



Appeal Decision

Site visit made on 4 October 2022

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 19 October 2022

Appeal Ref: APP/G2435/W/22/3296436

2 Hawthorne Drive, Ibstock LE67 6JB

- 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 Watts against the decision of North West Leicestershire District Council.
 - The application Ref 21/01182/FUL, dated 15 June 2021, was refused by notice dated 23 December 2021.
 - The development proposed is the erection of new storage barn.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would constitute an acceptable form of development with particular regard to local and national policy in respect of the location of development.
 - The effect of the proposal on the character and appearance of the countryside.

Reasons

Location

3. The site is located to the west of 2 Hawthorne Drive and comprises a small cluster of stables, menage and a paddock which are closely associated with the dwelling. There is a paddock to the north of the appeal site and open fields to the west and south. The appeal proposal seeks the erection of a storage building in the north western corner of the site to support the equestrian use and maintenance of the land together with a small amount of domestic storage.
4. Whilst on site I noted that a secure compound was around the site of the proposed building and its access, which comprised a high green mesh fence with planted earth bund around the perimeter and a solid double gate at the end of Hawthorne Drive, alongside the front boundary wall to the house. The secure compound is solely accessible from Hawthorne Drive and at present is physically severed from the grounds of the host dwelling.
5. The site of the proposed building is located outside the limits to development. Policy S3 of the North West Leicestershire Local Plan (2021) (LP) aims to prevent inappropriate development in the countryside and permission for new

- development would not normally be permitted unless it would be for agriculture or forestry or other specific uses as set out in the Policy. These uses, which include recreation, should also seek, amongst other things, to safeguard and enhance the character and appearance of the landscape and ensure that built development is well integrated with existing buildings. Whilst keeping horses is a recreational use potentially appropriate in the countryside, the location, size and purpose of the proposed building would need to be justified.
6. Despite being sited close to the adjoining settlement, outside the development limits there is a policy of restraint to prevent the incremental spread of development out into the open countryside. The site of the proposed building would project out beyond the development limits with open fields on three sides.
 7. Although the appellant may well look to create an opening in the compound to create easier access to the equine facilities and the house, the proposed building would still be remote from the stables, and even further from the dwelling. In particular, this would present practical difficulties in moving feed, bedding and tack between the stables and store, and visually the proposed structure would be remote from other buildings. Locating the proposal nearer to the equestrian buildings or considering an extension to them, as required by Policy S3, was raised by the Council. However, revised plans have not been forthcoming and there is inadequate evidence to explain why this would not be possible. The proposed building is therefore unnecessarily isolated, intruding out into the open countryside.
 8. The proposed building would provide secure, dry storage, and accommodate a horsebox and associated vehicles, horse feed and tack, machinery for the maintenance of the land and general storage associated with the house. However, based on the scale of the equestrian use and the size of area, I am not convinced that a structure of this size, scale and height is required. It would be extremely large, and without more detail as to how the space would be used, the need is not justified. Also, whilst I recognise that household storage would only form a small part of the proposed building, I would expect this to be more suitably located close to the dwelling which is set within a relatively large plot. No suitable evidence of similar rural storage buildings for this purpose have been submitted with this appeal.
 9. Due to the location, size and the proposed use of the building, the appeal proposal would constitute an unacceptable form of development with particular regard to local and national policy in respect of the location of development. It is therefore contrary to LP Policy S3 and a core planning principle of the National Planning Policy Framework 2021 (the Framework) to protect and enhance our natural and built environment.

Character and appearance

10. The building would be of blockwork construction clad in timber with a grassed curved roof and feature roller-shutter doors along one side. Whilst there is some merit in the selection of the site to benefit from the screening effect of the mature hedges to its north and west elevations, and the selection of facing materials to help it blend with the surrounding rural environment, it would still be visible from the open fields to the south, from the nearby public footpath and from Hawthorne Drive. Furthermore, its substantial scale and height would make it a large, dominant development seen from a much wider area, including

from the A447 to the south of Ibstock, where it would appear above the hedgerow screening and despite the muted materials. The size and scale would exacerbate the harm caused in this open countryside location and it would be significantly detrimental to the character of the surrounding countryside.

11. The proposal would therefore have a harmful effect on the character and appearance of the countryside and contrary to LP Policies S3 and D1, and paragraph 174 of the Framework which states that planning decisions should recognise the intrinsic character and beauty of the countryside. Although LP Policy D1 is not stated within the Council's decision notice it is noted in the Council's delegated report. This requires developments to be well designed and responsive to their context.

Other Matters

12. I have had regard to other concerns raised by interested parties, including the use of the site, possible damage to the road from heavy vehicles and highway safety. However, as I am dismissing the appeal on other grounds it has not been necessary to consider these matters further.
13. The Council raised no issues in relation to residential amenity, ecology, flood risk or highway safety. However, these matters do not outweigh the harm I have identified nor provide justification for development that conflicts with the development plan.

Conclusion

14. For the reasons given above and having considered the development plan as a whole along with all other relevant material considerations, I conclude that the appeal is dismissed.

G Bayliss

INSPECTOR

