



Appeal Decision

Site visit made on 9 January 2023

by Ben Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 January 2023

Appeal Ref: APP/F2415/D/22/3306927

Swiftbrook House, Poultney Lane, Kimcote LE17 5RX

- 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 S Bull against the decision of Harborough District Council.
 - The application Ref 22/01067/FUL, dated 9 May 2022, was refused by notice dated 19 July 2022.
 - The development proposed is the erection of car barn to front of property.
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Decision

1. The appeal is allowed and planning permission is granted for the proposed erection of a car barn to the front of the property at Swiftbrook House, Kimcote LE17 5RX in accordance with the terms of the application, Ref 22/01067/FUL, dated 9 May 2022, and the plan submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 3787-02 rev f.
 - 3) The materials used as part of the approved extension shall match the host dwelling in type, colour and size.

Preliminary Matters

2. An amended plan was submitted during the application consideration process. This revised scheme showed a hipped roof that replaced the originally proposed gable end roof design. This version was not subject to re-consultation. Nonetheless, this was the version refused by the Council and reflects a reduction to the overall scale of the scheme. As such, I have taken the revised scheme into account as part of this appeal without prejudice to any party.

Main Issues

3. The main issues are:
 - Whether the proposed extension would preserve or enhance the character or appearance of the Kimcote Conservation Area, and
 - the effect of the proposal on the living conditions of occupiers of 'The Nook', with particular respect to outlook.

Reasons

Character and appearance

4. The appeal site is within the small village of Kimcote. It is a linear settlement with housing largely clustered around Walton Road and Poultney Lane. Housing consists of a diverse range of scales and styles largely of traditional design. The appeal site is occupied by a large two-storey dwelling that is recessed from the highway and shares a relatively common front building line with neighbouring housing to the south. The frontage of the plot is landscaped and generally in keeping with neighbouring properties and therefore makes a positive contribution to the character and appearance of the area.
5. The site is within the Kimcote Conservation Area (KCA). The significance of the KCA seems to derive from its architectural interest formed by the variety of traditional dwellings located within a rural setting.
6. The Council identifies that an important characteristic of the dwelling is its linear character which conforms with a characteristic of the local pattern of development. However, a number of dwellings in the area do not follow this pattern and instead present footprints that are either perpendicular to the highway or have a 'H-shaped' or 'T-shaped' footprint, such as those opposite the site. Accordingly, despite the proposal being perpendicular to the linear footprint of the existing dwelling it would not seem out of place. Furthermore, the proposal would be single-storey and subservient in comparison to the main house. It would include a pitched roof form that would, to some extent, mimic the projected gables of the main house.
7. The space in front of the existing garage could be construed as a gap in built form. However, this would not be evident in views of the site from the north as it is obscured by 'The Nook'. Even when viewed from the south this gap is discrete and makes only a limited contribution to the streetscene or views of the countryside beyond. Furthermore, whilst being located ahead of the main house, it would not be obtrusive in the streetscene as 'The Nook' would conceal most public views of the proposal. Moreover, the design of the proposed extension would complement the design of the host dwelling and integrate well with its surroundings.
8. As a result, the proposed extension would preserve the KCA and the character and appearance of the area. Consequently, the proposal would comply with policies GD3, GD8 and HC1 of the Harborough District Local Plan in regard to issues of character and appearance. The policies seek, among other matters, for minor extensions to be subordinate in scale and to respect local character.

Living conditions – existing

9. 'The Nook' is located to the side and front of the appeal site. The appeal site and the neighbouring plot are non-uniform in size and shape. Consequently, the appeal dwelling is partly behind the neighbouring dwelling with rear windows that partially look towards the appeal dwelling's triple garage. 'The Nook' includes a single storey rear and side extension. This has reduced the depth of the part of its rear garden that is adjacent to the proposal. The boundary between the dwellings consists of a wooden fence and a row of small trees, with 'The Nook' being located on land slightly higher than the appeal dwelling.

10. The proposal would be located within the outlook of the rear windows of the neighbouring dwelling. However, it would be single-storey with only a limited proportion being evident over the boundary fence. Furthermore, its hipped roof design would reduce the mass of the extension diminishing its overall scale.
11. Moreover, the rear windows of 'The Nook' would retain a gap of around 7 metres to the proposed development. This would retain a reasonable sense of space and the majority of open views from this aspect. Furthermore, the ridge height of the proposed roof would be similar to the existing garage roof limiting any material change to sunlight or daylight impacts. Accordingly, the separation distance and change in levels would limit the overall impact of the proposal. As a result, the proposal would not be overbearing or have a materially adverse impact on the living conditions of occupiers of 'The Nook' with respect of outlook.
12. Consequently, the proposal would comply with LP policy GD8 with regard to the effect of development on living conditions. This seeks, among other matters, for development to not have a significant adverse effect on the living conditions of existing residents through a loss of privacy, overshadowing or have an overbearing impact.

Conditions

13. I have considered the use of conditions in line with the guidance set out in the Government's Planning Practice Guidance (PPG). It is necessary to apply conditions in connection with a commencement period and to comply with the approved plan to accord with advice within the PPG. Furthermore, it is necessary to ensure that the materials used within the extension would match the main dwelling in the interests of the character and appearance of the area.

Conclusion

14. For the above reasons, the appeal is allowed and planning permission granted subject to the listed conditions.

Ben Plenty

INSPECTOR

