



Appeal Decision

Site visit made on 13 January 2026

by K Townend BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th February 2026

Appeal Ref: APP/F1610/W/25/3370186

**Grove Piece, 400895 Lavender Cottage to A417 Duntisbourne Leer
Gloucestershire GL7 7AS**

- 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 Ms Bryony Barraclough against the decision of Cotswold District Council.
 - The application Ref is 24/03864/FUL.
 - The development proposed is conversion of existing stables to residential use and associated landscaping works.
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Decision

1. The appeal is allowed, and planning permission is granted for conversion of existing stables to residential use and associated landscaping works at Grove Piece, 400895 Lavender Cottage to A417 Duntisbourne Leer, Gloucestershire GL7 7AS in accordance with the terms of the application, Ref 24/03864/FUL, and the plans submitted with it, subject to the conditions in the attached schedule.

Applications for costs

2. An application for an award of costs was made by Ms Bryony Barraclough against Cotswold District Council. This application will be the subject of a separate decision.

Preliminary Matters

3. The address in the banner heading above is taken from the application form as this, along with the submitted plans, sufficiently identifies the appeal site.
4. As part of the appeal the appellant submitted a legal agreement which relates to mitigation for the Cotswolds Beechwoods Special Area of Conservation (the SAC). I have addressed this in my reasoning.
5. On 16 December 2025, the Government published a consultation on reforms to the National Planning Policy Framework (the Framework). Whilst changes to the structure and wording are proposed, these could be subject to further change and can only be given very limited weight at this stage. It has therefore not been necessary to consult the parties on the changes, and in reaching my decision, I have had regard to the Framework published in December 2024.

Main Issues

6. The main issues are:

- the effect of the development on highway safety, having regard to the suitability of the access roads near the site and the level of traffic likely to be generated; and
- the effect of the proposed development on the character and appearance of the area, giving special regard to the effect on the National Landscape.

Reasons

Highway matters

7. The appeal site comprises a detached timber clad building which, from the evidence before me, was constructed as a stable building. However, the stables were removable loose boxes which have since been relocated to a barn elsewhere within the wider site. The appeal building, at the time of my visit, was disused and where the loose boxes were previously sited is now a large open sided area. It is accessed off Crabtree Lane and a gravelled area sits between the appeal building and the barn.
8. It is outside of the main built-up area of Duntisbourne Leer which is a small village, not identified as a settlement for development within the local plan. However, the site is close to the existing houses and is, therefore, not isolated.
9. From the appeal site the walk into Duntisbourne Leer would be down a sloping road with restricted width where there are no footpaths or street lighting and where the verges are steep. Walking or cycling from the site to the village or for leisure purposes would place the future occupiers at risk of conflict with vehicles using the road. The proposal would not minimise the risk of conflicts between traffic and other road users, contrary to the requirements of Policy INF4 of the Cotswold District Local Plan 2011-2031 (the LP).
10. However, in my judgement, although the walk would not be as safe as a route with segregated footpaths, and the development would not give priority to pedestrian and cycle movements, the distance to the village is short and you can see vehicles approaching from the village before exiting the site. I also saw local residents walking along this road during my visit and the Council's evidence notes that the road is part of a popular circular walk.
11. At the time of my visit the road was lightly trafficked and, although I accept that this is only a snapshot in time, I also noted that there are other routes into and out of Duntisbourne Leer. Therefore, not all traffic from the existing houses has to use Crabtree Lane. There would be a risk of conflict between vehicles and between vehicles, pedestrians, or cyclists. However, this risk is already present with vehicle movements associated with the equestrian use and the houses in Duntisbourne Leer, as noted in the Council's evidence. Crabtree Road is clearly used by pedestrians and, therefore, not unsafe for this use. The risk would, in my judgement, be limited.
12. The appellant has sought to argue that the level of vehicle movements would reduce as they would live in the appeal building and continue to operate the equestrian use. However, the appeal proposal has not been put forward as a rural workers dwelling and no essential need for a dwelling linked to the equestrian use has been demonstrated. Consequently, a condition limiting the occupation of the conversion to the operators of the equestrian use would not be reasonable.

13. In any event, the conversion of the appeal building to one two-bedroomed dwelling would only result in a limited number of additional vehicle movements, even if these were in addition to movements associated with the equestrian use. The roads leading to the application site already cater for traffic generated by the houses in Duntisbourne Leer, including large vehicles and delivery vehicles, even if all of the traffic movements do not use Crabtree Lane. The predicted vehicle movements for a single dwelling, even if I use the Council's figures, would not be significant, and would not result in unacceptable impact on highway safety or severe impacts on the road network.
14. For the above reasons, albeit limited, the proposed development would result in an adverse effect on highway safety, having regard to the suitability of the access roads near the site. It would, therefore, be contrary to Policy INF4 of the LP in that the development would not minimise conflicts between traffic and cyclists or pedestrians. I give the weight of that conflict, and the degree of harm incurred further consideration in the planning balance.

National Landscape

15. Policy EN5 of the LP requires development within the Cotswolds National Landscape (formerly the Area of Outstanding Natural Beauty) to give great weight to the character and special qualities of the area.
16. 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 National Landscapes to require relevant authorities, in exercising or performing any functions in relation to or so as to affect land in a National Landscape, to seek to further the purpose of conserving and enhancing the natural beauty of it.
17. The appeal site lies within the High Wold Dip-slope Landscape Character Area as defined in the Cotswold National Landscape Character Assessment. It forms part of the rolling landscape and part of the complex mosaic of small scale arable and pastureland. Duntisbourne Leer is a small and confined settlement. The appeal site is, therefore, typical of the landscape character area.
18. The landscape is sensitive to change, especially where there are wide panoramic views and limited woodland cover. However, the building is already present in the landscape and has already changed the site from the open field to land with equestrian buildings.
19. From the access into the site the building and the associated gravel areas are wholly visible. However, only the roof of the appeal building is visible from Crabtree Lane as you travel past the site. The appeal site is not part of a wide panoramic view and the existing landscaping provides screening. Nevertheless, the appeal site is just as much an integral part of the National Landscape and the countryside as the fields around it.
20. The proposal would retain and reuse existing openings and would not alter the shape or form of the building. The screening landscaping is to be retained and enhanced and the main view of the development would be from the access point into the site and would not significantly change from the existing view of the building and gravelled area.

21. The proposal to glaze the existing large opening on the front elevation respects the design of the original building and retains the vertical roof supports. In my judgement this would not be a substantial alteration when considered against subsection a) of Policy EC6 of the LP. The existing building is, therefore, suitable for and capable of conversion. Moreover, the glazing of this opening would not be prominent from the main public view of the site, from the access. The glazing should be set back into the building so that the original structure can be read as the dominant feature and this can be secured by a condition requiring the details of the glazing to be submitted. For the above reasons, the alterations proposed to the building would not harm the character and appearance of the National Landscape and would conserve its natural beauty.
22. The proposed curtilage, as indicated on the landscaping plan, would be an area of the gravel to the front of the building and a small garden area to the side. The garden area was already in use as a seating area at the time of my visit and is screened from view by the existing roadside landscaping and the position of the building. The proposed parking area is already gravelled and capable of being used for parking. The existing site is not negative to the rural character of the area, the National Landscape or the setting of the village and the proposal would not introduce domestic activity that would be visually harmful or erode the character of the site.
23. Given the approved use of the building there would not be a noticeable increase in vehicular movements, noise, lighting, or domestic paraphernalia. Additional landscaping would also further reduce the visual appearance of the building and any domestic paraphernalia within the curtilage. Overall, the proposal would not result in an unacceptable intrusion of residential development in the National Landscape and the additional landscaping would enhance the area.
24. For the above reasons, the scheme would enhance the natural beauty of the Cotswolds Natural Landscape and would, therefore, not adversely affect the character and appearance of the area, giving special regard to the effect on the National Landscape. Consequently, it would comply with Policies EC6, EN1, EN2, EN4 and EN5, of the LP which, taken together, give great weight to the character and special qualities of the National Landscape, seek to conserve and enhance it, support development that does not have a significant detrimental impact on the natural landscape, requires development to take account of landscape character, enhance the natural landscape and the setting of settlements, requires buildings proposed for conversion to be suitable and capable without substantial alteration, and promotes the protection, conservation and enhancement of the natural environment.
25. For the same reasons, the proposal would not conflict with the Framework, which states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes, which have the highest status of protection in relation to these issues.

Other Matters

26. Duntisbourne Leer contains a number of listed buildings. The nearest is Alice's House which is the first property on the edge of the village travelling down Crabtree Lane from the appeal site. The significance of Alice's House lies in its architectural and historic interest. The setting of Alice's House includes its

gardens, boundaries, and the road around the property, including the ford. There are other listed buildings beyond Alice's House and in the historic core of the village. Nutbeam, which is Grade II*, is located across the fields from the appeal building. Mindful of the statutory duty set out in s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have had regard to the desirability of preserving the setting of the listed buildings.

27. Due to its height, position on the site and the change in ground levels the appeal building is not visible from near Alice's House, or any of the other listed buildings in Duntisbourne Leer. I, therefore, find that the appeal building does not currently affect the setting of Alice's House, or any of the other listed buildings, or the contribution that the setting makes to the significance of the heritage asset. Furthermore, given the separation distance and the intervening landscaping the appeal building would not affect the setting of Nutbeam, even if the appeal building is visible from the listed property.
28. Consequently, I find that the appeal proposal would not affect the setting of the listed buildings or the significance that the setting makes to the heritage assets or how they are appreciated. For these reasons, I find no harm to the setting of the designated heritage assets and the proposal would comply with Policy EN10 of the LP which gives great weight to the conservation of heritage assets, including their settings. In reaching this decision I have had regard to the Act as detailed above.
29. The appeal building lies outside but next to the Duntisbourne Abbots and Leer Conservation Area (the CA). As far as it is relevant to the appeal, I consider that the significance of this part of the CA is mainly derived from the special architectural and historic character of the cluster of traditional Cotswold stone buildings within the core of Duntisbourne Leer.
30. The appeal site forms part of the setting of the CA. Nevertheless, the building is already part of the setting and, due to the limited extent of the works, the proposed conversion would not alter how the CA, or its setting, are appreciated. Neither would it change the significance that the setting makes to the CA. The conversion of the existing building to residential use, even with the potential for domestic paraphernalia and the large, glazed opening, would have a neutral effect on the setting of the CA. The appeal proposal would, therefore, comply with Policy EN11 of the LP which seeks to ensure that development preserves and, where appropriate, enhances the special character and appearance of the Conservation Area and seeks to protect important views into and out of it.
31. Although not described as such on the application form both the appellant and the Council have considered the proposal as a self-build dwelling. However, even though the appellant is the owner, I have no means, such as a completed S106 agreement, to secure the development as self-build. I am, therefore, not able to give this benefit any weight in the decision.
32. The site lies within the zone of influence for the Cotswolds Beechwoods Special Area of Conservation (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.

33. The SAC is designated due to its international importance for its beech woodlands and unimproved grassland. As the conversion would result in a new residential unit 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. I must, therefore, carry out an AA.
34. The Cotswold Beechwoods SAC Recreation Mitigation Strategy, dated May 2022 (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 dedicated staff, signage, education and awareness, and measures to address contamination and monitoring. It would also be expected to contribute through the provision or enhancement of greenspaces away from the SAC as suitable alternative natural greenspace (SANG).
35. The appellant has submitted a signed legal agreement, under Section 111 of the Local Government Act 1972, which would secure £798 for expenditure on environmental and ecological mitigation measures relating to the SAC. 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.
36. I have consulted Natural England, and it has confirmed that it is content that the proposed financial contribution is in line with what has been agreed and that the measures are sufficient to avoid an adverse impact on the integrity of the site. There is no evidence before me to suggest I should reach a contrary conclusion.
37. 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 legal agreement provided would appropriately mitigate the effect and the proposal would, therefore, comply with Policy EN9 of the LP.

Planning Balance

38. The Council's Statement of Case has confirmed that it is not able to demonstrate a five-year housing land supply with the figure quoted at 1.8 years supply. This is a substantial shortfall and paragraph 11d) of the Framework therefore applies.
39. Policy INF4 of the LP is the most relevant in considering the proposal. Policy INF4 is broadly consistent with the Framework in seeking to ensure that all sites can achieve safe and suitable access for all users, give priority to pedestrian and cycle movements and minimise the scope for conflicts between pedestrians, cyclists, and vehicles. The adverse effect of the appeal proposal arises from the risk of conflict between road users. However, given that Crabtree Road is already used by a variety of road users, including pedestrians, the proximity of the appeal site to Duntisbourne Leer, and the limited level of vehicle movements that would be generated by one dwelling, the impacts are relatively minor and I give the conflict limited weight in the overall planning balance.
40. The appeal scheme would accord with the Framework which seeks to boost the supply of housing, and with Policy EC6 of the LP in providing housing through conversion of a rural building. The Framework also supports conversions, even in

isolated locations, not well connected to services and facilities and, therefore, not necessarily on roads which are suitable for walking or cycling.

41. The proposal would also provide economic benefits both during and post construction and deliver solar panels on the roof to comply with the thrust of Policy INF10 of the LP which supports proposals for the generation of energy from renewable sources. I afford significant weight to the provision of new housing, especially as the proposal is a result of conversion of a disused building. As only one new dwelling is proposed, the benefits are limited. Nevertheless, I afford significant weight to the limited benefit the development would make to addressing the housing shortfall.
42. For the above reasons, despite the harm resulting from the conflict with Policy INF4 of the LP, the adverse effects would not be significant and they would not significantly and demonstrably outweigh the benefits that would arise, when assessed against the policies in the Framework, taken as a whole. Accordingly, the presumption in favour of sustainable development should be applied.

Conditions

43. The Council has not provided a list of conditions as part of the appeal. However, conditions were listed on the committee report. I have considered that 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.
44. In addition to conditions relating to the time limit for implementation and the approved plans, which are required for certainty, I have included a condition to require external materials to match as this is reasonable and necessary in the interest of the character and appearance of the building and the area.
45. I have included a condition to require the details of the glazing and doors to be submitted to ensure that the alterations to the existing building are carried out sympathetically and do not adversely affect the character of the building. A condition is also required for external lighting details to be submitted to ensure that any such lighting would not cause harm to the character of the area or wildlife corridors.
46. A condition requiring the submission of a surface water drainage scheme is necessary to ensure that the proposed development would not increase flood risk and would be provided with appropriate drainage. I have combined the Council's landscaping and replacement planting conditions into one for efficiency while still ensuring that the development provides appropriate landscaping and retains that landscaping for the first five years, to allow for the planting to establish.
47. I have included a condition restricting permitted development rights for alterations, extensions, porches, and outbuildings, as this is reasonable and necessary due to the proposal being a conversion scheme and its position within the NL. Such a condition would retain control over any alterations and additions in the interest of the character of the area.
48. A condition to require the works to be carried out in accordance with the submitted ecology reports is also required. However, I have not included a separate condition to require a biodiversity enhancement plan as this information is already provided within the submitted reports, and includes the provision of at least one bat box.

49. Informatives are not added to appeal decisions. The appellant should be aware of these from the Council's evidence and I have, therefore, not included them.

Conclusion

50. The proposed development would be contrary to the development plan but material considerations, especially the presumption in the Framework, outweigh this conflict. Therefore, for the reasons given, the appeal should be allowed subject to the conditions in the attached schedule.

K Townsend

INSPECTOR

SCHEDULE OF 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 drawing nos 415/P/01 Rev B, 415/P/05 Rev D, 415/P/06 Rev D, 415/P/07 Rev D, 415/P/08 Rev D, 415/P/09 Rev B, 240790-RAP-XX-XX-DR-L-4001 Rev P06 and 240790-RAP-XX-XX-DR-L-4002 Rev P05.
- 3) Prior to the commencement of development, a full surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of the size, position and construction of the drainage scheme, and results of soakaway tests carried out at the site to demonstrate the infiltration rate. Three tests should be carried out for each soakage pit as per BRE 365, with the lowest infiltration rate (expressed in m/s) used for design. The development shall be carried out in accordance with the approved details prior to the first occupation. Development shall not take place until an exceedance flow routing plan for flows above the 1 in 100 year + 40% climate change event has been submitted to and approved in writing by the local planning authority.
- 4) The external materials of the conversion hereby permitted shall match those used in the existing building.
- 5) Prior to the installation/insertion of the fully glazed doors and new solid front door, details of their design, materials, construction, and finish, in the form of scale drawings and sections, or manufacturer's technical details/specification, shall be submitted to and approved in writing by the local planning authority. The works shall be carried out only in accordance with the approved details and retained as such thereafter.
- 6) Prior to the installation of any external lighting details of an external lighting scheme shall be submitted to and approved in writing by the local planning authority. The details shall show how and where external lighting will be installed (including the type of lighting), so that it can be clearly demonstrated that areas to be lit will not illuminate bat roosting features, disturb foraging and commuting bats, or prevent nocturnal species using wildlife corridors. The development shall be carried out in accordance with the approved details.
- 7) The development shall be undertaken in accordance with the recommendations contained within the Preliminary Ecological Appraisal (Abricon, December 2024) and the Bat Emergence Survey Report (Abricon, December 2024). All the recommendations shall be implemented in full according to the specified timescales, and thereafter permanently retained.
- 8) The entire landscaping scheme shall be completed by the end of the first planting season immediately following the completion of the development or the dwelling being occupied, whichever is the sooner. If, within a period of five years from the date of planting, trees (or any tree planted in replacement for it) is removed, uprooted, destroyed or dies or becomes seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree unless the local planning authority gives its written consent to any variation.

- 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no development permitted by virtue of Classes A, B, C, D, E and G of Part 1 of Schedule 2 to the Order shall be undertaken.
- 10) Within 3 months of the cessation of their use for electricity generating purposes, the solar panels and all other associated components shall be permanently removed from the application site.

*** END OF CONDITIONS ***