



Appeal Decision

Site visit made on 11 February 2025

by R Catchpole BSc (hons) PhD MCIEEM IHBC

an Inspector appointed by the Secretary of State

Decision date: 21 February 2025

Appeal Ref: APP/P3040/W/24/3350819

Land North of Meadow Lane, Stanford on Soar, Loughborough LE12 5QA

- 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 Wendy and Andrew Salmon against the decision of Rushcliffe Borough Council.
 - The application reference is 23/00147/FUL.
 - The development proposed is the retention of a summerhouse.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal is in the setting of a Grade II heritage asset, known as “Stanford Bridge” (Ref: 1264647 and 1242281) and a Grade I asset known as “Church of St. John the Baptist” (Ref: 1242187), I have had special regard to 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act). Whilst Council has identified these assets, they are not grounds for its Reason for Refusal. Bearing in mind the separation distance from the Church and the temporary nature of the structure, I am satisfied that no harm has been caused to the significance of either of these assets through changes in their settings. As such, their special interest has been preserved which satisfies the requirements of the Act.
3. The proposed development has already occurred and the application has been made retrospectively. I have seen its effect and I am satisfied that it has been carried out according to the plans that have been submitted. This is the basis upon which this appeal has been determined.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area with regard to landscape character.

Reasons

5. The summerhouse is a single storey, rectangular, wooden structure which is located in the open countryside to the southwest of the small hamlet of Stanford-on-Soar. It is situated near a late 18th century packhorse bridge which crosses an overgrown and now isolated section of the River Soar which was re-directed. The site is accessed via a narrow track from the appellants’ stables which are situated off Meadow Lane.

6. I observed that the summerhouse is on lower ground in comparison to the nearby pastures but that it is still clearly visible from the stables which are approximately 70 m away at their nearest point. Whilst constructed from the same materials, the separation distance is such that it appears as an isolated and incongruent structure in the open countryside rather than one that is associated with the stables. As such, it is not well integrated with the existing buildings and introduces a built form to an area that is currently devoid of any development. The light blue colour it has been painted further adds to its prominence and incongruity.
7. The appellants suggest that the development is justified because it is on the site of an alleged tollkeeper's house, provides secure tool storage and enables wildlife watching experiences. I appreciate that a photograph of the tollkeeper's house has been seen by the appellant but I have no other evidence before me to suggest the existence of such a structure and find this point to be unsubstantiated.
8. In terms of secure tool storage, I find this lacked justification due to the fact that I observed no evidence of any associated work being carried on either the bridge or the 'wetland'. Moreover, I have no evidence before me to suggest that an application for listed building consent has been made which would indicate serious intent. It is also unclear why the steel frame building, less than 100 m away, would not be a more secure and suitable alternative.
9. Turning to potential wildlife watching, I note that there has been no attempt to clear vegetation from the foreground of the main elevation and that even had this been the case, any such views would still be restricted given its set back from the edge of the 'wetland'. Moreover, the design is not analogous to a structure that is suitable for viewing wildlife, such as bird hide. Views of wildlife are typically gained from narrow viewing slots that can be opened without disturbing wildlife in such structures. The full-length glazing and location of the entrance is particularly unsuited to such activity as any movement will cause visual disturbance and condensation would also limit visibility in cold weather.
10. The appellants suggest that information on the local environment could also be kept inside the building and made available by prior arrangement to interested persons. As with the other suggestions, this falls short of justifying the reason for the structure. I therefore have insufficient evidence before me to suggest any firm intent to develop it for use as a community facility.
11. The appellants believe that the proposal is consistent with Policy 22 2(a) and 2(h) of the Rushcliffe Local Plan Part 2: Land and Planning Policies (2019) (the LP) because the proposed activities require a rural location. Policy 22 2(a) relates to agriculture, equestrian, forestry and other uses requiring a rural location whilst Policy 22 2(h) relates to recreation, wildlife conservation, leisure, tourism, and sports development which requires and are appropriate in a countryside location.
12. However, both these are subject to the requirements of section 3(a) which requires, among other things, that the appearance and character of the landscape is conserved and enhanced. Even if the uses of the structure were adequately substantiated and a clear alternative for the storage of tools were not present, the resulting landscape harm brings it into clear conflict with the LP. I therefore conclude that it is contrary to Policy 22 3(a) of the LP.

Other Matter

13. The appellants have drawn the Trent Valley Washlands Landscape Character Area to my attention in support of their case. However, as the Council points out, the structure is actually in the Leicestershire and Nottinghamshire Wolds Landscape Character Area. The related points are therefore only of limited relevance.

Conclusion

14. Given the above and considering all other matters raised, the appeal is dismissed.

R Catchpole

INSPECTOR