



Appeal Decision

Site visit made on 21 January 2020 by G Sibley MPLAN MRTPI

Decision by V Lucas LLB (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2020

Appeal Ref: APP/K2420/W/19/3238555

Land to the side of 112 High Street, Barwell LE9 8DR

- 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 R Singh of Marble Homes Ltd against the decision of Hinkley and Bosworth Borough Council.
 - The application Ref: 19/00732/FUL, dated 25 June 2019, was refused by notice dated 12 September 2019.
 - The development proposed is for the development of two 1 bedroom flats.
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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. The effect of the proposed development upon the character and appearance of the area and linked to that whether the proposal would preserve or enhance the character or appearance of the Barwell High Street Conservation Area (CA).

Reasons for the Recommendation

4. The site is located on the junction between High Street and Co-op Close which is situated within the centre of Barwell and is located within the CA. The site is undeveloped but has had fencing erected around it and building materials have been left within it. The site is located within the Barwell High Street Conservation Area and the street scene is characterised by rows of terrace development of varying appearance, alongside more modern development. The site is located on a crossroads between Co-op Close and Church Lane and the Barwell (High Street) Conservation Area Appraisal (2010) identifies that the views at this crossroad should be protected.
5. The proposed building would have the appearance of a terrace dwelling and has been designed to incorporate the main features of the neighbouring dwellings including the detailing above the doors and windows as well as using similar materials. The proposed building would be an attractive terrace dwelling that would mirror the appearance of the neighbouring dwellings. As such, the appearance of the dwelling, in isolation, would appear as a sympathetic addition to the street scene.

6. The site is located on a parcel of land between Co-op Close and a row of terrace dwellings along High Street. The owner of the neighbouring property on High Street also owns the land running between the site and the house which permits access to the rear garden. It is understood that the appellant sought an agreement with the owner of this property to connect the proposed dwelling to it and provide a covered alleyway between the two properties, as is common within a row of terrace dwellings. The appellant was unable to come to an agreement with the owner and as such there would be an undeveloped gap between the two properties.
7. The proposed building would be located on a parcel of land that is separated from the run of terrace development along High Street and would also be separate from the development on the opposite side of Co-op Close. Because of this the dwelling would appear isolated and cut off from the development either side of it. The building has the appearance of a narrow terrace dwelling but would be a detached dwelling and because of this the building would appear incongruous within the street scene which is characterised by blocks of terrace development.
8. Whilst there are gaps between properties within the street scene, these are typically larger than the gap that would be created by this proposal. The gap that would be created by this proposal would also appear more erroneous than the other gaps because there would be a single dwelling located between Co-op Close and this gap and then a block of similarly designed terrace development that would appear disconnected from the proposed dwelling. The existing gaps within the street scene are typically for side roads or for driveways and where there are alleyways between terrace development a first floor is usually constructed above them.
9. Consequently, the proposal would add an isolated dwelling to the street scene which would harm the character and appearance of the street scene. Because the proposal would result in harm to the appearance of the street scene and because the site is in a prominent location within the CA, the proposal would not preserve the character or appearance of the CA. However, due to the small-scale nature of the proposal, this would equate to less than substantial harm to the CA having regard to The Framework. Nonetheless this harm must still be given considerable importance and weight, having regard to the statutory duty under section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Where harm is less than substantial, paragraph 196 of The National Planning Policy Framework (the Framework) requires that harm to be balanced against any public benefits of the proposed development.
10. From the information before me limited public benefits have been identified. The proposal would re-use vacant land to provide two, one-bedroom flats within Barwell which is a suitable location for residential development as set out in Policy 3 of the Local Development Framework Core Strategy (2009) (CS). The Council cannot identify a 5-year housing land supply and consequently the relevant policies within the Site Allocations and Development Management Policies DPD Local Plan 2006 – 2026 (LP) (2016) are not up to date. The proposal would, therefore, help the Council to achieve a 5-year housing land supply, albeit the delivery of two, one-bedroom flats would only provide a modest addition to the supply. Therefore, I attribute moderate weight to the delivery of two, one-bedroom flats in a suitable location that would re-use vacant land.

11. The identified public benefits are not sufficient to outweigh the harm identified, particularly when considering the weight to be given to the conservation of the asset. Therefore, the proposed development would be contrary to Policies DM11 and DM12 of the LP. Policy DM11 requires development to understand the significance of the heritage asset and its setting and Policy DM12 requires development proposals to preserve or enhance the significance of Conservation Areas. The proposal would also be contrary to the relevant sections of the National Planning Policy Framework in so far as it seeks to promote good design in residential development and the preservation of heritage assets.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be dismissed.

V Lucas

INSPECTOR