



Appeal Decisions

Site visit made on 28 August 2025

by **C Billings BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 September 2025

Appeal A Ref: APP/J3720/W/25/3366803

Barn, School Road, Great Alne B49 6HQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval to details required by a condition of a prior approval.
- The appeal is made by Mr Richard Brenton against the decision of Stratford-on-Avon District Council.
- The application Ref DISCN/00092/25 sought approval of details pursuant to condition No 2 of prior approval Ref 22/03629/COUQ, granted on 3 February 2023.
- The application was refused by notice dated 16 May 2025.
- The development proposed is conversion of an agricultural barn into a residential dwelling (Use Class C3).
- The details for which approval is sought are a scheme of hard and soft landscaping detailing treatment of all parts of the site including details of the driveway, not covered by buildings.

Appeal B Ref: APP/J3720/W/25/3367219

Barn, School Road, Great Alne B49 6HQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval to details required by a condition of a prior approval.
- The appeal is made by Mr Richard Brenton against the decision of Stratford-on-Avon District Council.
- The application Ref DISCN/00093/25 sought approval of details pursuant to condition No 3 of prior approval Ref 22/03629/COUQ, granted on 3 February 2023.
- The application was refused by notice dated 16 May 2025.
- The development proposed is conversion of an agricultural barn into a residential dwelling (Use Class C3).
- The details for which approval is sought are external facing materials.

Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. As set out above, there are two appeals which relate to different conditions attached to the same prior approval granted to convert the appeal barn to a dwelling house under Class Q, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, Council ref. 22/03629/COUQ. Appeal A relates to the details submitted in respect of condition 2 for hard and soft landscaping and Appeal B relates to condition 3 in respect of the details of the external facing materials to be used.
4. A deemed discharge notice was served on the Council by the appellant in respect of the applications. However, the Council subsequently determined the applications before the timescales for the deemed discharge came into force. Therefore, this is not a matter for me to consider in these appeals.

Main Issue

5. The main issue is whether the submitted details satisfy the requirements of conditions 2 and 3 of Council ref. 22/03629/COUQ, having regard to the reasons for the conditions, including the effect on the character and appearance of the area and host building, biodiversity and the living conditions of future occupiers of the dwelling.

Reasons

6. Condition 2 requires: Prior to progression of any part of the development hereby permitted above slab level, a scheme of hard and soft landscaping detailing treatment of all parts of the site including details of the driveway, not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. This landscaping scheme shall include:
 - location, type and materials to be used for any permeable paving, including specifications and details of manufacturer, type and design, colour and bonding pattern where appropriate;
 - the position, design, materials, means of construction of all site enclosures and boundary treatments (e.g. fences, walls, railings, hedge(banks)), where appropriate;
 - location, type and materials to be used for any non-permeable paving;
 - landscaping plan for the private amenity spaces. This should include details of the seed mix to be used.
 - a timetable for the implementation of the soft and hard landscaping scheme.The approved soft and hard landscaping scheme shall be carried out strictly in accordance with the approved timetable of implementation and shall thereafter be protected, maintained and managed in accordance with the approved details.
7. The purpose of Condition 2 is to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and biodiversity benefits and to maximise the quality and useability of open spaces within the development and to enhance the setting within the immediate locality.
8. Notwithstanding that the submitted landscaping plan, drawing No 670/001 includes land beyond the application site, it does not provide all of the required details specified in the bullet points of condition 2. Even though details of the mixed native hedgerow specification to the wider site is provided on the plan, no substantive details have been submitted about the seed mix for the grassed areas shown or other vegetation within the site. Also, no substantive details have been provided in respect of the means of enclosure and boundary treatments, including their design and position around the appeal site itself.
9. While the location of proposed slabs and gravel areas is shown on the landscaping plan and that the slabs are to be York Stone, full details of the type and materials, including the manufacturer details and the colour and bonding and pattern of such surfacing materials have not been provided. Also, no timetable for the implementation of the soft and hard landscaping scheme has been submitted either. Without such information, as set out and required by condition No 2, the appeal proposal does not satisfy the requirements of this condition.

10. Consequently, without such details, I am unable to conclude that the development would not have a harmful impact on the character and appearance of the surrounding area, biodiversity and ensure the acceptable living conditions of the future occupiers of the development. Therefore, there would be conflict with Policies CS.5, CS.6 and CS.9 of the Stratford-on-Avon District Core Strategy (July 2016) (CS), which amongst other matters, respectively require development to maintain landscape character, minimise impact on biodiversity and, where possible secure net gain in biodiversity, and that new development is of a high quality design reflecting the character and distinctiveness of the locality.

Condition 3

11. Condition 3 requires: Before any of the following phases of works are commenced, full details of the external facing material (including product manufacturer specification where applicable) to be used in that particular phase shall be submitted to and approved in writing by the District Planning Authority and thereafter the works shall only be carried out in accordance with these approved details:
- i) Doors and windows
 - ii) Roof covering in the taller, double height section of the barn
 - iii) Fascia at the eaves in the taller, double height section of the barn
 - iv) New external brickwork (a photo of a sample brick shall also be submitted for approval).
12. The purpose of condition 3 is to safeguard the character and appearance of the host building, which is of architectural interest.
13. A number of details have been submitted to seek to satisfy the requirements of condition 3. With regard to the new external brickwork, it is intended to use bricks to match the existing and photographs of such have been provided. Even though no manufacturing details of the bricks nor the name, colour, type has been provided, I am satisfied that the details submitted in respect of the external bricks is sufficient for the purposes of the condition requirement, particularly as the condition only requires product manufacturer specification, where applicable. Furthermore, if alternative bricks are used, then this could be differentiated from what is 'existing' and from the photographs provided.
14. Also, sufficient information, including manufacturing details, has been provided regarding the proposed roofing materials for the taller part of the barn. Furthermore, such roof materials and the colour reflect what would likely be used on a traditional barn. Therefore, the proposed brick and roof materials would not have a harmful effect on the architectural interest or the character and appearance of the appeal building.
15. However, while details of gutters have been submitted, no substantive details have been provided in respect of the proposed fascia at eaves level, as required by condition 3 iii). Additionally, although some photographs and manufacturing details of the doors and windows have been provided, it is unclear from the evidence which details apply to which openings. This is particularly concerning given that the design of the windows in the photographs differ from those shown on the approved plans and elevations on drawing ref. 670/003, approved under ref. 22/03629/COUQ. Furthermore, even if the horizontal glazing bars on the

doors are structural elements required for building regulations, such design would not preserve the simple agrarian character of the host building or accord with the approved scheme.

16. In light of the above, the information provided would not fully satisfy the requirements of condition 3. Consequently, I cannot conclude that the development would ensure the character and appearance of the appeal building would be unharmed. Therefore, there would be conflict with Policy CS.9 of the CS, as the details would not ensure a high quality design reflecting the character and distinctiveness of the locality.

Other Matters

17. The actions of the Council, including its failure to issue a decision within the normal time limits and request further information during its consideration of the applications, are neutral matters that do not affect my findings on the main issues.

Conclusion

18. For the reasons given above, appeal A and appeal B are dismissed.

C Billings

INSPECTOR