
Appeal Decision

Site visit made on 12 August 2019 by S Watson BA (Hons) MSc

Decision by R C Kirby BA(Hons) Dip TP MRTPI

Inspector appointed by the Secretary of State

Decision date: 19 September 2019

Appeal Ref: APP/X2410/W/19/3230697

Bossey Gate, Narrow Lane, Wymeswold, LE12 6SD

- 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 John Elsworth & Ms Gillian Stinson against the decision of Charnwood Borough Council.
 - The application Ref P/19/0562/2, dated 12 March 2019, was refused by notice dated 3 May 2019.
 - The development proposed was described as 'full planning application for a replacement dwelling in the countryside'.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. There is no dispute that a replacement dwelling in this location is acceptable in principle. The main issue in this case is the effect of the proposal on the character and appearance of the locality, having particular regard to its siting and design.

Reasons for the Recommendation

4. The appeal site is in the open countryside outside of Charnwood Borough Council's limits of development, on the north side of Narrow Lane. To the east and north-east of the site are a mixture of what appear to be agricultural and equestrian buildings. The site itself contains two agricultural buildings, a detached dwelling which has been converted from a barn, and what appears to be a large dog kennel. The proposal is for the demolition of the dwelling and its replacement with an L-shaped bungalow with accommodation in the roof space in the north-east corner of the appeal site. From the information available to me it appears that all other buildings on the site would be retained.
5. The existing single storey building does not have any exceptional architectural or historic merit, however given that it reads primarily, as a barn, it's simple and unassuming appearance reflects the rural character of the locality.

6. By contrast, the new dwelling, with its 3 chimney stacks, 'L' shaped form and overall design would be of a suburban style which would not reflect the character and appearance of this rural area. The use of timber cladding and ground floor patio doors are not sufficient to suggest a barn conversion, as inferred by the appellants in their evidence. Moreover, the height of the new dwelling would be greater than the existing building and as a consequence it would have a greater visual impact than the existing building, and as a result, a greater prominence in the area. It would also appear out of keeping with the building to be replaced and would not be compatible with the traditional character and appearance of the locality.
7. Whilst there is a dog kennel to the front of the existing dwelling, and space for residential parking, the land around it appears to be used primarily for agricultural purposes. It has the character and appearance of a farmyard. By expanding the residential curtilage to include the whole of the yard it is likely that there would be a proliferation of residential paraphernalia and landscaping across the site which would further erode the agricultural appearance of the appeal site and the surrounding rural area.
8. I acknowledge that the presence of nearby agricultural buildings would go some way to reduce the visual impact of the proposal, however, they would not screen it entirely. Furthermore, viewing the proposed dwelling in direct relation with the agricultural buildings would exacerbate its incompatibility with the traditional character and appearance of the appeal site and locality. Moreover, the existing hedge to the front of the site does not suitably screen the appeal site and could easily die or be removed. I acknowledge that the appellants have offered to provide further landscaping, however, this would take a considerable time to mature and even then, it would be unlikely to mitigate the harm that I have identified.
9. My attention has been drawn to examples where the Council has granted planning permission for new dwellings within the surrounding area and on Narrow Lane. However, it is clear from the evidence before me, that the circumstances of each scheme are not directly comparable to the appeal proposal and this limits the weight that I can give this matter. Nevertheless, all proposals need to be considered on their own merit. The cost of improving the living accommodation provided by the existing house, in comparison to erecting a replacement dwelling, is not substantiated and this limits the weight that I attach to this matter.
10. In light of the above, the proposed replacement dwelling would not be compatible with the rural character and appearance of the surrounding area. In this way harm the character and appearance of the locality would occur in conflict with saved Policies CT/1, CT/2, CT/14, EV/1 and ST/2 of the Borough of Charnwood Local Plan 1991-2006 (LP), and Policy CS2 of Charnwood Local Plan 2011 to 2028: Core Strategy (CS), which, amongst other things require development to protect the countryside and make a positive contribution to the locality through high quality, inclusive design. These policies are consistent with the National Planning Policy Framework, particularly Paragraph 127 which requires development to be sympathetic to local character and history, including the surrounding built environment and landscape setting and Paragraph 170 which requires development to contribute to and enhance the natural and local environment.

11. The Council's decision notice makes reference to CS Policy CS1. This policy sets out the locational hierarchy for new development within settlements. As the appeal site is located within the open countryside, I find that this policy is not relevant to the proposal before me. I have not taken it into consideration in this appeal.

Other Matters

12. I note the appellants' concern that having sought pre-application advice that the planning application was refused. Whilst this is likely to be frustrating to the appellants, I have considered the proposal that was refused by the Council. This matter has had no bearing on my consideration of this appeal.

Conclusion and Recommendation

13. For the reasons given above I recommend that the appeal should be dismissed.

S Watson

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that the appeal should be dismissed.

RC Kirby

INSPECTOR