



Appeal Decision

Site visit made on 18 March 2026

by **B Phillips BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 08 May 2026

Appeal Ref: APP/P0119/W/25/3373813

Land to South side of Hay Street, Marshfield, South Gloucestershire SN14 8PF

- 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 Stephen Finch against South Gloucestershire Council.
 - The application Ref is P25/O1407/F.
 - The development proposed is the erection of steel fencing and gates.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of steel fencing and gates at Land to South side of Hay Street, Marshfield, South Gloucestershire SN14 8PF in accordance with the terms of the application, Ref P25/O1407/F, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with drawing nos; block plan, gate & fence elevations, site location plan.

Preliminary Matters

2. I have removed wording from the banner above which does not describe development.
3. The appeal is against a failure of the Council to give notice of its decision on the planning application Ref P25/O1407/F within the prescribed period. As such, there is no decision notice.
4. The Council have indicated that had they would have been minded to refuse the application had they made a formal determination on the basis of harm to the Conservation Area and to the setting of listed buildings. This has informed the main issue for this appeal.
5. I observed that the gate to the front boundary wall is in place in accordance with the plans in front of me, and as such, I have considered the appeal on the basis that the development therefore has already partly taken place.

Main Issues

6. The main issues in this case are whether the proposal would preserve or enhance the character or appearance of the Marshfield Conservation Area (CA) and whether the proposal would preserve the setting of the Grade II* listed 'Barn, 25 Yards to North of Home Farmhouse' and Grade II listed 'Old Manor House'.

Reasons

Conservation Area

7. The appeal site consists of an open parcel of land immediately adjacent to Hay Street within the settlement of Marshfield. The site is currently somewhat overgrown and sits next to a number of impressive stone buildings on each side and to the rear. Now converted to dwellings and associated uses, these buildings are clearly of some age and are of a form and style that reflects their history as part of a farm.
8. The appeal site lies within the Marshfield CA. The CA is focused around High Street and surrounding roads, and I observed that the significance of the CA as a whole largely derives from its medieval origins and layout, and the rich and cohesive number of vernacular historic buildings that denote its evolution, in addition to the rural character of the surroundings which contributed to the economy of the settlement.
9. The site lies on the approach to High Street where there is a more informal pattern of development. The appellant does not dispute the Council's assertion that the appeal site is recorded as an area of open space on the 1840s tithe maps. It has therefore contributed for a long time to this more informal layout and the more agricultural character of many of the surrounding buildings. The appeal site therefore contributes positively to the character and appearance of the CA as a whole.

Listed Buildings

10. I have been provided with listing description for 'Barn, 25 Yards to North of Home Farmhouse' (now Tythe Court). This building was Grade II* listed in 1952¹, and consists of a 17th of early 18th century coursed squared rubble barn, with a Cotswold slate roof. The listing description refers to it being an unusual but 'well designed and detailed example of the Cotswold barn, relatively intact and unaltered.'
11. As such, I find that the special interest and significance of the listed building to be primarily associated with its historic and architectural interests as a good illustration of vernacular agricultural architecture.
12. The building is located to southwest of the appeal site. The area directly in front of it is currently hard standing used for parking, however the verdant open appeal site enables appreciation of the building and its former agricultural use. The existing front boundary wall also provides a defined roadside enclosure using traditional materials and construction techniques which also contributes to the setting of the asset. The surrounding historic and consistent buildings also enable an appreciation of the historical and architectural interests of the asset.
13. The listed building's immediate setting also therefore, including the appeal site, in part, supports and contributes in a positive way to its special interest and significance.

¹ List Entry Number:1320825

14. The Council's submissions also make reference to the Grade II listed Old Manor House².
15. The Old Manor House was listed in 1952 and consists of a late 17th century former farmhouse, altered in the 18th and 19th century and constructed of rubble with freestone dressings and quoins and a Cotswold stone slate roof.
16. As such, I find that the special interest and significance of the listed building to be again primarily associated with its historic and architectural interests as a good illustration of vernacular agricultural architecture.
17. The Old Manor House sits behind Tythe Court and contributes positively to the wider coherent vernacular form. The listed building's immediate setting also therefore, in part, supports and contributes in a positive way to its special interest and significance

Proposed development and effects

18. The proposal would introduce wrought iron gate and 'Chatsworth style' metal fencing and gates, constructed of galvanised painted wrought iron. The only submitted elevation drawing appears to relate to the east side elevation, facing the access way to the properties to the rear. This includes a double gate. A further gate detail is provided, one for the existing gap in the front boundary wall and one 'across existing door', to the sole opening on the rear of the adjacent stone building.
19. The fence and gates would be limited in their height and are shown lower than the existing front boundary wall. This low height and design would allow views through the fence. It would not therefore result in an oppressive enclosure nor harm any open aspect. I observed that the existing fence to the front boundary wall gap is modest and appropriate to the scale of the gap. The appellant has confirmed that the gates and fence would be painted black (to match the existing gate on site) and the simple metal nature of the fence and remaining gates would have a high quality and modest form. It would complement and be sensitive to the vernacular stone of the surrounding buildings. The existing space would retain its open verdant appearance and its contribution to the wider street scene would be unaffected.
20. The contribution of the appeal site to the informal layout and the more agricultural character of many of the surrounding buildings would also be unaffected. There would therefore be no harm to the character and appearance of the CA.
21. The retention of the open nature of the space and front boundary wall, in addition to the appropriate materials used, would also ensure that the development would not affect the authenticity of how 'Barn, 25 Yards to North of Home Farmhouse' is experienced not alter the ability to appreciate its significance.
22. Given the siting of the Old Manor House behind Tythe Court, there is very little intervisibility between it and the appeal site. Moreover, again, given the appropriateness and lack of harm to the open character of the appeal site and its contribution to the vernacular surroundings, the development would not harm the ability to appreciate the significance of the Old Manor House, or indeed any other

² List Entry Number:1129416

nearby listed building. The contribution the setting makes to its significance would be unaffected.

23. I conclude therefore that the proposals preserve the listed buildings and their setting, and any features of special architectural or historic interest that they possess; and preserves the character and appearance of the Marshfield CA. There is no conflict with Policies CS1 and CS9 of the South Gloucestershire Core Strategy 2013 and policies PSP1, PSP5 and PSP17 of the South Gloucestershire Policies, Sites and Places Plan 2017. These aim, amongst other things, to ensure development protects the significance of heritage assets and respects the character of a site and its context. For these reasons, the appeal scheme also complies with the statutory presumptions set out in sections 66(1) and 72(1) of the Act and satisfies the historic environment conservation and enhancement policies of the National Planning Policy Framework.

Other Matters

19. The site lies in the Cotswold National Landscape, however its value and contribution to the area relates to its association with the built environment rather than the wider natural landscape. As such, I conclude the scheme conserves the natural beauty of the National Landscape.
20. Any right of way across the site, including to the existing doorway at the rear of the stone parking building at the rear of the site is a private matter, separate to the considerations in front of me.
21. The development would not affect any trees. The plans are drawn to scale and the necessity or otherwise of the proposal is not a determinative matter in this case. I have considered the proposal on the basis of the scheme and details before me, and as such it does not set a precedent for any other type of development. The neglected and overgrown state of the site and any rubbish upon it are also not a determinative matter in this regard.

Conditions

24. The Council has submitted suggested conditions were the appeal to be allowed. I have considered this having regard to the advice set out in both the Framework and the Planning Practice Guidance.
25. Given that, as set out above, the works are partly retrospective and have begun, a time frame for starting development condition is not necessary. A condition specifying the approved plans is however required in the interest of clarity. A condition requiring further detail of the fencing is unnecessary, given the simple nature of the proposal and the plan submitted.

Conclusion

26. For the reasons set out above, and having regard to all the other matters raised, I conclude that the appeal should be allowed.

B Phillips

INSPECTOR