
Appeal Decision

Site visit made on 30 June 2020

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 July 2020

Appeal Ref: APP/F2415/W/20/3246797

**Park Knowle Service Station, Lutterworth Road, Dunton Bassett,
Lutterworth LE17 5LF**

- 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 Philip Ray of PL Properties against the decision of Harborough District Council.
 - The application Ref 19/00654/FUL, dated 18 April 2019, was refused by notice dated 4 February 2020.
 - The development is siting of mobile home adjacent to unit 4 (retrospective).
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Decision

1. The appeal is dismissed

Procedural Matters

2. The Council's decision letter describes the development as retrospective. It is clear from the evidence provided and my site visit that the mobile home is on the site and is in use and the subject of Enforcement action by the Council¹. I shall determine the appeal on this basis accordingly.
3. I have used the Council's description of the development in reaching my decision as it more fully describes the details of the development than that given on the original planning application form. The appellant's appeal form also makes reference to the updated description.

Main Issue

4. The main issue is whether or not the mobile home provides a suitable site for residential use, having particular regard to the local and national planning policies relating to the location of new residential development in the District.

Reasons

5. The appeal site comprises of a row of small employment units located to the rear of a former petrol station used for a car wash facility and a bungalow alongside the A426 Lutterworth Road within an open countryside setting. The residential mobile home is sited adjacent to one of the existing employment units in the south-east corner of the site and is occupied by a tenant operating from the adjoining employment units.

¹ 18/00388/COUS

6. The Council's Spatial Strategy is set out in Policy SS1 of the Harborough Local Plan 2019 (LP) and seeks to direct most development to the district's larger settlements and lesser amounts to the villages in the rural areas. The appeal site is located well beyond the built up area of the Selected Rural Village of Dunton Bassett and therefore is in an area classed, in policy terms, as countryside wherein LP Policy GD4 applies.
7. LP Policy GD4 permits only certain categories of residential development in the countryside including those to meet the essential needs for a rural worker in agriculture, horticulture or other similar uses appropriate to a rural area, including those which help to diversify the rural economy. The mobile home does not fall within any of the categories resulting in a conflict with this policy.
8. Paragraphs 78 and 79 of the National Planning Policy Framework (the Framework) seek to promote sustainable development in rural areas by locating housing where it will enhance or maintain the vitality of rural communities and avoid new isolated homes in the countryside unless there are special circumstances, such as where there is an essential need for a rural worker, which do not apply in this case.
9. Although the mobile home is located immediately adjacent to the existing employment units, car wash facility and a bungalow, the appeal site is visually and physically divorced from the village of Dunton Bassett and there is no other development around it. Whilst the appeal site is located within walking distance of the village via a footpath with street lighting and is therefore not remote from services and facilities available, it does not form part of that settlement. This, in my view, limits any meaningful enhancement or maintenance of the vitality of the surrounding rural communities and as such the development therefore represents an isolated home in the countryside contrary to the aims of the Framework.
10. I note the appellant's desire for the tenant to live on the site close to the current business, reducing the need for travel, offering a more sustainable future for the site and to provide on-site security. I accept that there are security benefits in having a day and night presence at the site. However, little substantive evidence has been provided to demonstrate what other measures have been taken to find existing suitable residential accommodation in the locality and to address the security issues such as improved physical security or electronic surveillance.
11. I note the appellant's willingness to accept a condition that the mobile home provides ancillary residential accommodation to the site should this appeal be allowed. Whilst this maybe so, the submitted drawings show the mobile home has all of the accommodation available for independent occupation. It is also detached with access via a separate doorway without any need to pass through the existing units on the site. These together could further facilitate occupation independent of the main employment uses on the site. I therefore do not consider that a planning condition requiring ancillary occupation of the mobile home to the site would be effective and enforceable in this case.
12. Consequently, I conclude that the mobile home in this location conflicts with LP Policies SS1 and GD4 for the reasons set out above. Similarly, it does not accord with the Paragraph 79 of the Framework having not demonstrated special circumstances for the need to provide an isolated home in the countryside.

Other Matters

13. I have considered the various benefits put forward by the appellant that the proposal would bring, including providing on-site accommodation for the tenant close to the current business, support for the wider established employment site, improved on-site security and the limited visual impact on the character or appearance of the area. While I have given them some weight, these modest benefits would not be sufficient to outweigh the harm I have identified. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

Conclusion

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

David Troy

INSPECTOR