

## PLANNING COMMITTEE – 21 August 2012

### REPORT OF THE DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION) RE: APPEALS LODGED AND DETERMINED



**WARDS AFFECTED:** BURBAGE, SKETCHLEY AND STRETTON WARD; RATBY, BAGWORTH & THORNTON WARD

---

1. PURPOSE OF REPORT

To inform Members of appeals lodged and determined since the last report.

2. RECOMMENDATION

That the report be noted.

3. BACKGROUND TO THE REPORT

Appeals Lodged

**Appeal by David Wilson Homes** against the refusal to grant full planning permission for the erection of 28 dwellings and garaging including demolition of 261 Main Street (11/00582/FUL) at 261 Main Street, Stanton Under Bardon, Markfield *Informal Hearing*

**Appeal by Mr I and Mrs J Crawford** against the refusal to grant full planning permission for extensions and alterations to dwelling (11/00978/HOU) at Vine Cottage, 23 Ormes Lane, Ratcliffe Culey *Written Representation*

Appeals Determined

**Appeal by Mr Neil Chapman** against an enforcement notice over an unauthorised twin unit mobile home (11/00035/UNAUTH) on land at Dagleys Farm, Potters Marston Lane, Earl Shilton. Two main issues formed part of this informal hearing: i) whether there is a need for an agricultural worker to live on the land; and ii) the effect of the mobile home on the character and appearance of the countryside.

In relation to the first issue with regards to *essential need*, the Planning Inspector agrees with the conclusions made in the Reading Agricultural Consultants report that the scale and nature of the livestock enterprises present and anticipated give rise to animal welfare demands requiring the ready availability of a worker at most times, and that suitable alternative housing does not appear to be available.

It is noted by the Planning Inspector that the business consists of breeding and rearing a number of farm animals which require close attention. Turnover is currently limited due to restricted building cover. The enterprise appears capable of being sufficiently profitable to support the appellant. Given the nature of the enterprise and its economic viability, the Planning Inspector found there is an *essential need* for an agricultural worker to live on the land.

Turning to the second issue that is over its impact on the character and appearance of the countryside, the mobile home is sited on land at low level, well screened from surrounding views. The Planning Inspector argues that traffic movements to and from the land are likely to be fewer than they would be were the appellant to live elsewhere and travel to the holding. The mobile home would therefore accord with criteria (i.) to (iv.) of LP Policy NE5 and similar aspects in Policy BE1 which aim to protect the character and appearance of the countryside and ensure road safety. On this basis the Planning Inspector concludes that the effect of the mobile home on the character and appearance of the countryside would be acceptable.

The appeal is allowed, the enforcement notice is quashed and planning permission is granted on the application for use as agricultural land to a mixed use of agricultural and residential use, and the siting of a twin unit mobile home for residential use subject to conditions. The conditions include limiting the planning permission for the standard 3 years, secure access, layout and parking arrangements and limiting occupation to those engaged in agriculture.

#### Inspector's Decision

Appeal allowed (officers decision)

#### Appeals Withdrawn

**Appeal by Taylor Wimpey UK Ltd** against the refusal to grant full planning permission for the erection of 84 dwellings incorporating access, public open space, balancing pond, pumping station and associated earthworks, landscaping, car parking and other ancillary works (11/00368/FUL) on land adjacent to Greyhound Stadium off Nutts Lane, Hinckley *Public Inquiry*

**Appeal by Mr John Calladin** against the refusal to grant full planning permission for the change of use of land for the provision of four mobile homes (11/00368/FUL) at the The Poplars, Watling Street, Hinckley *Informal Hearing*

#### 4. FINANCIAL IMPLICATIONS [PE]

There are sufficient funds within existing budgets to cover the appeals noted above.

#### 5. LEGAL IMPLICATIONS [EP]

There are no legal implications arising from this report as the report is for noting only.

#### 6. CORPORATE PLAN IMPLICATIONS

This document contributes to Strategic Aim 3 of the Corporate Plan

- Safer and Healthier Borough.

7. CONSULTATION

None

8. RISK IMPLICATIONS

None

9. **KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS**

None

10. **CORPORATE IMPLICATIONS**

By submitting this report, the report author has taken the following into account:

- |                                 |                              |
|---------------------------------|------------------------------|
| - Community Safety implications | None relating to this report |
| - Environmental implications    | None relating to this report |
| - ICT implications              | None relating to this report |
| - Asset Management implications | None relating to this report |
| - Human Resources implications  | None relating to this report |
| - Voluntary Sector              | None relating to this report |

---

Background papers: Appeal Decisions

Contact Officer: Kevin Roeton Planning Officer ext. 5919