



Appeal Decision

Site visit made on 13 May 2025

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 June 2025

Appeal Ref: APP/F2415/D/25/3363096

20 Main Street, Great Bowden, Market Harborough, LE16 7HB

- 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 Mrs Lucy Tugwell against the decision of Harborough District Council.
 - The application Ref is 24/01549/FUL.
 - The development proposed is the erection of fence, new first floor terrace with spiral staircase to lower garden courtyard and replacement of upper rooflight with lower rooflight and door combination from first floor living area to new terrace.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of fence, new first floor terrace with spiral staircase to lower garden courtyard and replacement of upper rooflight with lower rooflight and door combination from first floor living area to new terrace at 20 Main Street, Great Bowden, Market Harborough, LE16 7HB in accordance with the terms of the application Ref 24/01549/FUL, 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: Drawing Number: L 10 – Location, Proposed Site Plan, Floor Plans and Elevations.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The privacy screening as shown on Drawing Number L 10 shall be erected prior to the terrace hereby approved being first brought into use. The screening shall be retained in perpetuity thereafter.

Application for costs

2. An application for costs was made by Mrs Lucy Tugwell against Harborough District Council and this is the subject of a separate decision.

Main Issues

3. The main issues are;
 - The effect of the proposal on the character and appearance of both the existing building and Great Bowden Conservation Area (CA); and

- The effect of the proposal on the living conditions of the occupants of neighbouring dwellings.

Reasons

Character and Appearance

4. The appeal property is part of a converted former church, which is situated in a built-up area of Great Bowden and within the CA. The CA was originally designated in 1974 and revised in 2005. It covers a relatively wide area and consequently it has a varied character and appearance in terms of the pattern of development, built form and the age, scale and appearance of buildings.
5. The appeal property stands out as a notable feature, because of its ecclesiastical appearance and its prominent position close to the road frontage. Planning permission was granted by the Council in 2007 to convert the church and the attached former church hall into four residential units. The appellant occupies one of these, with the accommodation spread over two floors. The living space is somewhat unusual, insofar that the main living area is on the upper floor with bedroom below. The outside space is currently on the ground floor and, consequently, it is accessed through a bedroom. I acknowledge that this arrangement may not always be convenient.
6. The proposal, as described in the heading above is to create an outdoor terrace area that would be accessed from the first floor. An outdoor spiral staircase would give access to the ground floor external space and a new door and rooflight combination would be constructed on the side elevation to facilitate the access from the first floor onto the terrace. An existing rooflight would be removed. In addition, a privacy screen would be erected along the rear and part of the side of the terrace.
7. The Council contends that the proposal would appear as a bulky addition that would be out of character with the building and the wider CA. It also concludes that the alterations to create the new doorway onto the terrace would be harmful, due to the alteration to an existing ecclesiastical style window.
8. The Council states that the proposal conflicts with Policies GD8 and HC1 of the Harborough Local Plan (LP) and with Policy H6 of the Great Bowden Neighbourhood Plan (NP). These policies generally seek (amongst other things) to ensure that the design of new development is of a high standard and that proposals within conservation areas reflect their character and appearance.
9. I consider that the above policies accord with the provisions of the National Planning Policy Framework 2024 (NPPF), with particular reference to paragraph 135 and Chapter 16. Furthermore, decision makers have a statutory duty when considering proposals in conservation areas to pay special attention to preserving or enhancing their character or appearance.
10. The proposed terrace structure would be visible from Main Street and also from Manor Road, across neighbouring properties. Although it would appear different in both its form and some of its materials when compared to the main building, it would appear as minor addition that would not dominate the host property either visually or spatially. Its relatively low height and the set-back from the front elevation would also contribute to its subordinate appearance. As a result, the

original form and character of the former church would remain. The main building would also appear as separate entity from the neighbouring dwelling.

11. Regarding the alterations to form the first-floor doorway onto the terrace, I acknowledge that this would have some impact on the appearance of the side elevation of the building. Although it would not be clearly visible from Main Street, because of the relatively narrow gap through which it could be seen, a view would also be obtained from Manor Road. However, that view would be partly hidden by the proposed privacy screening along the rear and side of the terrace. Furthermore, the original character and appearance of the property would largely remain, due to the retention of the remaining windows on the side elevation.
12. For the above reasons, I conclude on this issue that the proposal would preserve the character and appearance of both the existing building and the CA. Consequently, it would not conflict with the relevant policies of the Development Plan or with the provisions of the NPPF, as referred to above.

Living Conditions

13. The proposed development would be built close to neighbouring dwellings at the rear and side of the appeal property. It would be clearly visible to the occupants of these properties and it would occupy an existing gap at first-floor level between the appeal dwelling and number 22 Main Street.
14. The Council argues that the proposal would significantly overshadow and overbear neighbouring property and result in a loss of privacy. In the Council's opinion, the proposal would conflict with Policy GD8 of the LP and with Policy H6 of the NP. These policies state that new development should not have a significant adverse effect on the living conditions of existing and new residents and should give careful consideration to noise, odour and light. These policies also accord with paragraph 135 of the NPPF, which states (amongst other things) that developments should create places with a high standard of amenity for existing and future users.
15. Whilst there will be some impact on the occupants of the neighbouring dwellings, because of the infilling of the existing gap, I am not persuaded that any impacts would be unacceptably harmful. The height of the proposed terrace would be relatively low and any loss of light would be marginal. I also noted during my site visit that the main source of natural light to neighbouring dwellings is from the north and west sides, which would not be affected by the appeal proposal.
16. Regarding the possibility of overlooking, the proposed privacy screening would ensure that there would be no undue loss of privacy. The appellant has indicated that she would accept a condition requiring its installation and retention. I agree that this would be a necessary and reasonable requirement.
17. In reaching my decision, I have also given weight to the benefits that the proposed arrangement would have on the living conditions of the appellant, through the provision of a more convenient access to her private open space.
18. Accordingly, I conclude on this issue that the proposal would not have an unacceptably harmful effect on the living conditions of the occupants of neighbouring dwellings. Therefore, it would not conflict with the Development Plan or with the NPPF.

Conditions

19. The Council has suggested conditions in the event of the appeal being allowed. I have imposed that standard conditions in connection with the period in which to commence the development and, for clarity, the listing of the approved plans. A condition requiring the use of matching materials is also suggested. This would apply to the brickwork around the proposed terrace and I consider it to be appropriate to ensure a satisfactory external appearance.
20. As mentioned above, to retain the privacy of adjoining residents, a condition is also necessary to ensure that the proposed privacy screen is constructed prior to the terrace being brought into use and that it is retained in perpetuity.

Conclusion

21. For the reasons given above, it is concluded that the appeal be allowed.

Ian McHugh

INSPECTOR