



Appeal Decision

Site visit made on 5 December 2023

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 21 December 2023

Appeal Ref: APP/F2415/W/23/3324943

Eastlongs Farm, Mowsley Lane, Walton, Leicestershire LE17 5RE

- 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 S Kirk against the decision of Harborough District Council.
 - The application Ref 22/01797/FUL, dated 11 October 2022, was refused by notice dated 21 April 2023.
 - The development proposed is a welfare unit for dairy farm.
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Decision

1. The appeal is allowed and planning permission is granted for a welfare unit for dairy farm at Eastlongs Farm, Mowsley Lane, Walton, Leicestershire LE17 5RE in accordance with the terms of the application, Ref 22/01797/FUL, dated 11 October 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 3201/1 Rev A and 3201/2 Rev A.

Applications for costs

2. An application for costs was made by Mr Steve Kirk against Harborough District Council. This application is the subject of a separate decision.

Preliminary Matter

3. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Background and Main Issue

4. A subsequent planning application¹ for a similar welfare unit at the appeal site has been brought to my attention. The siting and design of the proposed welfare unit have been altered, however the internal spaces contained within the unit are the same as the appeal scheme before me. The Council has indicated that sufficient information was provided as part of the subsequent

¹ Application Reference: 23/00665/FUL

application to justify the need for the welfare unit at the appeal site and that the subsequent application was approved. Due to the similarities between the schemes, this aspect of the Council's reason for refusal has been satisfied.

5. Consequently, the main issue is the effect of the proposal on the character and appearance of the area, with particular regard to design and siting.

Reasons

6. The area is rural, characterised by agricultural fields bound by hedgerows and pockets of woodland. There are scattered dwellings, outbuildings and barns amongst the landscape including those at the appeal site. The farm site comprises a large detached two storey dwelling, a modest bungalow and several large agricultural barns clustered within a large verdant plot amongst the fields. The farmhouse is positioned towards the highway and is accessed via a drive to the east while the agricultural buildings are set back further and are accessed via a separate drive to the west. The house is traditionally detailed with brick facades while the barns appear utilitarian with simple block and timber walls.
7. Despite the design and number of openings, the welfare unit would have a simple, utilitarian form which would be constructed using complementary materials that would be in keeping with the agricultural buildings on site. Although the welfare unit would be positioned outside of the existing farmyard in close proximity to the farmhouse, it would be adjacent to the main farm access on the west of the site and would be well related to the western elevations of the barns. The welfare unit would remain within the wider confines of the farm site and would integrate with the existing cluster of buildings.
8. Consequently, I am satisfied that it would be appropriately positioned on site to allow for the efficient operation of the dairy farm, acting as a checkpoint for any visitors to the farm. Further, due to its design and materials, it would be clearly identifiable as an agricultural building, ancillary to the barns and not a domestic structure related to the farmhouse.
9. Therefore, I conclude that the proposal would not harm the character and appearance of the area, with particular regard to design and siting. It would accord with Policy GD8 of the Harborough Local Plan 2011-2031 (April 2019) (HLP) where it requires development to achieve a high standard of design including respecting the context and characteristics of individual sites and integrating into existing built form.
10. The proposal would also accord with the National Planning Policy Framework (the Framework) where it seeks to ensure that developments function well, are visually attractive as a result of good architecture and layout and are sympathetic to local character, including the surrounding built environment and landscape setting.
11. Further, the Council's approval of the subsequent application indicates that it considers that the need for the welfare unit has been demonstrated. Therefore, there is no conflict with Policy GD3 of the HLP. Having reviewed the information provided for both applications, I see no reason to disagree.

Conditions

12. The Framework states that conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise, and reasonable in all other respects. I have considered the conditions put forward by the Council against the Framework and where necessary I have amended the wording in the interests of effectiveness and precision.
13. Aside from the statutory condition required to set the necessary time limit for development, a condition is required to indicate the approved plans to provide certainty. I have not imposed a separate materials condition for the external surfaces of the development as the materials are detailed on the drawings approved in Condition 2.

Conclusion

14. For the reasons given above, I conclude that the proposal would accord with the development plan as a whole and the Framework, and therefore the appeal is allowed.

K Allen

INSPECTOR