
Appeal Decision

Site visit made on 11 October 2016

by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8 November 2016

Appeal Ref: APP/X2410/W/16/3151192

Bull in the Hollow Farm, Loughborough Road, Quorn, Leicestershire LE12 8UE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Chris Jones against the decision of Charnwood Borough Council.
 - The application Ref P/15/0123/2, dated 19 January 2015, was refused by notice dated 6 January 2016.
 - The development proposed is 'demolition of existing buildings and erection of 3 No. detached dwellings with associated carports, boundary treatments and landscaping'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - The effect on the character and appearance of the area, having particular regard to the location of the site in the countryside and the effect on landscape character; and
 - Whether or not the proposal would accord with the National Planning Policy Framework (the Framework) and the policies in the development plan relating to the location of new development in the Borough, having particular regard to the principles of sustainable development.

Procedural Matter

3. There is a discrepancy in the dimensions of the site shown on Drawing No. L.11 (Revision A). The area included within the red line on the site location plan extends approximately 95 metres from the road frontage, whilst the proposed layout plan shows the site extending approximately 82 metres from the road frontage. Had the appeal been allowed, the area within the red line would have delineated the extent of the residential curtilage and I have therefore assessed the effect of the proposal based on that area.

Reasons

4. The appeal site is located approximately 0.3km to the south of the built up area of Loughborough in open countryside. It comprises a former farmhouse and various outbuildings, some of which have latterly been used as an archery
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manufacturing and training centre. The site is accessed via a track off the south-east bound carriageway of the A6.

5. The development plan for the area includes the saved policies of the Charnwood Local Plan (2004) (LP) and the Charnwood Local Plan 2011 to 2028 Core Strategy (2015) (CS).

Character and appearance

6. The site is not covered by any statutory landscape designation. Nevertheless, the importance of recognising the countryside's intrinsic character and beauty is one of the Framework's core principles as set out in paragraph 17. Paragraph 109 recognises that non-designated landscapes are valued. The Charnwood Landscape Character Assessment (2012) indicates that the site is within the Soar Valley Landscape Character Area (LCA) which has a character of moderate strength, comprising a pastoral valley of fields and wetlands.
7. The position of the existing house and buildings below the level of the road together with the bunds and vegetation on the north-west and north-east site boundaries help to assimilate the buildings into the landscape. When approaching along the A6 in either direction, the site is screened in longer distance views by the established hedges along the road frontage. The common boundary between the garden to the rear of the house and the Public Right of Way (PROW) to the east is delineated by mature conifers, although there are gaps which enable views from the PROW through to some of the existing buildings on the appeal site.
8. I concur with the findings of the appellant's Landscape and Visual Appraisal (LVA) that longer distance views of the site from wider vantage points including Charnwood Water and Loughborough Cemetery are largely screened by the intervening topography and natural vegetation. In addition, the reinforcement of the existing boundary planting could be required as a condition of any planning permission. However, the proposed development would be readily visible at closer distances on the A6, from Lodge End Lane and the PROW leading to the cemetery and from the PROW to the east of the house.
9. Although the buildings on the appeal site are no longer in agricultural use and have been used for commercial purposes, they retain a close relationship with the former farmhouse. The more recent buildings are constructed of metal sheeting and timber and contrast with the traditional brick built buildings in terms of scale, form and materials. However, farm groups commonly include commercial style buildings built in response to modern farming requirements and are not an uncommon feature in the countryside. Although the buildings are visible at closer distances, they are low key and unobtrusive and do not appear unduly dominant or intrusive in the wider landscape.
10. In contrast, the appeal proposal would introduce three dwellings with associated garaging, driveways and domestic gardens. The courtyard layout would reflect the former use of the site and the details of the scheme have been amended in response to concerns raised by the Council. Notwithstanding their position set back from the road, by reason of their overall height and width, they would be prominent in views from the closer vantage points referred to above. They would have a more formal and prominent appearance than the existing buildings and would consolidate an isolated pocket of development in open countryside. The site would have a more suburban and

manicured appearance which would be harmful to the rural character and appearance of the area.

11. The development would appear as a sporadic and isolated form of residential development in open countryside, unrelated to the existing built up area of Loughborough. This would blur the clear demarcation between the edge of the built up area and the open countryside to the south of the town which contributes to its landscape setting and would harm the rural character of the Soar Valley LCA.
12. A development of 200 dwellings at Lodge End is underway to the west of the railway line, approximately 200 metres from the appeal site. Whilst that development will become more visible from the A6 as it progresses, there will still be a physical and visual separation between this and the appeal site created by the undeveloped gap between the railway embankment and the A6. As such, the appeal dwellings would be viewed in isolation from the larger development and it does not alter my conclusion that the appeal proposal would be harmful to the rural character and appearance of the area.
13. Reference has also been made to a group of dwellings at Quorn Lodge Farm approximately 0.5km to the east of the site. However, there are no further details of that development so it is not possible to be certain that the circumstances of that scheme are comparable with the case before me.
14. I conclude in relation to the first main issue in this case that the appeal proposal would conflict with saved LP Policies CT/1, CT/2 and EV/1 and CS Policies CS2 and CS11 which amongst other things seek to ensure that new development protects landscape character and require high quality design which respects and enhances the character of the area. There would be further conflict with the advice in the 'Leading by Design' Supplementary Planning Document (2005) and with the Framework which indicates that new development should respond to local character and reflect the identity of local surroundings. The Council has indicated that the proposal would also conflict with CS Policy CS1 in this regard, but as this sets out the development strategy for the area, I deal with it in relation to the second main issue in this case.

Location

15. Saved LP Policy CT/1 seeks to control development in the countryside and there is nothing in the evidence to indicate that the proposed development would meet the circumstances in which development within a countryside location would be acceptable as set out in saved LP Policy CT/1.
16. The appeal site lies outside the development limit for Loughborough. Saved LP Policy ST/2 indicates that development will be restricted to land within the development limits on the Proposals Map. Although LP Policy ST/2 dates from 2006, it seeks to ensure that new development does not cause unwarranted harm to the countryside and that element of the policy accords with one of the Framework's core principles to protect the intrinsic beauty and character of the countryside.
17. However, Policy ST/2 also relates to the supply of housing and the development limits are based on a plan which expired in 2006. As part of the CS examination, the contribution of sites within development limits under saved LP Policy ST/2 was considered by the Inspector who concluded that 'the

supply and delivery of housing land would be justified, effective and consistent with national policy’.

18. There is no dispute between the parties that the Council can demonstrate a five year supply of sites, albeit only slightly in excess, as set out in the ‘Charnwood Borough Housing Supply 2015/16 Monitoring Year’. The methodology takes into account the shortfall since 2011, the start of the CS plan period.
19. CS Policy CS1 which sets out the development strategy for the Borough includes provision for at least 5000 new homes at Loughborough and Shepshed, to be achieved by planning positively for sustainable development which contributes towards meeting remaining development needs. This is a minimum housing requirement and the scale of development proposed would not undermine the overall strategy for the area if it were found to be otherwise acceptable. The site would be a windfall which the CS Inspector recognised would provide additional housing which would add to the flexibility of the CS and compensate in part for any slippage of the strategic sites.

Sustainable development

20. The Framework indicates that housing applications should be considered in the context of the presumption in favour of sustainable development and that the economic, social and environmental strands of sustainable development are mutually dependent and should be sought jointly and simultaneously through the planning system.
21. The nearest services and facilities in Loughborough and in the village of Quorn are approximately 1.6 km away from the site. They would be accessible via footways on the A6 and in the Loughborough direction, via the cycleway along the south side of the road. There are no pedestrian crossings to the northbound bus stop opposite the site which could dissuade some users, but the southbound stop is a short walk away. There are regular services to the town centre, Leicester and Shepshed and intervening villages. Whilst the Council has reached a different conclusion on this point, I consider the development would be in a location which would enable access by sustainable modes of transport to meet daily needs. In coming to this view, I have had regard to the location of the new development site at Lodge End which is a similar distance from local facilities.
22. The economic role of sustainable development would be met through an increase in the supply of housing and spending in the local economy by new residents and the jobs created during construction. Whilst the contribution would be limited given the scale of the proposal, moderate weight is attached to the benefits of the scheme in this respect.
23. The redevelopment of an existing developed site would contribute to the environmental dimension of sustainable development and it could be developed without harm to protected sites or species. However, the proposal would consolidate development in the open countryside which would be harmful to landscape character and the character and appearance of the area, in conflict with the policies in the development plan and I attach significant weight to the harm that this would cause.
24. In relation to the second main issue in this case, I conclude that the appeal proposal would conflict with saved LP Policies CT/1 and ST/2. Since it would

not represent sustainable development, it would not comply with CS Policy CS1. Accordingly, the proposal would be in conflict with the policies in the development plan when read as a whole, and would not represent sustainable development within the meaning of the Framework when read as a whole. These matters weigh heavily against the appeal proposal.

Other matters

25. Outline planning permission for the demolition of some of the existing buildings and erection of a single purpose built structure for continued use of the site as an archery equipment manufacturing, sales and shooting centre was granted in 2013¹. There is nothing in the evidence to confirm whether or not that permission is extant, but I recognise that the proposed development would have a reduced footprint compared with the building proposed as part of that scheme. The 2013 permission did, however, retain some of the smaller and more traditional outbuildings immediately to the west of the existing access and its form and appearance was comparable with the existing modern buildings on the site. As such, it does not alter my conclusions in respect of the harm that the appeal scheme would cause to the character and appearance of the area.
26. I acknowledge that the appeal proposal would provide accommodation for family members, but these are personal circumstances which do not outweigh my conclusions in relation to the main issues in this case.
27. Whilst the Council's pre-application response to the proposal was favourable, its formal decision was based on the evidence available at the time that the application was determined which in this case included the revised policy framework provided by the recently adopted CS.
28. In summary, none of these other matters are sufficient to outweigh my conclusions in relation to the two main issues in this case.

Conclusion

29. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan, unless material considerations indicate otherwise.
30. I have concluded that the proposal would not represent sustainable development within the meaning of the Framework when read as a whole. . Accordingly neither this nor any of the other matters outlined above amount to a material consideration which would outweigh the conflict with the policies in the development plan when read as a whole. Having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Sarah Housden

INSPECTOR

¹ Ref P/12/2255/2