
Appeal Decision

Site visit made on 6 January 2023

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th January 2023

Appeal Ref: APP/J3720/D/22/3312055

**Great Grounds Farm House, Langdon Lane, Radway, Warwickshire
CV35 0UQ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs A Naylor against the decision of Stratford-on-Avon District Council.
 - The application Ref 22/01530/FUL, dated 22 May 2022, was refused by notice dated 21 September 2022.
 - The development proposed is described as retention of outbuilding.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The proposed outbuilding is complete and in place. It appears to have been constructed broadly in accordance with the plans.
3. Retention is not an act of development under the above Planning Act. I have assessed the appeal as one that seeks planning permission, retrospectively.

Main issue

4. The main issue is whether the development preserves or enhances the character or appearance of the Radway Conservation Area.

Reasons

5. The outbuilding in question stands towards one corner of the garden of Great Grounds Farm House, which is a 2-storey dwelling that occupies a prominent corner plot within the Radway Conservation Area (CA). From what I saw, the significance of the CA as a designated heritage asset (DHA) primarily derives from the many historic buildings within it, particularly those of traditional style with local stone walls. According to the main parties, the Farm House is recognised in the Radway Conservation Area Study as a significant building of architectural merit. I agree. It is an attractive building that makes a significant and positive contribution to the character and appearance of the CA.
6. When considering the impact of a development on the significance of a DHA, the National Planning Policy Framework (the Framework) states that great weight should be given to the asset's conservation. There is also a statutory

duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA, which I have done.

7. The stone boundary wall that marks the highway frontage of the site partly screens the outbuilding in views from the road. Nevertheless, the pitched roof of the outbuilding and its flue project noticeably above this boundary feature and are conspicuous features within the local street scene. When seen from the road, the outbuilding draws the eye because the extensive roof slopes and flue are substantial and appear to belong to an unusually large building that, in my experience, are atypical of structures that are generally found in the gardens of dwellings. That the dark roofing material of the outbuilding contrasts with the lighter coloured brick and roof material of the main dwelling with which it is visually 'read', accentuate its presence.
8. On the immediate approach to the site along Langdon Lane from the northwest, the scale, height, position, and general appearance of the outbuilding cause it to be prominent in the local townscape and to visually compete for attention with the main dwelling just beyond. In doing so, the outbuilding introduces visual disharmony to the street scene, and it unduly disrupts the setting of the Farm House. As a result, the significance of the CA and the positive contribution of the appeal dwelling to the DHA are diminished.
9. I recognise that the exterior materials of the outbuilding will weather over time that may well subdue its appearance. The growth of existing planting in the garden of the Farm House may also visually soften the appearance of the outbuilding. However, those processes will take some time to take full effect and it would not overcome the significant harm caused in the interim. The harmful impact of the development could not be satisfactorily mitigated by extra planting or altering the roofing material.
10. The harm to the CA is, in the context of the significance of the DHA, less than substantial. In those circumstances, the Framework requires that the harm is weighed against any public benefits of the development. No public benefits are put forward and none would outweigh the identified harm.
11. On the main issue, I conclude that the outbuilding is incompatible in its context. It fails to preserve the character and appearance of the CA. Accordingly, the appeal scheme conflicts with Policies CS.8, CS.9 and CS.20 of the Stratford-on-Avon District Core Strategy 2011 to 2031. These policies aim to ensure that development is of high quality of design; reflects local character; and conserves and enhances the historic environment. It is also contrary to the Framework, which states that development should add to the quality of the area and safeguard heritage assets.
12. The site also falls within an Area of Outstanding Natural Beauty (AONB). This is a nationally designated area with the highest status of protection in relation to landscape and scenic beauty. The Council appears to raise no objection insofar as the effect of the proposal on the AONB is concerned. From the submitted evidence, I have no reason to reach a different view.
13. I appreciate that the outbuilding was erected on the mistaken premise that it constituted permitted development and therefore did not require planning permission. It has personal significance to the appellant and is a pleasant place in which to relax, exercise and enjoy the garden. I also note that a

neighbour supported the application. However, these matters do not outweigh the significant harm that I have identified.

14. The appellant has indicated a willingness to relocate the outbuilding to another part of the garden if that change would overcome the objections raised. However, such a revision would result in a development that would differ in substance to the appeal scheme insofar as the effect on the character and appearance of the local area is concerned. The Council has neither considered alternative locations for the outbuilding nor consulted others on them. I have therefore determined the appeal based on the original application.

Conclusion

15. For the reasons set out above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR