and church at its centre. A consistent materials palette of limestone for buildings and boundary walls provides a sense of unity whilst the large areas of open space and trees evidence its rural location. This means that the CA derives architectural and historic significance from its concentration of vernacular buildings in a rural setting.
9. The appeal site forms its own distinct cluster of buildings with the school and the existing dwelling. Whilst the modern agricultural buildings, which were located more towards the centre of the site would have contributed little to the significance of the CA, they would have reinforced the former agricultural use of the site and left the western most part of the site free from development. This, together with its outlying location and the presence of the roadside barn contributes to the historic significance of the site as an agricultural yard at the edge of a rural settlement. The appeal site therefore contributes positively to the character and appearance of the CA.
10. The proposal involves the construction of three substantial detached dwellings towards the west of the site. The proposed layout indicates the buildings in an approximate 'U'-shaped arrangement. This is intended to create the appearance of structures grouped around a courtyard or yard, with large openings reflecting the character of traditional threshing barns.
11. Traditional farmsteads were generally characterised by one or two principal agricultural buildings, supported by a range of smaller outbuildings and storage structures. The retained roadside barn is identified as a threshing barn. In this context, the scale and massing of the three proposed dwellings would not reflect the established form of a traditional farmstead. Although there are minor variations in roof height, these do little to reduce the overall bulk of the development, an impact which is further intensified by the close proximity of the buildings to one another. Artificially lowering the buildings by digging them into the site results in excavated rear gardens which would not reflect typical farmstead development.
12. The subdivision of the yard area to the front of the dwellings into enclosed front gardens and the proposed fenestration in the dwellings including roof windows which break through the eaves are not characteristic features of traditional barns or their farmyard setting.
13. The result would be a development with a suburban character. This would be at odds with the rural, edge of settlement location and the requirement in the

Cotswold Design Code¹ for development to respect local character. Accordingly, conflict would arise with Policies DS3, EN1, EN2, EN4, EN11 of the Cotswold District Local Plan 2011-2031, adopted August 2018 (LP) which requires development to complement the form and character of the settlement or its setting, and preserve its special character.

14. The suburban character of the proposal and its failure to respond to the strong rural vernacular character and appearance of the CA, would result in a moderate level of harm to the significance of the CA. Policy EN10 of the LP and Paragraph 215 of the Framework requires such harm to be weighed against the public benefits of the proposal. I return to this in the heritage balance below.

Non-designated heritage asset

15. Constructed in a vernacular manner using coursed rubble limestone, quoin detailing and a plain clay tile roof, the roadside barn is a former threshing barn with its origins in the 19th century. The projecting gabled element to the south elevation includes a large cart entrance and loft door above. To the south and running alongside the highway is a single storey range which is likely to have originally been open-fronted supported by oak posts but later infilled with concrete blockwork. The roadside barn therefore derives its significance from its architectural and historic interest as an example of a traditional Cotswold agricultural threshing barn.
16. The proposal includes the removal of two modern corrugated barns which immediately adjoin the roadside barn. This would enable the roadside barn to be better appreciated. However, the scale and mass of units 1-3 together with their design which seeks to reproduce a threshing barn type appearance would compete with the architectural significance of the roadside threshing barn. This would hinder an understanding of the historic development of the complex.
17. The harm to the significance of the non-designated heritage asset would be modest, given the degree of separation between the buildings and the presence of the intervening units, 4 and 5. On the other hand, the proposal would secure a long-term use for the redundant building. Having regard to Paragraph 216 of the National Planning Policy Framework (the Framework), I find there would be no conflict with Policy EN12 of the LP which seeks to ensure that development of non-designated heritage assets is sympathetic having regard to its significance, features, character and setting.

Heritage Balance

18. I have found that a moderate level of harm would arise to the character and appearance of the CA. This level of harm would be 'less than substantial' within the meaning of the Framework.
19. The Council's housing land supply sits at 1.8 to 1.9 years. This is a very significant shortfall at a time when the Government are seeking to significantly boost the supply of homes. The scheme would deliver 6 new dwellings which would make a very modest but nonetheless useful contribution to the supply of homes to which I attach moderate weight. I have had regard to the appeal decisions² referred to by the appellant in which significant weight was attached to the provision of housing

¹ At Appendix D of the Cotswold District Local Plan 2011-2031, adopted August 2018

² Appeal Ref: APP/N1730/W/18/3204011 - Pale Lane Farm; and Appeal Refs: APP/R0660/A/13/2197532 and APP/R0660/A/13/2197529 - Land off Audlem Road/Broad Lane

but the scale of new home provision in those cases was significantly greater than proposed in this appeal.

20. There would also be social and economic benefits arising from the construction and occupation of the dwellings with increased patronage of local services and facilities, including the school. I have had regard to the appeal decisions³ referred to by the appellant and Paragraph 85 of the Framework which attaches significant weight to the need to support economic growth. However, the absence of specific evidence in respect of local business needs and wider opportunities for development, tempers the weight to be attached to this as a benefit in this instance. The proposal would also conserve and secure a new use for the non-designated heritage asset. Together these are benefits which attract moderate weight.
21. The stopping up of an existing access onto Temple Guiting Road where the existing visibility is below standard carries modest weight. The benefits that would arise from the biodiversity net gain proposals, the delivery of M4(2) compliant dwellings and the environmental credentials of the scheme would collectively be modest from 6 dwellings. The removal of modern barns from the site carries limited weight, given my conclusions above about their contribution to the significance of the CA.
22. Section 72 (1) of the Listed Buildings and Conservation Areas Act 1990 requires that I pay special attention to the desirability of preserving or enhancing the character or appearance of the CA and Paragraph 212 of the Framework requires great weight to be given to the conservation of designated heritage assets.
23. In this context, I find that the cumulative public benefits of the scheme carry moderate weight and do not outweigh the less than substantial harm that would arise from the proposal.
24. Accordingly, the appeal proposal would conflict with Policy EN10 of the LP which requires great weight to be given to the conservation of the designated heritage asset and states that proposals which lead to harm will not be permitted unless the harm is outweighed by public benefits. There would also be conflict with Paragraph 213 of the Framework as the harm to the designated heritage asset would not have clear and convincing justification.

National Landscape (NL)

25. The environs of the appeal site have a high number of trees, narrow rural roads and sloping fields such that the landscape surrounding the appeal site has an enclosed, intimate and tranquil feel with short distance views. A cohesive use of local materials for buildings and boundaries give a distinctive local vernacular. Whilst the landscape did not appear to me to align with many of the key features of High Wold Landscape Character Type (LCT)⁴ in which it sits, it is nevertheless an attractive rural landscape which garners protection owing to its location within the NL.
26. From the evidence before me, it is clear that the presence of a number of former modern agricultural buildings on the site meant that the appeal site contributed little to the special qualities of the NL. The site also borders existing development

³ Appeal Ref: APP/Y3940/W/19/3236860 - Land north of St George's Road; and Appeal Ref: APP/Y3940/W/21/3275477 - Land to the south of Chilvester Hill

⁴ as set out in 7. High Wold of the Cotswolds AONB Landscape Strategy and Guidelines, adopted June 2016

including a dwelling and the school. It is therefore not located in an area where there is an absence of development.

27. However, with the majority of the western extent of the site being free from development, it provided a transition from the built extent of the settlement to the wider rural landscape. The size, scale, bulk and mass of the proposed dwellings would significantly increase the amount and extent of development onto land which is part of the setting of the settlement.
28. Views of the site are very localised and the addition of a hedgerow with some small, medium and large trees behind a stone wall would assist with providing some screening in the long term. However, developments which expand settlement fringes into the landscape, result in the proliferation of suburban building styles and impact on the historic character of the settlement are all forces for change in the High Wold LCT, as set out in the Cotswolds AONB Landscape Strategy and Guidelines, adopted June 2016. The proposal would therefore conflict with the landscape strategy and guidelines which seek to protect the NL from inappropriate forms of development.
29. Given that the site and its immediate surroundings are not devoid of development, the proposal would result in limited harm, but harm nonetheless, to the character and appearance of the NL. The proposal would therefore conflict with Policies EN4 and EN5 of the LP which seek to protect the character and visual quality of the landscape including the NL.

Other Matters

30. Had I been minded to allow the appeal, I would have needed to consider the effect of the proposal on protected species, with particular regard to bats, as set out in the Council's third reason for refusal. I would also have considered those matters raised by interested parties. However, as the appeal is to be dismissed, I need not address these matters.

Final Balance

31. For the reasons set out above, the harm identified in respect of the appeal proposal results in conflict with the development plan when read as a whole. A proposal should be determined in accordance with the development plan unless material considerations indicate otherwise.
32. I have identified that the appeal proposal would deliver moderate collective public benefits. In addition, there is also a significant shortfall in respect of the Council's housing land supply position. In these circumstances, Paragraph 11d) of the Framework is relevant, engaging the presumption in favour of sustainable development unless the application of policies within the Framework that protect areas or assets of particular importance provides a strong reason for refusal.
33. Paragraph 208 of the Framework requires great weight to be given to the conservation of designated heritage assets when considering the effect of development on their significance. Similarly, the Framework affords great weight to the conservation and enhancement of landscape and scenic beauty within National Landscapes, which are afforded the highest status of protection in this respect.
34. The appeal proposal would result in harm to the character and appearance of the area, including harm to the significance of the CA. It would also cause harm, albeit

limited, to the character and appearance of the NL. Taken together, these impacts constitute a strong reason for refusing the development proposed. Accordingly, the presumption in favour of sustainable development set out in paragraph 11d) of the Framework is not engaged, and the identified public benefits do not outweigh the harm arising from the proposal.

Conclusion

35. The proposed development would be contrary to the development plan and there are no material considerations, including the Framework that outweigh this conflict. Consequently, with reference to Section 38(6) of the Planning and Compulsory Purchase Act 2004, the appeal is dismissed.

Alison Fish

INSPECTOR