



Appeal Decision

Site visit made on 24 April 2024

by C Billings BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 July 2024

Appeal Ref: APP/F2415/W/23/3334034

West View, Main Street, Cotesbach, Leicestershire LE17 4HZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr S Russell against the decision of Harborough District Council.
 - The application Ref is 23/01068/FUL.
 - The development proposed is erection of a single bungalow.
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Decision

1. The appeal is dismissed.

Preliminary and Policy Matters

2. Policy GD2 of the Harborough Local Plan (April 2019) (LP) was referred to in the Council's reason for refusal, which relates to new build development within and on the edge of identified settlements. However, the village of Cotesbach is identified as an 'other village, rural settlement and the countryside,' as such, Policy GD2 is not relevant nor determinative in this appeal for these reasons.
3. The Council have advised that the reason for refusal should have referred to Policy GD8 as opposed to Policy GD2 of the LP, which relates to good design in development, including reference to character and appearance. Subsequently, both main parties agree that the most relevant policies in the determination of this appeal are Policies GD4 and GD8 of the LP.
4. A revised National Planning Policy Framework (the Framework) was published in December 2023 and so is a material consideration. The parties had opportunity to comment on the revised Framework in their submissions. I have therefore taken into account the revised Framework in reaching my decision.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

6. The appeal site is within the village and surrounded by residential development. There is a mix of scale and styles of properties, although there is a clear linear pattern of development, with dwellings fronting onto Main Street. The host property has a larger plot than its neighbours along Main Street, due to its wider plot width. Although, properties fronting the street have consistent long garden depths, which provide a strong boundary line between dwellings along Main Street and those at the rear in The Precinct. Thereby, the layout of

dwelling and consistent long rear gardens sets the built form of this part of the village and makes a positive contribution to the character of the area.

7. Policy GD8 of the LP requires development to achieve a high standard of design by meeting certain criteria, including that it respects and enhances both the local character and distinctiveness of the settlement concerned and, respecting the context and characteristics of the individual site, street scene and wider local environment to ensure it is integrated as far as possible into the existing built form.
8. The appeal site comprises the rear portion of the large garden of West View. The garden has a significant change in levels, rising steeply up a slope from Main Street and the ground level of the host dwelling, levelling out where the new bungalow is proposed. Therefore, despite its setback position, due to the higher ground level and position of the proposed dwelling, it would be visible from the street scene in the moderate sized gap between houses.
9. I appreciate the proposed dwelling would be of appropriate design and that it would be a single storey property as opposed to a dormer bungalow, thereby having a reduced height compared to that previously dismissed at appeal¹. However, it would have a large floor area and would be located closer to the site boundary with Shalom and so, although views of the proposed bungalow would be limited and not appear unduly prominent in the street scene, due to its position, scale, and the raised land levels, it would be less hidden behind West View than the previous scheme and, would be visible, on glimpses, from Main Street.
10. As the proposed dwelling would not front onto Main Street, be set back significantly from the road, and break the consistent garden depth of properties along the continuing row of dwellings either side, it would not be in keeping with the prevailing linear character and form of dwellings along this part of Main Street.
11. The siting of the proposal would follow the line of three dormer bungalows in The Precinct to the rear of the appeal site, although they are served by an alternative existing private driveway and so are physically separate from the site. The end bungalow, 3 The Precinct, forms a clear end to the private driveway and has a different site context compared to the appeal site, with open fields in front. The appeal site is surrounded on all sides by neighbouring residential properties and would have access from Main Street. Thereby, even though the proposal would be broadly in line with 3 The Precinct, it would not be readily viewable as part of The Precinct nor share the context of these properties.
12. Paragraph 82 of the Framework, sets out that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. While I appreciate the undisputed housing need for 3 new dwellings in the village, the Framework and Policy GD8 of the LP also require development to be in keeping with local character. Any new development within the village or to its edges may bring about change to the character of the village, although such change needs to respect and enhance the local character and distinctiveness. Due to the aforementioned

¹ APP/F2415/W/22/3307392

disparities with the prevailing character and appearance of the area, the proposed development would not achieve such.

13. Even though the proposed dwelling would not be in an isolated position, comprising infill development, surrounded by other existing dwellings, this would not justify the incongruous form and character of the proposed development.
14. Having regard to the above, the proposal would be harmful to the character and appearance of the area, in conflict with Policy GD8 of the LP and the Council's Development Management Supplementary Planning Document (SPD), December 2021, which taken together, require new development to respect the form and character of existing settlements and surrounding area.

Planning Balance and Conclusion

15. There is no dispute that delivery of an open market dwelling in Cotesbach would satisfy Part 1a of Policy GD4 of the LP, or about the acceptability of the proposal in terms of heritage, flooding, biodiversity, archaeology, or highway effects. Nevertheless, due to the harmful effect on the character and appearance of the area, there would be conflict with the development plan as a whole.
16. Construction of a self-build dwelling meeting the appellants current and future housing needs and, more generally, boosting local housing, would play a role in boosting the supply of new homes in line with the Framework². However, as the proposal is only for one dwelling, the contribution would be modest. Also, I do not have any substantive evidence in regard to self-build housing needs in the District. Therefore, these considerations do not outweigh the harm I have identified.
17. In reaching a view on the proposal, I have paid regard to the previous appeal decision³. Although the reduced scale of the proposal is noted, this does not lead me to conclude the proposal is acceptable for the reasons given above.
18. Thereby, I find the proposal conflicts with the development plan and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Accordingly, the appeal should be dismissed.

C Billings

INSPECTOR

² Paragraphs 60 and 70

³ APP/F2415/W/22/3307392