



Appeal Decision

Site visit made on 16 March 2021

by C Beeby BA (Hons) MIPROW

an Inspector appointed by the Secretary of State

Decision date: 17th May 2021

Appeal Ref: APP/F2415/W/20/3258012

Land adjacent to 24 London Road, Great Glen, LE8 9FL

- 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 Nick Tammaro against the decision of Harborough District Council.
 - The application Ref 19/01268/FUL, dated 6 August 2019, was refused by notice dated 21 February 2020.
 - The development proposed is the erection of a detached 4-bedroom dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the area and
 - the setting of a nearby listed building.

Reasons

Character and appearance

3. The appeal site is an area of trees and undergrowth which lies adjacent to the river Sence. The land has a prominent position when approached from the east. As a result, uninterrupted views over the site are possible from the bridge across the river.
4. Two existing adjacent and opposite dwellings also lie close to the river on its western side and consequently these form the site's visual context. These are Numbers 24 and 27 London Road. The two buildings have a limited street frontage due to their respective projecting front gable element and side-facing orientation to the road. These elements of their design contribute to a relatively unobtrusive presence in the street scene which harmonises well with the area's semi-rural surroundings.
5. The appeal proposes the construction of a substantial detached dwelling which would have a front elevation of almost three times the width measurement of those of the existing two buildings. This would have an unduly dominant and incongruous effect on the appearance of the immediate area due to the narrower footprints of the dwellings which would form its context.

6. Furthermore, the side elevation would be prominent when approaching from the east and would comprise blank wall except for a small window and a chimney. The view from the bridge of a substantial area of wall would exacerbate the building's incongruity within its context.
7. Whilst other aspects of the proposed dwelling's design would echo those found elsewhere in the village, these similarities would not serve to lessen the discordant visual effect which the scale of the new dwelling would cause at the location proposed.
8. As a result, the proposal would cause harm to the character and appearance of the area. This harm would be limited due to the small size of the development. The scheme consequently conflicts with Policies GD2 and GD8 of the Harborough Local Plan (2019) (the HLP), which require development to respect the form and character of the existing settlement. Further conflict exists with Policies GG3 and GG6 of the Great Glen Neighbourhood Plan Review (2011-2031), which require development to be well designed.

Listed building

9. The site lies adjacent to a Grade II listed 18th century bridge over the river Sence. This is of stone and brick construction and its low height allows for views of the riverbanks and the appeal site, which are thickly vegetated with mature trees and undergrowth. The bridge's natural setting consequently reflects its semi-rural location towards the edge of the village. Thus, its setting contributes an important visual element to the bridge's historic significance.
10. I have statutory duties when considering the effect of the proposal on the listed bridge. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving the setting of the bridge.
11. Paragraphs 193 and 194 of the National Planning Policy Framework (2019) (the Framework) advise that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.
12. The appeal proposes the construction of a 1.8 metre high close boarded fence along the top of the riverbank. This would be prominent within views of the bridge and its setting as a result of its location and dimensions, particularly when approaching from the east. As hard landscaping of a significant length and height which would lie close to the bridge, the fence would form an incongruous feature within the bridge's otherwise highly vegetated immediate surroundings. It would consequently visually compete with the bridge within an important view.
13. The appellant submits that the fence's design could be amended by the imposition of a condition in order to render it acceptable. However, the appeal process should not be used to evolve a scheme and the proposal under consideration here should essentially be that which was considered by the Council, and on which interested people's views were sought. Any

amendments which seek to mitigate the harm to the bridge's significance which I have identified above are likely to be so significant as to result in a substantially altered proposal, on which wider views should be sought. Thus, it would not be appropriate for me to impose the suggested condition.

14. I therefore conclude that the appeal proposal would result in less than substantial harm to the setting of the listed bridge. As a result, it conflicts with Policy GD8 of the HLP, which states that development should reflect the characteristics which make places with high heritage value special. Further conflict exists with Policy HC1 of the HLP, which sets out that development affecting heritage assets and their settings will be permitted when it protects, conserves or enhances the significance and setting of the asset. Additional conflict exists with the historic environment provisions of the Framework.

Other Matters

15. The Council considers that the proposal would be likely to affect otters, a protected species. Whilst I am dismissing this appeal for other reasons, in the event that a further planning application is subsequently submitted there is consequently a potential need for further investigation into this matter.
16. I have had regard to other matters raised, including the parish council's concerns about the proposal's effect on highway safety and flooding. However, as I am dismissing the appeal on the main issues for the reasons given herein, I have not pursued these matters further.

Planning Balance and Conclusion

17. I have found the proposal to cause less than substantial harm in respect of the heritage asset. I am required to give each incidence of harm considerable importance and weight. I have additionally identified that the scheme would cause limited harm to the character and appearance of the area.
18. The proposal would contribute to the supply of homes in a location with access to services and facilities. However, due to the small size of the development this would form only a modest benefit, which would not outweigh the harm identified above.
19. Thus, for the reasons given above, I conclude that the appeal should be dismissed.

C Beeby

INSPECTOR