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# Appeal Decision

Site visit made on 25 April 2024

**by H Wilkinson BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 24 May 2024**

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**Appeal Ref: APP/F2415/W/23/3325754**

**10 The Rise, Houghton on the Hill, Leicestershire LE7 9GQ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
  - The appeal is made by Mr David Graves of Infill Land Consultants Ltd against the decision of Harborough District Council.
  - The application Ref is 23/00428/OUT.
  - The development proposed is described as 'a proposed extension to host dwelling to create new attached dwelling and new-build dwelling at rear including alterations to host dwelling'.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. A revised version of the National Planning Policy Framework (the Framework) was published in December 2023. However, the policies of the Framework that are material to this case have not fundamentally changed. Therefore, I have proceeded to determine the appeal having regard to the revised Framework.
3. The application is in outline with all matters reserved except for access, layout, and scale. Appearance and landscaping would be matters subject to future consideration. Whilst indicative elevational plans have been submitted, these are for illustrative purposes only. The Council considered the appeal proposal on this basis, and I shall do the same.
4. The site subject to the appeal is in the Houghton on the Hill Conservation Area (Conservation Area). Therefore, in determining the appeal, I have had due regard to section 72(1) of The Planning (Listed Building and Conservation Areas) Act 1990 which requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

## Main Issues

5. The main issues in this appeal are the effect of the proposal on:
  - the character and appearance of the area, and the extent to which it would preserve or enhance the character or appearance of the Conservation Area; and,
  - biodiversity.

## Reasons

### *Character and appearance*

6. The Conservation Area encompasses the historic core of the village centred on Main Street, a long, meandering road framed by traditional buildings together with Scotland Lane, an extended loop characterised by less traditional development. Its significance is derived in part from the diverse architectural continuum which has a unique appeal and identity, the numerous green spaces<sup>1</sup> located throughout the village and the abundance of trees and hedgerows. Given the above, I find that the significance of the Conservation Area, in so far as it relates to the appeal, to be primarily associated with the leafy rural character of the area, resulting from the abundance of greenery which provides a link to the verdant, rural setting of Houghton on the Hill.
7. The appeal property occupies a spacious, corner plot and comprises a two-storey, end of terrace. The planned development is contained by mature landscaping and is characterised by three blocks, consisting of two small terraces and a pair of semi-detached dwellings centred around a small area of defined green space. The individual properties occupy reasonably well-proportioned plots and are setback from the central area behind front gardens. Generous, landscaped gardens feature to the rear of the properties.
8. Notwithstanding the subtle design variations amongst the individual blocks, the development displays unifying building characteristics including gable features, canopies and hanging tiles. The largely symmetrical and unaltered appearance of the properties together with the well-ordered and proportioned layout of the development, provides a sense of regularity, balance, architectural cohesion, and spaciousness which contributes positively to the character and appearance of the area.
9. The illustrative plans suggest that the appearance of the two-storey extension would respond to the existing built form, incorporating similar design features and complementary materials whilst the general scale would be sufficiently subservient to the host property. However, the introduction of the proposed extension would disrupt the balance displayed by the host terrace and in doing so, it would read as an incongruous and disharmonious feature, unacceptably detracting from the appearance of the appeal property and the planned development. Visibility of The Rise is currently limited owing to the roadside screening. However, the removal of the hedgerow would leave the site more open to views from Scotland Lane meaning that the discordant form of the proposal would be visible to passersby and readily perceived from the communal areas within the development and neighbouring properties.
10. The proposed detached dwelling would be of a relatively modest scale, would front Scotland Lane and be set back behind a softly landscaped front garden. However, the back land location of the detached dwelling and fragmentation of the existing rear garden would be at odds with the regularity of the established development pattern. Moreover, the resultant gardens, whilst retaining a rear and side garden for No 10A would significantly lack the spaciousness of others around them, leading to a much higher building to space ratio. In the context of the site's surroundings, the proposal would therefore appear unduly cramped.

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<sup>1</sup> Figure 4-2 Green Spaces in Houghton - Neighbourhood Plan and Village Design Statement (VDS) 2017-2031

11. The hedgerow which lies either side of the access to The Rise is considerable in length and height and prominent within its immediate setting. Together with the abundance of landscaping along the southern side of Scotland Lane, this makes a positive contribution to the street scene which adds to the significance of the Conservation Area. The submitted plans show that the section of hedge to be removed would be relatively limited and the resultant gap would not be uncharacteristic of similar access points along the lane. However, its removal in combination with the introduction of tapered visibility splays would erode the soft, leafy characteristics of Scotland Lane and the contribution that it makes to the verdant and rural character and appearance of the area. This would harm the significance of the Conservation Area.
12. The harm that would arise would be localised. Therefore, the impact on the Conservation Area as a whole would be less than substantial within the meaning of paragraph 205 of the Framework. Under such circumstances, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The appellant is of the opinion that the proposal would be beneficial because it would contribute to the supply and mix of housing in the village. There would also be some economic benefits from the construction of the development, support of the local economy and additional Council tax income. However, given the small scale of the development, the public benefits of the scheme are of no more than limited weight. Consequently, these public benefits would not outweigh the less than substantial harm that the proposal would cause to the significance of the CA, to which I attach great weight.
13. For these reasons, I find that the proposal would have a harmful effect on the character and appearance of the area and would fail to preserve or enhance the character or appearance of the Conservation Area. It would conflict with Policies GD8 and HC1 of the Harborough Local Plan 2011 to 2031 (Local Plan) and Policies D1, D3 and H1 of the Neighbourhood Plan and Village Design Statement (VDS) 2017-2031 (NP). Collectively, and amongst other aspects, these policies seek to ensure that development respects the context and characteristics of the individual site and the street scene whilst protecting, conserving, or enhancing the significance of heritage assets. It would also be inconsistent with the design and heritage objectives of the Framework.
14. The Council's reason for refusal alleges conflict with Local Plan Policy GD2. This policy concerns the settlement hierarchy and location of new development. My attention has not been drawn to any wording therein which relates specifically to design matters and therefore it is not determinative to this main issue.

### *Biodiversity*

15. The proposal includes the removal of a relatively small section of hedgerow which the appellant considers to be of limited biodiversity value. However, in the absence of an ecological survey, it has not been established what habitats may be present on site, or the extent to which they may be affected by the proposed development. Furthermore, whilst mindful that a large proportion of landscaping would be retained, given the lack of mitigation or compensation, I cannot conclude that there would be no net loss of environmental value overall. Even if I were to accept that the rationalisation of the existing hedgerow and new native species planting would improve the condition of the existing hedge and provide opportunities for biodiversity, it is not clear whether these would

specifically address any net loss resulting from the removal of the hedgerow or provide the necessary mitigation measures.

16. Consequently, I find that the proposal would conflict with Policy GI5 of the Local Plan, where it seeks to ensure that development proposals do not result in the net loss of environmental value. It would also be inconsistent with the Framework's biodiversity objectives.

### **Other Matters**

17. The principle of residential development in this location is undisputed and it is acknowledged that the proposal represents a proportionate number of dwellings within the settlement. Provision for off-street parking would be made within the site and adequate living conditions would be provided for future occupiers of the development whilst those of existing residents would not be unacceptably affected. These however are neutral factors and do not weigh in favour of the proposal.

### **Conclusion**

18. The appeal proposal would conflict with the development plan as a whole and there are no other material considerations, including the provisions of the Framework, which outweigh this finding. Therefore, the appeal is dismissed.

*H Wilkinson*

INSPECTOR