



Appeal Decision

Site visit made on 1 July 2019

by Chris Couper BA (Hons) DiP TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 July 2019

Appeal Ref: APP/F2415/D/19/3229124

1 Mowsley Road, Husbands Bosworth LE17 6LR

- 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 SBE Leicester against the decision of Harborough District Council.
 - The application Ref 19/00082/FUL, dated 17 January 2019, was refused by notice dated 13 March 2019.
 - The development proposed is a first floor extension to the existing property and replacement windows.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In the grounds of appeal, the appellant's agent refers to updated layout drawing no. 03A which he states demonstrates that two parking spaces can be provided within the site, and which was included with his email dated 8 July 2018.
3. The Planning Officer states that drawing no. 03A was not submitted to the Council as part of the application. However, drawing no. 161/02A was. That shows the space to the side of the building widened through the removal of a short section of wall, and the officer report refers to amendments to the application to include an additional off-street parking space. Consequently, I am satisfied that no parties' interests would be prejudiced by my consideration of drawing no. 03A, with the annotation 'Block Plan (1:200@A3)', as part of this appeal.
4. The Council adopted the Harborough Local Plan 2011 - 2031 ('HLP') in April 2019. Consequently, the policies from the Harborough Core Strategy 2006 - 2028 (2011) referred to in the Council's decision are now superceded, and I have had no further regard to them. The appellant was provided with an opportunity to comment on the HLP during the appeal.

Main Issues

5. The main issues are:
 - Whether the scheme would preserve or enhance the character or appearance of the Husbands Bosworth Conservation Area;

- Whether the scheme would provide suitable living conditions for its occupants; and
- The effect of the proposal on the safety and convenience of highway users.

Reasons

Character and appearance

6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
7. This site lies within the Husbands Bosworth Conservation Area ('HBCA'), which encompasses much of the village. Within this part of it along Mowsley Road, the buildings are fairly varied in terms of their style, size, type and appearance, and they are finished in a mix of materials, including red bricks, painted brickwork, render, tiles and slates. They typically have fenestrated elevations facing the highway, particularly where the buildings are two storey. Those at the end closest to High Street are adjacent to the highway, thus giving this part of the streetscene a significant sense of enclosure.
8. The two storey gable and the single storey section of 1 Mowsley Road are finished in red brick and slate. Whilst they abut the edge of the carriageway, unlike most nearby properties, that elevation contains no windows or doors.
9. Although the proposed extension would sit above that single storey section, I have no cogent evidence that the structure would not be capable of supporting it without significant modification.
10. However, the proposed first floor side wall facing the highway would be devoid of openings, and would be unarticulated. Notwithstanding the use of render to contrast with the host's brickwork, at this height, that would result in an imposing and unalleviated elevation. Whilst the scheme would contribute to the prevailing sense of enclosure, its appearance would therefore contrast markedly with nearby buildings whose elevations facing the highway mostly contain windows, doors or design features, which add interest and variety to the streetscene.
11. In general terms, and amongst other things, Policy GD8 of the HLP requires development to respect and enhance local character and context, and to reflect those characteristics that make conservation areas special. The scheme would conflict with that approach.
12. In harming this part of the HBCA the scheme would harm the designated heritage asset as a whole. Having paid special regard to the desirability of preserving or enhancing the character or appearance of conservation areas, the scheme would fail that statutory test, and the similar stance in HLP Policy HC1.
13. In accordance with the National Planning Policy Framework I have given great weight to the conservation of this designated heritage asset. In this case, applying its paragraph 134, the harm caused to the HBCA would be less than substantial. In those circumstances it continues that the harm should be weighed against the public benefits of the proposal, including securing the asset's optimum viable use.

14. The dwelling currently has a rather disjointed and impractical layout, which the scheme would rectify. That would make it more accessible and, with its two bedrooms, possibly more attractive to future occupants, and thus easier to let. I also have no reason to doubt that the proposal, with its improved insulation, would increase the longevity of the property. However, I have limited evidence that this scheme is the only way in which those modest public benefits could be achieved.

Living conditions

15. Proposed bedroom 1 would contain two rooflights, but would also have a small window in its gable, which would provide a limited outlook partially down Mowsley Road. However, bedroom 2 would contain just two rooflights. Consequently, and as illustrated by the submitted section, that room's only outlook would be largely skywards. Whilst that would ensure that there would be no significant overlooking of adjacent properties, and it would provide adequate natural light, it would also mean that the occupants would experience rather enclosed and confined living conditions within that room.
16. Amongst other things, HLP Policy GD8 sets out that new development should be well-designed to create attractive places for people to live. In the context of the property as a whole, there would be a limited conflict with that general stance.

Safety and convenience of highway users

17. Mowsley Road forms a loop off the main highways through the village, and is fairly narrow and enclosed at this end. At the time of my visit it carried only light traffic, although that may not always be the case. There is a narrow footpath opposite the site, which I understand is often blocked by parked cars. The site's single off-road parking space is accessed directly from the carriageway.
18. Drawing nos. 161/02A and 03A show the removal of a short section of boundary wall adjacent to the existing parking space to create an additional space. The Council states that the scheme falls short of the 'LHA design guidance' as there would not be 0.5m to the side of the space adjacent to the house.
19. Given the presence of adjacent walls and fences, the space for two cars would undoubtedly be very tight, with limited room for drivers and passengers to conveniently enter and exit vehicles. There would also be very limited manoeuvring space; and restricted visibility for emerging drivers – as there is at present.
20. That said, in this location at the centre of the village, close to public transport, future residents would not necessarily be reliant on the private car to access local services and to meet their day to day needs. Whilst the Council and respondents refer to on-street parking pressures along this narrow stretch of the road, I am not persuaded that this small scale scheme, resulting in one additional bedroom, would generate a significant demand for extra parking.
21. Additionally, given the narrow width of the carriageway, together with the likely presence of parked cars, vehicular speeds along this stretch of Mowsley Road would typically be low, and drivers could be expected to proceed with caution. I have no evidence before me of accidents along this stretch of the road.

22. I therefore conclude that, even if the scheme resulted in some additional on-street parking, that would be very limited, and it would not have a significant impact on the safety and convenience of highway users.
23. I have not been provided with the 'LHA design guidance'. However, for the above reasons, on this issue, the scheme would not conflict with HLP Policies GD8 and IN2 which, in general terms, state that development will be permitted where it ensures the safe, efficient and convenient movement of all highway users, including safe access and parking.

Planning Balance and Conclusion

24. Summing up, the proposal would not cause significant harm to the safety and convenience of highway users. However, it would fail to preserve or enhance the character and appearance of the HBCA. The scheme's limited public benefits would not outweigh the harm it would cause. Additionally, the proposal would cause modest harm as a result of its failure to provide suitable living conditions for its future occupants.
25. Whilst I have considered other matters raised by interested parties, given my findings on the main issues, it has not been necessary for me to address them further.
26. The scheme would conflict with the development plan when considered as a whole. Consequently, having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR