
Appeal Decision

Site visit made on 16 April 2024

by Michael Boniface MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 April 2024

Appeal Ref: APP/J3720/W/23/3319808

Holmes House, Hambridge Road, Bishops Itchington, Southam, CV47 2SB

- 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 Mr Rob Parker against the decision of Stratford on Avon District Council.
 - The application Ref. 22/01639/FUL, dated 30 May 2022, was refused by notice dated 3 October 2022.
 - The development proposed is the change of use of 180sqm of paddock/agricultural land into residential garden.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal affects the setting of a listed building I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. The change of use has already occurred, and planning permission is now being sought retrospectively.
4. The Council changed the description of development put forward by the appellant after its requests for details, including drawings, of the operational development went unanswered. In the absence of the necessary details, the Council progressed the application by considering the change of use only. I have considered the appeal on the same basis, notwithstanding that operational development in the form of a swimming pool, patio and walls have been constructed on the land.

Main Issues

5. The main issues are whether the development conforms with the development plan; and whether the proposal would preserve a Grade II listed building, Holmes House, and any of the features of special architectural or historic interest that it possesses.

Reasons

Planning policy

6. Policy AS.10 of the Stratford-on-Avon District Core Strategy 2011 - 2031 (CS) sets out the types of development that will be supported in the countryside.

The development undertaken does not accord with the policy, involving an extension of the private garden associated with Holmes House. Such encroachment on the countryside is not consistent with the overall development strategy for the area and has not been adequately justified. No benefits to the local area would arise and so the scheme is in conflict with Policy AS.10. No other policies supporting the development have been identified.

Heritage

7. Holmes House is a farmhouse thought to have 17th century origins with later additions and alterations, as well as rebuilding work following a fire in the 19th century. Its special interest derives from its age and as a good example of a rural farmhouse from this period, still standing within a rural setting and close to associated agricultural buildings. The property also has significant architectural interest arising from its form and traditional design, incorporating Flemish bond and substantial chimney stacks.
8. The change of use crudely extends the garden of the property into the adjoining paddock, involving a harsh rectangular protrusion into countryside that relates poorly to the surrounding grass covered field. The anomalous appearance is compounded by the low-level walls and swimming pool, which give a highly domestic appearance, though I have not taken this into account for the reasons set out above.
9. I acknowledge that the farmstead and the position of agricultural buildings has changed over time but even if the land subject of this appeal was once developed or more closely associated with the house, the garden boundary is now unambiguous and the site clearly forms part of the countryside in the present day. The relevance of any past configuration on the site has not been fully explained and no convincing evidence to support the change of use is available, despite the onus on the appellant to explain and justify any impacts on the heritage asset.
10. Although the appeal site is not widely visible from the public realm, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether public views can be gained. The appeal site is very close to Holmes House and the change of use to garden land harms its setting, the surrounding rural countryside and agricultural land contributing significantly to the significance of the farmhouse.
11. The harm arising would be less than substantial in the terms of the National Planning Policy Framework (the Framework), but great weight must be given to the conservation of heritage assets.
12. I do not accept that the change of use (even with the operational development visible during my site visit) provides any public benefit in terms of screening the distant railway line from the listed building, which is a relatively innocuous feature in the landscape beyond the paddock. The suggestion that the swimming pool constructed on the appeal site might be a good source of water in the event of a fire cannot assist in the context of an application solely for change of use, but even if it were taken into account, would not amount to a public benefit sufficient to outweigh the heritage harm identified.

13. As such, the proposal would fail to preserve the special historic interest of the Grade II listed building. This would fail to satisfy the requirements of the Act, policy within the Framework and conflict with Policy CS.8 of the CS which seeks, among other things, to protect heritage assets.

Conclusion

14. The appeal scheme involves development in the countryside in conflict with the development plan. It would also detract from the setting of a listed building, harming its special interest. As such, it is in conflict with the development plan, taken as a whole, and there are no material considerations indicating that a decision should be taken other than in accordance with the development plan.
15. In light of the above, the appeal is dismissed.

Michael Boniface

INSPECTOR