



Appeal Decision

Site visit made on 10 September 2025

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 October 2025

Appeal Ref: APP/J3720/W/25/3369046

Saddlebow House, Saddle Bow Lane, Claverdon, Warwickshire CV35 8PQ

- 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 M Roberts against the decision of Stratford-on-Avon District Council.
 - The application Ref is 25/00077/FUL.
 - The development proposed is change of use of an existing stable block to holiday lets, with associated external alterations and parking provision.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr M Roberts against Stratford-on-Avon District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The appellant has referred to revised plans that were submitted to the Council prior to the planning application's determination but were not considered when it made a decision. These revised plans are a visibility splays plan¹ and a site plan². There is a copy of the revised visibility splays plan before me, but not the revised site plan.
4. The Council has asked that the revised visibility splays plan is not accepted as it has not been subject to formal re-consultation. Nevertheless, the plan does not involve a substantial difference or fundamental change, and the Council has been given the opportunity to comment on it. I am satisfied that it would not cause procedural unfairness to anyone involved in the appeal. As such I have considered the revised visibility splays plan in making my decision, but not the revised site plan.
5. I observed during my site visit that hardstanding had been laid between Saddlebow House and the stable block. I have considered the appeal based on the proposed plans before me.

¹ Drawing No. 25034-310-02

² Drawing No. 25034-300-02

Main Issues

6. The main issues are the effect of the proposed development on:
- protected species, namely roosting bats; and
 - highway safety, with particular reference to the visibility at the access to Saddle Bow Lane.

Reasons

Protected Species

7. The Conservation of Habitats and Species Regulations 2017 (as amended) imposes a duty on me to consider whether European Protected Species would be affected by the development and whether associated mitigation measures would be effective. Bats and their roosts are thereby protected.
8. The single storey appeal building was previously used as stables and has points where bats could enter as well as potential roosting features. The building appears to be a very simple structure, and the proposal would involve the creation of new openings as well as a thermal upgrade most likely in the form of new internal stud walls. Therefore, due to these works, including the creation of suitably sealed living accommodation, impacting the existing, mostly unlined, external boarding, it could harm any present roosting bats.
9. The appellant's bat survey found no evidence of bats, but due to the above factors the Council's Ecology advisor considers that the survey categorising the building as having 'negligible bat roost potential' should be a 'low potential' classification.
10. There is dispute between the main parties as to whether a bat emergence/re-entry survey to establish the presence/absence of roosting bats is required prior to determination. Circular 06/2005 advises that such surveys should be carried out before planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision and should only be covered by a planning condition in exceptional circumstances.
11. On the basis that bats could enter the building, and the existence of potential roosting features, and without an emergence/re-entry survey, which is regarded as best practice, there is a reasonable likelihood that protected species are present and therefore, appropriate mitigation may be required. Moreover, there are no exceptional circumstances in this case. Therefore, this survey is required and could not be secured by condition.
12. For the above reasons, the proposal would have an unacceptable effect on protected species, namely roosting bats. This would conflict with Policy CS.6 of the Stratford-on-Avon District Core Strategy 2011 to 2031 (the Core Strategy), which seeks, amongst other things, development to contribute towards a resilient ecological network and to minimise impacts on biodiversity. It would also be contrary to Policy NE5 of the Claverdon Neighbourhood Plan 2011 – 2031 that includes a requirement for development proposals not to harm biodiversity. Moreover, the proposed development would not accord with paragraph 187(d) of the National Planning Policy Framework that seeks to minimise impacts on biodiversity.

Highway Safety

13. The revised visibility splays plan illustrates a visibility splay sight to the south of the access, that would serve the proposal, measured to the near edge of the public highway carriageway from a 2.4m set back point. It also shows an annotated visibility splay distance of 81m to the south, which accords with the Manual for Streets 2 calculator, as suggested by the Highway Authority. A copy of the claimed correspondence from the Highway Authority agreeing to this revised plan has not been presented to me. However, on the basis of the details within the revised plan and my own observations on site, I conclude that the site would achieve the required visibility splay sight to the south of the access.
14. Consequently, the proposed development would have an acceptable effect on highway safety, with particular reference to the visibility at the access to Saddle Bow Lane. Accordingly, there is no conflict with Policy CS.26 of the Core Strategy that includes a requirement for necessary mitigation against any unacceptable transport impacts which arise directly from a development.

Other Matters

15. It is asserted that the proposal would reuse an existing building for small-scale tourism purposes on previously developed land; is not inappropriate development in the Green Belt; respects the character of the local landscape; and would result in no harm to living conditions or traffic levels. A lack of harm or policy compliance in these respects would be a neutral consideration.
16. The appellant has raised that Claverdon Parish Council, who are a statutory consultee, were not consulted on the application. Although, as I am dismissing the appeal, I have not considered this matter further.
17. I acknowledge the appellant's concerns over the Council's handling of the application. However, this is not a matter that I can consider under a Section 78 planning appeal and does not alter my findings, in which I have had regard solely to the planning merits of the proposal.

Conclusion

18. I am satisfied that the proposed development would have an acceptable effect on highway safety. Nevertheless, for the reasons given above, I conclude that the proposal conflicts with the development plan as a whole and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed

P Barton

INSPECTOR