



Appeal Decision

Site visit made on 4 January 2021

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 January 2021

Appeal Ref: APP/K2420/W/20/3259615

Carlton Grange, Congerstone Lane, Carlton CV13 0BU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Bob Harvey against the decision of Hinckley & Bosworth Borough Council.
 - The application Ref 20/00186/OUT, dated 25 February 2020, was refused by notice dated 21 April 2020.
 - The development proposed is the construction of one unit split into 4 holiday lets.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application is in outline with all matters reserved. An indicative plan has been submitted along with an indicative landscaping scheme. I have determined the appeal on this basis.

Main Issue

3. The main issues are:
 - Whether the site is an appropriate location for development.
 - The effect on the character and appearance of the area.

Reasons

Location of Development

4. The appeal site is a tennis court with net style fencing located on the edge of Carlton, identified in the Hinckley and Bosworth Core Strategy (Core Strategy) as a rural hamlet. It is located outside of any defined settlement boundary in the countryside. Policy 23 of the Core Strategy supports tourism development, including holiday accommodation where it would help to support local community services and facilities. Policy DM4 of the Site Allocations and Development Management Policies DPD (SADMP) restricts development in the countryside to identified uses. Policy DM24 of the SADMP supports new tourism facilities where it can be demonstrated that they can be accessed by a range of sustainable transport modes.

5. Services in Carlton are very limited. The Council has identified that the only facility, a public house is some 0.6 miles from the site. From my observations at the time of my site visit travel to the pub would predominantly be on an unlit, unpaved road. In terms of access to other facilities, the bus stop is adjacent to the public house and therefore not easily accessible.
6. The appellant has referenced the grant of planning permission of 2 residential properties off Congerstone Lane in support of their case. I do not have full details of the development nor the reasons for approval. However, from the information before me the nature of the schemes are different and irrespective of this, each case is determined on its own merits and my assessment is based on the information before me.
7. The appellant says there are good cycle routes around the area. However, there is little in the evidence before me to substantiate this. It is likely that visitors to the development would be reliant on the private car. I am of the view that the site would be an inappropriate location for the development proposed, irrespective of the presence of Carlton Grange on the edge of the settlement since the 1800s, as identified by the appellant. The scheme would therefore conflict with the policies identified.

Character and Appearance

8. Appearance is a reserved matter. Nevertheless, the scheme would lead to a built structure on the site which is currently largely free from development. The location of the site on the edge of the settlement means that there would be clear views of the development from Congerstone Lane. It would also be clearly visible from a public footpath.
9. Landscaping is a reserved matter. Whilst the indicative landscaping strategy submitted includes new hedging and trees around the rear and sides of the holiday lets, they would be located outside the red line edge of the site boundary and therefore cannot be controlled by the scheme. The appellant has identified that a full landscaping scheme could be implemented within the boundary of the tennis court. However, the adequacy of the screening that could be provided is questionable given the size of the site.
10. The built development on the site would have a harmful impact on the open verdant rural character of the area. Conditioning the use of materials would not alter this. The development would consequently conflict with Policy 23 of the Core Strategy which requires new development to assimilate well with the character of the surrounding area with acceptable landscaping and Policy DM10 of the SADMP which identifies that new development should complement or enhance the character of the surrounding area. It would also conflict with the parts of the National Planning Policy Framework which require rural tourism to respect the character of the countryside.

Other Matters

11. The appellant has identified that the scheme would not have a negative impact on residential amenity and that no concerns have been raised regarding access or parking. Access is a reserved matter. However even if the points raised by the appellant were true, it would not outweigh the harm I have identified.

Conclusion

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

K Ford

INSPECTOR