



Appeal Decision

Site visit made on 23 May 2023

by S Pearce BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 July 2023

Appeal Ref: APP/F2415/W/23/3314201

**Peter Cross Motors, 34 Main Street, Broughton Astley, Leicestershire
LE9 6RD**

- 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 and Mrs Cross against the decision of Harborough District Council.
 - The application ref: 22/01324/FUL, dated 5 July 2022, was refused by notice dated 22 November 2022.
 - The development proposed is described as "proposed residential development Phase 2, Building B - 5 New Flats".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have adopted the address from the planning application form in the banner heading above. However, I note the appellant highlights that 'Peter Cross Motors' is included within title information, but the appeal site is generally known as 'Stuart Cross Motors', which I understand is the trading name of the business.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site comprises relatively modest, single storey buildings, set back some distance from the highway within the centre of Broughton Astley. The wider area is characterised by predominantly low buildings, ranging from single storey to two storeys, with very few dormer roof extensions. Buildings either side of the appeal site are single storey in height and those opposite and close to the junction with Orchard Road and Green Road are two storey and set back from the highway. As a result, there is a sense of openness along this section of Main Street.
5. The proposal would be a tall building with dormer roof extensions. As a result of its proximity to Main Street and its siting between single storey buildings, it would appear overly tall and dominant in the street scene. The large dormer extensions would be conspicuous and the additional bulk at roof height would emphasise the proposed development's overall height and dominance. Although the dormers are intended to limit the height of the development, their

orientation is such that they would not be viewed against the single dormer window at 32 Main Street. For these reasons, the proposed development would be an imposing and incongruous form of development, that would erode the openness of this section of Main Street, to the detriment of the prevailing character of the area.

6. Planning permission (ref 20/01892/FUL) has previously been granted for the erection of 4 flats at 34 Main Street (indicated as Building A on the plans). This scheme comprises a two storey building, with no accommodation in the roof space, located to the rear of the appeal building location. The proposed development would be viewed in conjunction with Building A if the permission was implemented. However, as a result of the proposal's greater height, forward siting and its dormer roof extensions, it would be more prominent and conspicuous than Building A. Building A would not, due to its discreet siting, more modest height and design, integrate the proposed development into its surroundings.
7. Following the refusal of the application subject of the appeal, planning permission (ref 22/02131/FUL) was granted for the erection of 4 flats (Phase 2, Building B) (Revised scheme of 22/01324/FUL). This scheme would be located on the same footprint as the proposal and therefore it would be a fallback position should the appeal fail. The proposal would be marginally taller when compared with the fallback. Nevertheless, the proposal would differ by virtue of its increased height, including its elevations, the large dormer roof extensions and other features such as balconies on the side elevation. Consequently, the proposal would be markedly different and more conspicuous than the fallback. The fallback position does not therefore provide a justification for the appeal proposal.
8. There are two storey buildings with accommodation within the roof space along Main Street, including Nos 32 and 36. No 36 is set back some distance from the highway, to the rear of No 34, which reduces its visual impact when viewed from Main Street. Moreover, both Nos 32 and 36 are seen in the context of other two storey buildings further along Main Street. In contrast, the proposed development would sit primarily between single storey buildings. It would therefore appear more prominent as a result of its different surrounding context. The presence of dormer roof extensions elsewhere does not justify the proposal.
9. For the above reasons, I conclude the proposed development would harm the character and appearance of the area, contrary to Policies GD1, GD2 and GD8 of the Harborough Local Plan 2011 to 2031 (2019) and Policies H3 and SD1 of the Broughton Astley Neighbourhood Plan 2013-2028 (2014). Collectively, these policies seek, among other things, to ensure development respects the form and character of the existing settlement, does not have a detrimental effect on the surrounding area and is sympathetic to local character. It would also conflict with the design aims of the National Planning Policy Framework.

Other Matters

10. The proposed 5 residential units would contribute towards local housing supply. The proposal would be within walking distance of a range of services and facilities, thereby providing alternatives to private car travel, and it would make efficient use of a brownfield site. While the flats might be targeted towards first time buyers and provide modest, more affordable accommodation, there is

little evidence to demonstrate any such shortfall or demand. In any case, the proposal would be market housing with little guarantee that the flats would be affordable or available to first time buyers. Therefore, having regard to the modest amount of development proposed, these limited benefits carry little weight in favour of the scheme.

11. While the proposal might be an enhancement compared with the existing buildings, nevertheless it would harm the character and appearance of the area.
12. While remediation of site contamination would be a benefit, there is little substantive evidence of contamination. These matters, and the absence of objections from statutory consultees, are neutral factors.

Conclusion

13. For the above reasons, I conclude that the proposed development would conflict with the development plan as a whole. There are no material considerations that indicate I should conclude other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

S Pearce

INSPECTOR