



Appeal Decision

Site visit made on 6 January 2026 by T Morris BA (Hons) MSc

Decision by B Plenty BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 March 2026

Appeal Ref: 6001009

The Cottage, Station Road, Desford, Leicestershire LE9 9FN

- 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 G Warren against the decision of Hinckley and Bosworth Borough Council.
 - The application Ref is 24/01145/FUL.
 - The development proposed is demolition of existing dilapidated outbuildings. Replaced with new 3-bedroom bungalow.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons for the Recommendation

4. The appeal site is located in a rural area. It is just outside the settlement boundary of the village of Desford in the open countryside. The site is set well back from Station Road and is mostly surrounded by fields. It is set well away from the nearest residential buildings on Station Road. Although there are some tennis courts nearby, these are visually separated from the site by the ground level change, as well as the shrubs in between. Therefore, whether or not the land is part of the curtilage of the nearby residential uses, it is distinct from these and has a more obvious rural character.
5. The existing buildings on the site have a rustic appearance. This is by virtue of their design as stables, their modest scale, as well as their being mainly formed of timber. Accordingly, they appear as typical countryside buildings and they respect the site's rural charm and character. Furthermore, the site's general appearance with its open grassed space, trees, shrubs and timber post and rail fencing differentiate it from the nearby residential uses. Overall, with its open space and rustic charm, the appeal site contributes positively to the rural character and appearance of the area.

6. The Council is partly concerned that the proposal would harm the character and appearance of the area through the creation of new ribbon development. Paragraph 13.12 of the supporting text of Policy DM4 of the Site Allocations and Development Management Policies DPD (2016) (DPD) defines ribbon development as 'where buildings are located single depth along a road frontage and often occurs on roads into and out of settlements, extending the area recognised as belonging to a village'. However, the proposed bungalow would occupy a backland location and would not be located along a road frontage. Therefore, it would not contribute to ribbon development and would not cause harm in this regard.
7. Nevertheless, even though the proposed bungalow would be single storey, due to its design, it would have an overtly domestic appearance. This would be emphasised by the use of white render, anthracite grey aluminium windows and doors, aluminium gutters and drainpipes and the solar panels. The resulting dwelling would contrast sharply with the rural character and features of the site. The hard surfacing, parking area and bin storage surrounding the bungalow would further erode the site's countryside feel. Consequently, the bungalow would appear incongruous in this location, and it would undermine the rural character and appearance of the site and the wider area.
8. Furthermore, despite the site's backland location, it is visible in a range of local public and private views. The existing stable building is also evident in views from the adjacent footpath and in wide views from Station Road. As a result, due to the increased scale of the proposed bungalow, it would be a prominent visual intrusion into these views. Even considering that it would be partly framed by existing buildings behind, when viewed from the footpath, and it would be plainly evident in wide views from Station Road, resulting in moderate visual harm to the countryside.
9. The presence of the stable buildings on the site do not justify the proposal, since they are small scale and have a rustic appearance, commensurate to the character of the countryside. The proposed bungalow would have a different appearance given its residential design. The visual differences would be emphasised by the scale of the bungalow which would be substantially larger than the stables. Accordingly, the proposed bungalow's scale, together with its siting away from Station Road and the nearest residential buildings, would contribute to its conspicuous presence in the open countryside. The existing landscaping, or any additional planting secured by condition, would not be sufficient to successfully integrate the development with its surroundings or mitigate its adverse effects.
10. Consequently, the proposed development would be harmful to the character and appearance of the area. As such, it would be contrary to Policies H1 and H7 of the Desford Neighbourhood Plan 2018 – 2036 (made in 2021) (DNP) and Policies DM4 and DM10 of the DPD. Amongst other matters, these policies require that developments complement or enhance the character of the surrounding area and seek to protect the character of the countryside.

Other Considerations

11. I acknowledge that small sites such as the appeal site can make an important contribution to meeting the housing requirement of an area, as is referred to in paragraph 73 of the National Planning Policy Framework (the Framework). Furthermore, they can often be built out quickly. Although the proposal would only

provide one dwelling at the site, it would nevertheless increase the Council's overall housing number. This benefit weighs in favour of the appeal.

12. The appellant also refers to the absence of harm to the living conditions of occupiers of nearby properties, highway safety and parking effects. The bungalow would also provide acceptable living conditions for future occupiers and would comply with the Good Design Guide, include energy efficient measures and meet the Nationally Described Space Standards. Even so, the absence of harm on such matters are neutral factors which do not amount to benefits and the listed benefits weight to only a limited extent in favour of the proposal.

Planning Balance

13. The appeal proposal would cause harm to the character and appearance of the area, by virtue of its overtly domestic appearance and its countryside location.
14. Paragraph 232 of the Framework makes it clear that due weight should be given to existing policies according to their degree of consistency with the Framework. According to the Framework the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It also requires that developments are sympathetic to local character. In addition, the Framework states that planning policies and decisions should contribute to and enhance the local environment by recognising the intrinsic character and beauty of the countryside. Therefore, the conflict between the proposal and Policies H1, H7, DM4 and DM10 should be given significant weight in this appeal.
15. As there are no policies in the development plan which positively favour development of this kind in this location and as the proposal would be contrary to the policies referred to above, there would be conflict with the development plan as a whole.
16. The Council cannot demonstrate a five-year supply of deliverable housing sites. In these circumstances, footnote 8 of the Framework establishes that the policies which are most important for determining the application are out of date. As such, paragraph 11 d) ii. advises that planning permission should be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for making effective use of land and securing well-designed places.
17. As described above, the benefits associated with the provision of an additional dwelling at the site would be relatively minor even taken into account of the objective of boosting significantly the supply of housing in the Framework and the Council's housing land supply position.
18. I am also conscious that paragraph 14 of the Framework advises that in situations where the presumption at paragraph 11 d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits. This is provided that a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision was made; and b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement.

19. The DNP was made in May 2021, and it is therefore less than five years old. Section 4 of the DNP relates to its housing requirement. It identifies a net housing target of 93 units. Policy H2 of the DNP has a land allocation for around 80 units. Policy H3 identifies two further reserved housing sites if required. As these sites are 4.19 and 5.5 hectares respectively, they could likely accommodate a significant further number of homes. Therefore, Framework paragraphs 14 a) and b) both apply. This adds weight to the adverse impacts of the development.
20. Consequently, the adverse impacts of the development in terms of the effect on the character and appearance of the area would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. This includes conflict with key policies 129 and 135 of the Framework, insofar as they seek developments that maintain an area's prevailing character and setting, securing well-designed places and ensuring developments are sympathetic to local character including the surrounding landscape setting, as well as the direction given by paragraph 14 of the Framework. As a result, the presumption in favour of sustainable development does not apply.

Conclusion and Recommendation

21. The proposed development would conflict with the development plan as a whole, and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given, I recommend that the appeal should be dismissed.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

22. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

B Plenty

INSPECTOR