
Appeal Decision

Site visit made on 9 November 2020

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 November 2020

Appeal Ref: APP/G2435/D/20/3258304

Fieldview House, Babelake Street, Packington LE65 1WD

- 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 J Mattley against the decision of North West Leicestershire District Council.
 - The application Ref 20/00916/FUL, dated 9 June 2020, was refused by notice dated 31 July 2020.
 - The development proposed is the erection of a detached garage and log store.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a detached garage and log store at Fieldview House, Babelake Street, Packington LE65 1WD in accordance with the terms of the application, Ref 20/00916/FUL, dated 9 June 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan and drawing reference 16.3305.18 A.

Main Issue

2. The main issue is the impact of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site is located outside of the development limits set out by Policy S3 of the North West Leicestershire Local Plan 2017 (LP). In such locations, the extensions of dwellings will only be permitted where, amongst other things, there would not be harm to the character and appearance of the countryside and its landscape.
4. Planning permission has been granted for the self-build dwelling which now stands on the appeal site. On the decision notice for that development, a note to applicant advised that further built development on the appeal site would be unlikely to be looked upon favourably by the Council. However, notwithstanding this, I must consider the proposal upon its own merits.
5. The appeal site is part of a small cluster of buildings comprising of two other dwellings, their outbuildings and the agricultural buildings associated with Barn

Farm. All the development in this cluster sits relatively close to Babelake Street, with the dwelling at No 43 being constructed directly on the edge of the public highway. The existing buildings, in terms of their scale and positioning in relation to Babelake Street, contrast with the more open context of the wider surrounding countryside. The proposed positioning of the appeal development and its scale would not appear out of place within this cluster of existing buildings.

6. The proposal would also be close to Fieldview House itself. It would be well screened by a mature hedgerow and vegetation which runs alongside Babelake Street. Collectively, the factors I have identified would ensure that it would integrate well into the surrounding existing pattern of development and that it would not cause harm to the character and appearance of the countryside and its landscape, either in terms of its visual impact or its positioning.
7. For these reasons, I conclude that there would be no harm to the character and appearance of the area as a result of the proposed development. Consequently, there would be no conflict with Policy S3 of the LP where it seeks to safeguard the character and appearance of the countryside and its landscape. There would also be no conflict with the aims of the National Planning Policy Framework which requires the intrinsic character and beauty of the countryside to be recognised.

Conditions

8. A condition specifying the approved plans is necessary to provide certainty. As the plans and application form clearly indicate the external facing materials to be used and that these would match those of the existing dwelling, it is not necessary to impose a separate condition relating to the materials to be used. The Council's Officer report refers to a condition regarding a soakaway, but a condition requiring further details of drainage would not be proportionate to the scale of the development proposed and to its use.

Conclusion

9. For the reasons given above, I conclude that the appeal should, subject to conditions, be allowed.

Graham Wraight

INSPECTOR