



Appeal Decision

Site visit made on 18 March 2025 by T Morris BA (Hons) MSc

Decision by Chris Forrett BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 May 2025

Appeal Ref: APP/J3720/D/25/3359393

The Saxon House, Mountford Rise, Lighthorne, Warwickshire CV35 0RU

- 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 & Mrs McGrath against the decision of Stratford-on-Avon District Council.
 - The application Ref is 24/02567/FUL.
 - The development proposed is a first floor & ground floor side extension, detached garage & garden room/office, driveway, replacement west boundary and associated works.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The appeal property was named Tomten but has subsequently been re-named The Saxon House. I have therefore utilised the properties current name for the purposes of this appeal.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host property and the wider area with particular regard to the Lighthorne Conservation Area.

Reasons for the Recommendation

5. The appeal property is a two-storey detached dwelling which is situated in the village of Lighthorne. It is also within the Lighthorne Conservation Area (CA). The significance of the CA partly derives from its traditional stone buildings, farmhouses and converted farm buildings, interspersed by trees and green areas. The appeal site is within the Bishop's Hill area of the CA which features more recent development. This includes the appeal property which was constructed in the 1980's and is not a particularly noteworthy building in the context of the CA. Nevertheless, it has a pitched tile roof with inset dormer windows, as well as stone elevations which are somewhat reflective of the more traditional buildings in the

village. The site is also located adjacent to the Antelope public house, which is a Grade II listed building.

6. Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require me to have special regard to the desirability of preserving the setting of this listed building and the character or appearance of the CA.
7. The extensions to the dwelling would have a contemporary appearance, with window design, cladding and roof materials which would deviate from that of the host dwelling. That said, the extension would be limited to one end of the dwelling and its main stone elevations which echo the traditional character of the CA, would remain as the predominant material. Moreover, the evidence before me is persuasive that timber and metal are not necessarily uncommon materials in the area and have been used historically within the village.
8. In addition to the above, the utility room would be partially located within a root protection area for a sycamore tree on the adjacent site with several other trees along the same boundary. The sycamore tree is located at a lower land level and given the limited incursion into its root protection area, together with the suggested pruning required in the Arboricultural Impact Assessment (AIA), I consider that this is not a barrier to the granting of planning permission. Similarly, the proposal is unlikely to have any significant impact to the other trees along this boundary.
9. Taking all of this into account, in my view, the extensions would be high-quality and attractive alterations which would improve the appearance of the host dwelling and the locality and would preserve the character and appearance of the CA.
10. However, the site has a sensitive location along a key view into the hub of the CA, which includes the Green, one of its most important areas. The bank along this side of Bishop's Hill is of an open character with trees and soft landscaping, positive elements which enhance the CA. Conversely, the proposed boundary wall and fence would be a solid and enclosing feature which would harm the view towards the Green. Even if the wall is constructed in locally sourced materials, once combined with the fence, it would form a substantial mass which would unacceptably contrast with its more open surroundings. Whilst a soft landscaping scheme is proposed, this would take time to establish and even then, it would not provide sufficient screening of the boundary wall and fence given the limited area where planting could occur. Consequently, this aspect of the proposal would result in an incongruous feature along a key view into the village, and would be harmful to the character and appearance of the CA.
11. In reaching this conclusion, I have considered the examples provided of other boundaries in the village. Whilst there is a retaining wall and fence at Forest Lodge near the appeal site, the fence features vertical slats and allows views through it resulting in a less obtrusive visual appearance. Furthermore, it also has some planting intertwined with the fence and is also further away from the Green. Similarly, the examples at Southview House and Old School Lane do not appear to be in such prominent locations as the appeal site and the example at 2 Verney Close does little to demonstrate a positive impact on the area in general. Accordingly, none of these examples persuade me that the boundary wall and fence at the appeal site would not have an unacceptable effect on the character and appearance of the CA.

12. Turning to the proposed garage/workshop, this would be located in a prominent position towards the top of Bishop's Hill. Given its overall size, height and footprint it would be seen as a sizeable building which in my view would not appear subservient to the host dwelling and would appear as an overly large structure. This is particularly the case given its elevated position, its siting closer to Bishops Hill, and the relative heights of the existing dwelling and proposed garage building.
13. Furthermore, its conspicuous presence would be accentuated by the use of alternative materials, where unlike the extension to the dwelling, the predominant material would not be stone. The garage would therefore be an incongruous and excessive addition which would detract from a key view into the village, and this would further harm the character and appearance of the CA.
14. Additionally, the garage building would also require the felling of further trees at the site. Most notably, this includes T22, which is a B1 classified horse chestnut tree, of moderate quality and from the evidence before me is in good condition. This tree, alongside the other trees and landscaping provides an important green edge to the village and thus contributes positively to the character and appearance of the CA. The loss of these trees would have a negative impact on the CA.
15. The Appellant has stated a preference to keep tree T22, and they refer to a construction method for this. However, there are insufficient details of such a scheme before me or whether it would achieve the overall objective of retaining the tree without damaging its long-term health. Moreover, the AIA indicates that the tree would be felled prior to commencement of development. Whilst replacement trees are proposed, the AIA identifies that there is limited available space for such planting and in the absence of any convincing evidence to demonstrate that this would provide suitable mitigation and screening, this would further add to the harm which would result from the garage building and undermine the important green edge along Bishop's Hill and the CA.
16. As noted above, the site is located adjacent to the Antelope public house, which is a Grade II listed building (LB). The effect of the proposal on the LB is not in dispute amongst the main parties and given the separation between the appeal site and the LB, together with the substantial screening between the sites, I concur with the Council's observations that no harm would arise to the LB or its setting as a result of the proposal.
17. However, I have found harm in respect of the CA, and in the context of the National Planning Policy Framework (the Framework), the harm I have identified is less than substantial. In such cases the Framework sets out that where a development would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
18. I acknowledge that the proposal would provide visual improvements to a dwelling which has not been maintained for many years. It may also have some environmental benefits in terms of replacement planting, but this has to be factored against the tree loss in the first instance. Overall, the benefits amount to know more than a modest public benefit and to my mind are not sufficient to outweigh the harm to the CA.
19. In summary, the garage building and retaining wall and fencing would detract from the character and appearance of the CA. It would therefore conflict with Policies

CS.5, CS.8, CS.9 and CS.20 of the Stratford-on-Avon District Core Strategy 2011 to 2031 (2016). These policies, amongst other matters, require that developments are sensitive to the landscape character of the area, that the design and layout of development incorporates trees, that outbuildings should be of an appropriate scale and that the district's historic environment will be protected and enhanced. It would also conflict with the overarching aims of the Framework.

Other Matters

20. I have also had regard to the support for the proposal. However, this support does not outweigh the harm I have found.

Conclusion and Recommendation

21. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given above I recommend for the appeal to be dismissed.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

22. I have considered all the submitted evidence, and my representative's report, and on that basis the appeal is dismissed.

Chris Forrett

INSPECTOR