



Appeal Decision

Site visit made on 24 February 2026

by Alison Fish BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 March 2026

Appeal Ref: APP/F1610/D/25/3371362

Firefly, Pancake Hill, Chedworth, Gloucestershire GL54 4AW

- 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 Gleason against the decision of Cotswold District Council.
 - The application Ref is 25/00934/FUL.
 - The development proposed is demolition of existing single garage and erection of new single garage with ancillary annex over and associated landscaping / drainage works.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council refused planning permission for three reasons, including the absence of a suitable mechanism to secure mitigation for the effect of the development on the Cotswold Beechwoods Special Area of Conservation ('Protected Site'). A signed Unilateral Undertaking, dated 28 July 2025, made under s106 of the Town and Country Planning Act 1990 ('the UU'), was submitted during the appeal process. As a result, the Council have confirmed that they no longer wish to defend the third reason for refusal. I return to this later.

Main Issues

3. The main issues are:
 - The effect of the proposed development on the character and appearance of the host dwelling and the Chedworth Conservation Area (CA); and
 - The effect of the proposed development on the living conditions of the occupiers of Pancake Cottage with particular regard to overlooking and loss of privacy in the rear garden.

Reasons

Character and appearance

4. The CA is set within in a narrow valley which results in its long, straggling form. Buildings are located in small clusters with intervening fields and trees. This results in an irregular pattern of mainly cottages and houses, unified by their consistent vernacular detailing and materials palette and their relationship with the surrounding landscape. The CA derives significance from its historic and architectural interest.

5. The appeal property is a detached dwelling located on the valley side. It contributes positively to the character and appearance of the CA as a result of its local construction materials and vernacular detailing.
6. The proposed extension would be set down below the ridge of the existing dwelling and would appear subservient. It would be visible from Pancake Hill but the overall impact from here would be limited, given that the host dwelling is located well below road level. However, the appeal property is visible from the public footpath shown on page 2 of the Chedworth Conservation Area Statement dated March 2001, heading south westwards towards The Hemplands. From here the size, mass and form of the new roof would be particularly visible, notwithstanding the imposing hipped roof of The Chapel House, a Grade II listed building, adjacent.
7. The proposed roof would incorporate a combination of gabled and hipped elements. This would create a visually complex roofscape. I observed that roof forms in the CA tend to be simple gables, with later additions or extensions having either gabled or lean-to roofs. The complex roof form of the proposed scheme would contrast unfavourably with the simpler form of the host property and other buildings within the wider CA.
8. I also observed that whilst dormer windows are prevalent in the CA, these tend to be small with a pitched roof. The proposed dormer windows would incorporate catslide roofs. Those in the west and north elevations would be large with a horizontal emphasis. Their size and proportions would not be in keeping with those in the existing property, nor the general style and window hierarchy displayed in the wider CA.
9. I note the presence of catslide dormers at Field Farmhouse but these are on a large expansive gable roof. It is therefore not comparable to the appeal site and attracts limited weight.
10. Taken together, I conclude that the proposal would represent an incongruous addition to the existing structure which would conflict with the architectural form and significance of the host building and the CA, as a whole. This would cause harm to the character and appearance of the CA. Given the scale of the proposal and the sporadic nature of the CA, the effects of the proposal would be localised. This would result in less than substantial harm, at the lower end of the scale to the designated heritage asset. Policy EN10 of the LP and Paragraph 215 of the National Planning Policy Framework (the Framework) requires such harm to be weighed against the public benefits.
11. Although not characteristic of the area, the existing flat roof and roof lantern, sit quietly in the space to the side of the dwelling. They are not large or imposing and have a neutral impact on the character or appearance of the CA. For this reason, their removal is a benefit which carries very limited weight.
12. Planning permission was granted for alterations to the property in 2023¹. This was partially implemented. The plans show a single storey flat roof extension. An earlier proposal² was never implemented and has now lapsed. This was for a one and a half storey extension with a simple pitched roof in place of the existing garage. The appellants do not dispute that the appeal scheme is larger than this earlier

¹ LPA Ref: 22/04270/FUL Erection of replacement garden room, double height bay window, rear canopy, log store, addition of first floor side windows and outdoor swimming pool

² LPA Ref: 21/00888/FUL Demolition of existing attached garage and erection of 1.5 storey extension

proposal, both in terms of floorspace and volume and that it would be 0.8m higher. Given my findings above regarding the harm which would arise from the appeal scheme to the character and appearance of the CA, specifically due to the form of the roof and dormer windows, I find that no public benefit would arise from implementing the appeal scheme over either of the previously approved schemes.

13. The lack of light pollution generated from the existing property and the appeal proposal is a neutral factor rather than a benefit. Provision of a garage of a size capable of accommodating one car is a benefit of no more than limited weight, given that there is sufficient parking for a number of vehicles off the public highway and the removal of only one car from the drive would have a neutral impact on the CA.
14. In carrying out the heritage balance, I have had regard to the duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 regarding the desirability of preserving or enhancing the character or appearance of the CA. I have also given great weight to the conservation of the designated heritage asset as set out in Paragraph 212 of the Framework.
15. In this instance, the sum of the public benefits does not outweigh the identified harm. The proposal therefore conflicts with Policies EN1, EN2, EN10 and EN11 of the Cotswold District Local Plan 2011-2031, adopted August 2018 (LP) which require design quality that respects the character and distinctive appearance of the locality, accords with the Cotswold Design Code and ensures the protection of historic assets in proportion with their significance including the special character and appearance of the CA. 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.

Living conditions

16. The juxtaposition of properties in Chedworth is such that there is undoubtedly a degree of overlooking experienced between a number of properties. However, I saw that although it was possible to look from an existing patio area, into the rear garden of Pancake Cottage, there were no such views from the guest bedroom at first floor level.
17. The first floor windows on the west elevation of the appeal development, would serve the main living area and the bedroom of the proposed annex. Given the attractive setting of the host dwelling, I have no doubt that occupiers of the accommodation would frequently look out from these windows. These would, due to their height and positioning, result in overlooking of the rear garden of Pancake Cottage to an unacceptable extent. The harm could not be mitigated by additional fencing or landscaping due to the difference in levels between the two properties.
18. The proposal would be contrary to Policy EN2 of the LP. This requires compliance with the Cotswold Design Code at Appendix D of the LP which includes respecting the living conditions of neighbouring occupiers with particular regard to privacy.

Other Matters

19. The site lies within the zone of influence of a Protected Site. Had I been minded to allow the appeal, I would have had to seek the views of Natural England as to whether the provisions of the UU would be sufficient to maintain the integrity of the

Protected Site. However, as I am dismissing the appeal, an appropriate assessment³ in terms of the impact of the proposal on the Protected Site is not required.

20. The appeal site lies within the Cotswold National Landscape (NL). Section 85 of the Countryside and Rights of Way Act 2000, as amended by Section 245 of the Levelling Up and Regeneration Act 2023 requires that I must seek to further the purpose of conserving and enhancing the natural beauty of the area. The application site is located within the built area of the settlement, with existing residential properties on three sides. The proposed extension would not break the ridgeline, result in an encroachment of development into the countryside or have an adverse impact on the setting of the settlement within the landscape. The proposal would conserve the natural beauty of the NL.
21. The appeal site lies close to the Grade II listed buildings known as The Chapel House, Sweet Briar Cottage, Amphlett House and Shrove Cottage. I have therefore had regard to the duty in Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990. However, the scale and location of the proposed development would result in a neutral effect on the setting of the listed buildings.
22. I note that interested parties feel the appellants have undertaken improvements to restore the existing property and keep it well maintained. This, together with the presence of other annex accommodation nearby does not alter my conclusions on the impact of the appeal proposal on the CA or neighbouring occupiers.
23. I have considered other matters raised by interested parties including, but not limited to, unstable ground, flooding and drainage but given that I have identified harm in respect of the main issues, these are not matters on which my decision turns.
24. While the Framework notes that early engagement can significantly improve the efficiency and effectiveness of the planning process for all parties, appellants are not obliged to engage with the Council before submitting an application. Likewise, the Council is under no duty to negotiate amendments to a scheme during the course of determining it. The appellants have referred me to appeal decisions elsewhere which they say were allowed contrary to the pre-application advice provided by those Councils. Whilst no copies of those decisions have been provided, I have in any event, used my own planning judgement in determining this appeal.

Conclusion

25. The proposed development is contrary to the development plan as a whole and there are no material considerations 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

³ under Regulation 63 of the Conservation of Habitats and Species Regulations 2017