



Appeal Decision

Site visit made on 12 April 2016

by **Alexander Walker MPlan MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 09 May 2016

Appeal Ref: APP/K2420/W/15/3140436

Land East of Heath Road, Bagworth, Leicestershire

- 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 Darren Price against the decision of Hinckley & Bosworth Borough Council.
 - The application Ref 15/00529/FUL, dated 8 May 2015, was refused by notice dated 4 September 2015.
 - The development proposed is a livestock building with associated landscaping.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. At the time of my site visit, alterations had been made to the existing access that serves the appeal site. However, these alterations did not form part of the application submission. There is no evidence that interested parties have been given the opportunity to comment on this alteration. Due to change in the access being a substantial and significant alteration to the proposal, accepting the amendments could prejudice interested parties. Accordingly I have determined the appeal based on the application submission.

Main Issue

3. The main issue in this appeal is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal site is located within the open countryside, with no immediate neighbours. Adjacent to the eastern boundary is Heath Road which leads to the village of Bagworth to the north. The boundary with the road comprises a hedge and high timber fencing that partially screens the site. To the north and west of the site is woodland, which further assists in screening the site from distant views from the north. The general openness of the site contributes to the overall rural character of the area.
 5. The site comprises an area of hardstanding with an existing metal clad building in the North West corner of the site, which comprises two loose boxes. At the time of my site visit each of these was occupied by a single horse. Two touring caravans were also sited on the hardstanding with a further one in the open field that lies to the south and east of the hardstanding. Due to the
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- topography of the area, the hardstanding is on higher ground than the field, which slopes down from north to south.
6. The proposed building would be larger than the existing building and would be positioned further into the site, away from the road. It would measure approximately 10m x 15m with a ridge height of 5m and would be of a typical agricultural design. Whilst the site provides some existing screening by way of the trees to the north and the hedge to the east, due to its size and its exposed position at the top of the field, the building would be readily visible from views along Heath Road. Furthermore, the building would also be apparent when viewed from the footpaths to the south east of the site. I understand the appellant's consideration of the siting of the building being located close to the existing building and on the existing hardstanding. Notwithstanding this, by reason of its scale and siting, the building would introduce an intrusive form of development that would detract from the overall openness of the area.
 7. I note that the appellant has suggested providing landscaping in order to reduce the visual impact of the development. However, I am not satisfied that landscaping would screen the development to such a degree that it would sufficiently screen the building. Furthermore, the building would be readily visible whilst any planting matured and would likely remain visible during the winter months.
 8. In addition, the proposed access track would be approximately 60m long. The introduction of such a long stretch of hard surface that further encroaches into the field would introduce an urban form of development that would significantly harm the openness and rural character of the open countryside location. The proposed amended access provides access to the hardstanding directly off Heath Road, therefore minimising the need for additional hard surfaces. However, the work that has been undertaken, including providing a wide access frontage bounded by high, close boarded timber fencing is very urban in its appearance. Whilst partially screening the building behind it, it introduces an incongruous and intrusive feature to the area, which generally has agricultural openings comprising metal gates set within the existing hedge line.
 9. The appellant confirms that the purpose of the proposed building is to accommodate horses, particularly those due to foal or those with foal at foot, and to over-winter them. I note that the appellant owns 4 stallions and 31 brood mares, although it would be unlikely that all of these could be accommodated within the existing and proposed buildings.
 10. I appreciate that the building may improve the welfare of the horses. I note that the Council accept there is a need for the building. However, there is limited evidence before me regarding how the horse breeding business operates and there is no evidence of how the building would contribute to the local economy. Consequently, I am not satisfied that the benefits of the proposal to the business and the local economy outweigh the harm the development would have on the character and appearance of the area.
 11. I find therefore, that the development would significantly harm the character and appearance of the area, contrary to saved Policies BE1 and NE5 of the Hinckley and Bosworth Local Plan, which, amongst other matters, seek development that complements or enhances the character of the surrounding area and state that development in the countryside will be only be granted subject to it being important to the local economy.

Conclusion

12. For the reasons given above, having regard to all matters raised, the appeal is dismissed.

Alexander Walker

INSPECTOR