



Appeal Decision

Site visit made on 27 August 2025

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd September 2025

Appeal Ref: APP/K3415/W/25/3366911

Longmoor, Roman Road, Little Aston, Sutton Coldfield, Staffordshire B74 3AQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) (the Act) against a refusal to grant planning permission.
 - The appeal is made by Mr G Hale (Firstpost Homes Ltd) against the decision of Lichfield District Council.
 - The application Ref is 24/01045/FUL.
 - The development proposed is demolition of existing house and erection of 2 no. seven bedroom dwellings with double garages and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing house and erection of 2 no. seven bedroom dwellings with double garages and associated works at Longmoor, Roman Road, Little Aston, Sutton Coldfield, Staffordshire B74 3AQ in accordance with the terms of the application, Ref 24/01045/FUL, subject to the conditions in the attached schedule.

Preliminary Matter

2. A revised version of the National Planning Policy Framework (the Framework) has been issued since the Council's decision on the application leading to this appeal. Interested parties have had an opportunity to submit comments on the Framework through the appeal process and it has informed my assessment.

Main Issues

3. The main issues are the effect of the development on the character and appearance of the area, including whether it would preserve or enhance the character and appearance of the Little Aston Conservation Area (the CA) and whether it would affect other heritage assets.

Reasons

4. The appeal property lies within the CA, which consists predominantly of detached residential properties. The Little Aston Conservation Area Appraisal (the Appraisal) explains the CA was designated due to the high quality environment that includes remnants of a parkland estate and good examples of incremental development from the 20th century. The appeal site is large and it contains a single detached dwelling with mature trees and hedges that screen the house from the adjoining Roman Road and Roman Lane. The spaciousness of the site as well as the prominent vegetation reflect the positive features of the CA and so in these regards it makes a positive contribution to the attractiveness of the area.

5. There is a dispute between the Council and the appellant as to whether the existing house is a locally listed building and whether it should be treated as a non-designated heritage asset (NDHA). The Appraisal labels Longmoor as a “positive building” but it provides no explanation as to why it has been identified. Also, the Appraisal includes no details on any assessment process utilised by the Council on the identification of such buildings. Moreover, the property is not included on the Council’s separate list of locally important buildings nor is it on the Register of Buildings of Special Local Interest as included in the most recent Little Aston Conservation Area Management Plan. Therefore, it is apparent Longmoor has not consistently been recognised by the Council as having an interest.
6. The Framework defines a heritage asset as a building or site identified as having a degree of significance meriting consideration in planning decisions because of its heritage interest. The Planning Practice Guidance (the PPG) explains how NDHAs may be identified in a number of different ways and not just through conservation area appraisals and reviews. However, it is important that identification is based on sound evidence and it is helpful if Councils keep a local list of NDHAs¹. Given this policy context, the exclusion of the property from the Council’s list of locally important buildings and the lack of evidence of the Council formally assessing the property’s heritage interest counts against Longmoor being treated as a NDHA.
7. On my visit, I saw the house was vacant and in a rundown condition with tiles removed from its roof. It has wide front and rear elevations that contain a degree of symmetry. Also, it has a few features such as eaves with wide overhangs and arches supporting first floor balconies that suggest an European architectural influence. Otherwise, the house is fairly typical of a 1950’s style and form and so it is of insufficient historic or architectural interest to be deemed a NDHA. My view on this matter is supported by the fact that the architect of the house is unknown and by the absence of any substantive evidence to show the property has strong historic links to any notable person. Furthermore, the property makes no obvious contribution to the visual interest of the CA as it is screened from the roads by trees and bushes. Its demolition would have no meaningful effect on the significance of the CA.
8. The proposed dwellings would be detached and side by side. They would be large but they would be within generous plots of comparable size to others within the locality. As such, the houses would not appear uncharacteristically bulky or cramped. Also, the Council has not sought to dispute the appellant’s claim the proposal would accord with policy LAP1 of the Little Aston Neighbourhood Plan 2016 (the NP) on the density of residential development. Moreover, the houses would include traditional architectural features such as dormer windows, bay windows and porches that reflect the 20th century style of other local buildings.
9. Tall trees that exist on the site would be removed as part of the development, although most of the trees and bushes near the boundaries would remain unaffected. Replacement planting could be reasonably secured by planning condition. The greenery would largely screen the development from the adjoining roads so the buildings and hard surfacing would not appear prominent. Instead, the houses would appear secluded, consistent with the general pattern of local development. The proposal would reduce the openness of the site compared to

¹ Planning Practice Guidance, Historic Environment, Paragraph: 040 Reference ID: 18a-040-20190723, Revision date 23 07 2019.

the existing situation but this would not be easily appreciated given the screening effect of the vegetation.

10. An interested party has raised concerns over the formation of a gap in the existing hedge line to create the proposed access off Roman Lane. However, this would be a small opening compared to the full length of hedge along the northside of the road. As such, the new access would have no meaningful effect on the verdant qualities of the street scene. The new entrance would not appear incongruous given the other accesses to nearby properties.
11. The Council raises concern over the development's effect on the setting and significance of Little Aston Hall, a grade II listed building. Whilst the development would lie within the former Little Aston Hall estate and recreation grounds, it would be a significant distance away from the listed building itself with properties and vegetation in between. Compared to the existing situation, the proposal would have no effect on the way the Hall is experienced and so it would not affect its setting nor its significance. The Council also mentions concerns over the effect of the proposal on the setting of nearby listed and locally listed buildings, although these have not been identified. In any event, the proposed houses would be largely obscured in views from off the site due to vegetation so they would avoid a change to the setting of any other property.
12. For the above reasons, I conclude the development would have an acceptable effect on the character and appearance of the area. It would preserve or enhance the character or appearance of the CA and it would not harm the setting or significance of any other heritage asset. Therefore, it would accord with Core Policy 3, Core Policy 14 and policy BE1 of the Lichfield Local Plan Strategy 2015 as well as NP policies LAP1 and LAP2. Amongst other things, these policies seek to ensure development protects and enhances the character of settlements and avoids harm to the significance of heritage assets.

Other Matters

13. Other concerns have been raised by interested parties. The proposed houses would be a sufficient distance from the site boundaries so as to avoid any unacceptable effect on living conditions at nearby residences. The separation and vegetation between properties would ensure that noise and lights from the development and associated vehicles would cause no significant nuisance to neighbouring residents.
14. The 2 dwellings would generate only a minor increase in traffic movements compared to the existing situation. Also, the speed of vehicles on Roman Road and Roman Lane are likely to be low given the nature of the highways and the presence of regular speed ramps. As such, trips to and from the development would have an acceptable effect on highway safety, even when having regard to the lack of pavements and the position of the proposed access onto Roman Lane.
15. There is no substantive evidence before me to indicate the existing mains system would be unable to accommodate foul water from the development. Moreover, the site is of a sufficient size to accommodate surface water drainage systems such as the soakaways as indicated on the appeal plans. Surveys carried out by the appellant have shown the existing building is not used by bats for shelter and that the development would not impact on features of high ecological interest. The

proposal would not harm the integrity or ecological interest of the wooded areas on the site.

16. The above matters do not constitute reasons to refuse planning permission. As such, they fail to affect my overall conclusion on the appeal.

Conditions

17. I have had regard to the planning conditions suggested by the Council in light of the advice on conditions as set out in the Framework. I have also had regard to the conditions suggested by consultees to the planning application leading to this appeal. Where appropriate, I have made amendments to their wording in the interests of precision and to avoid unnecessary pre-commencement conditions.
18. In the interests of clarity, I impose a condition that requires the development to be carried out in accordance with the approved drawings. The condition only refers to those drawings that show the appeal development.
19. There is no need for a condition that requires the submission and approval of an arboricultural method statement and tree protection plan as such information has already been provided. However, a condition that requires the development to be carried out in accordance with the recommended measures is needed to safeguard the well-being of trees to be retained.
20. To mitigate the impacts of the development on ecology, a condition is included that requires the measures in the submitted preliminary ecological appraisal to be carried out. Surveys have found no evidence of bats habiting the site and so a condition to secure measures to prevent harm to bats is not necessary.
21. Approval and adherence to a demolition and construction method statement is needed to protect living conditions at nearby residences. To ensure the development deals appropriately with potential archaeology, I attach a condition similar to that suggested by Staffordshire County Council's archaeologist.
22. A condition on the external materials to be used is needed to ensure the development is of a satisfactory appearance. For the same reason, I include a condition that requires the submission and approval of landscaping details. The information on the approved drawings in both of these regards is imprecise and incomplete. In the interests of highway safety and to discourage parking on the roads, a condition is required in respect of on-site parking and vehicular access.
23. There is no need for the suggested biodiversity net gain condition as the planning application form confirms the development would be subject to the statutory biodiversity gain condition as set out in paragraph 13 of Schedule 7A of the Act. The Council has suggested a condition that would remove permitted development rights but no explanation has been provided as to why this would be needed. As such, I have not included this suggested condition.

Conclusion

24. For the reasons given above, I conclude the appeal should be allowed.

Jonathan Edwards

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos 6629.99, LRR.PL.01A, LRR.PL.03, LRR.PL.04, LRR.PL.05A, LRR.PL 06, LRR.PL 07, LRR.PL 08, LRR.PL 09 and LRR.PL 10.
- 3) The development hereby permitted shall be carried out fully in accordance with the aboricultural method statement submitted with the appeal.
- 4) The development hereby permitted shall be carried out in accordance with the mitigation requirements as set out in section 4.5 of the Croft Ecology Preliminary Ecological Appraisal dated 13 September 2024.
- 5) Apart from the creation of the new access off Roman Lane, no development hereby permitted shall commence until a demolition and construction method statement has been submitted to and approved in writing by the local planning authority. The statement shall include measures to control noise, dust and vibration as well as details on working hours and access/egress arrangements for construction vehicles. The development shall be carried out in accordance with the approved method statement.
- 6) Apart from the creation of the new access off Roman Lane and the demolition of the existing dwelling, no development hereby permitted shall commence until details of an archaeological watching brief or archaeological works have been submitted to and approved in writing by the local planning authority. The approved archaeology scheme shall thereafter be implemented and the development shall not be first occupied until any post excavation assessment has been completed and provision made for the analysis, publication and dissemination of the results and archive deposition has been secured.
- 7) Apart from the creation of the new access off Roman Lane and the demolition of the existing dwelling, no development hereby permitted shall commence until details and samples of all external materials (including walls, roof coverings, windows, doors and rainwater goods) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 8) Apart from the creation of the new access off Roman Lane and demolition of the existing dwelling, no development hereby permitted shall commence until a detailed landscaping scheme, including both hard and soft landscaping, planting plans, boundary treatments and a timetable for implementation has been submitted to and approved in writing by the local planning authority. The scheme shall include details of replacement tree planting to compensate for any trees lost as a result of the development. The approved landscaping scheme shall be implemented in accordance with the approved timetable and maintained for a period of 5 years following planting.
- 9) Prior to the first occupation of either of the dwellings hereby permitted, the means of vehicular access to that dwelling as well as parking and servicing

areas as shown on the approved drawings shall be laid out, surfaced and made available for use. The accesses and parking areas shall thereafter be retained for vehicular parking and manoeuvres.