
Appeal Decision

Site visit made on 31 May 2017

by Andrew Owen BA(Hons) MA MRTPI

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

Decision date: 16 June 2017

Appeal Ref: APP/K2420/W/17/3167591

Oak Farm, Lychgate Lane, Burbage LE10 3AQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr & Mrs Robert & Linda Payne against the decision of Hinckley & Bosworth Borough Council.
 - The application Ref 16/00674/OUT, dated 21 July 2016, was refused by notice dated 19 September 2016.
 - The development proposed is a two storey dwelling with vehicular access.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The application was submitted in outline form with matters of access, layout and scale to be considered at this stage. I have therefore determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The site is a vacant plot of land, with no apparent active use, located between the existing buildings at Oak Farm and the property at Meadow View. Together with the Lychgate Riding School to the west and Burbage Cemetery opposite, these developments combine to create a small cluster of built form. This cluster is separated from the edge of Burbage by open fields and hence is seen as a distinct group in a countryside setting.
 5. From the road the site is framed by a large oak tree to the front of Oak Farm, and a pair of large trees in the northwest corner of the site. The low post and rail fence across the site's frontage means its undeveloped nature contributes to the street scene. Indeed, as the remainder of Lychgate Lane in the vicinity is generally lined by large trees and bushes, the site provides a valuable area of openness and allows views through to the open fields behind. I accept the small scale of the site means it does not have the same degree of openness as the large fields locally. Nonetheless in the context of the street scene it makes a significant contribution to the rural character.
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6. The proposed two storey dwelling would reduce the openness provided by the site and interrupt the views through the site. As such the proposal would detract from the open and rural character and appearance of the area.
7. Also although it is sandwiched between two other dwellings, the spacious and verdant character of those sites means the proposal would not be seen as completing a built up frontage.
8. Furthermore Policy DM4 of the Site Allocations Development Management Policies (SADMP) document identifies five forms of development that are considered to be suitable in the countryside. The proposal would not constitute any of these forms.
9. The site is within one kilometre of the shops and services available in Burbage, and access to them along Lychgate Lane is mostly along a pavement which is partly lit. Consequently I do not consider the site would have poor access to these services, and the development would provide some support, albeit limited, to such facilities in Burbage. Moreover the site is not isolated in respect of its relationship with other built development. Nonetheless this does not overcome the harm the proposal would cause to the character and appearance of the area
10. I also recognise the development would make a contribution to the Council's supply of housing, to the local economy and would employ environmentally friendly mechanisms. However these benefits are limited and do not outweigh the harm the proposal would cause as set out above.
11. Consequently the proposal would fail to accord with Policy DM4 of the SADMP as detailed above, and DM10 of the SADMP which requires development to complement the character of the surrounding area. It would also therefore conflict with Policy DM1 of the SADMP which requires development to accord with the other local plan policies.

Conclusion

12. For the reasons given above, and taking account of all other considerations, I conclude that the appeal should be dismissed.

Andrew Owen

INSPECTOR