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## Appeal Decision

Site visit made on 2 June 2020

**by William Cooper BA (Hons) MA CMLI**

**an Inspector appointed by the Secretary of State**

**Decision date: 10<sup>th</sup> June 2020**

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**Appeal Ref: APP/F2415/D/19/3243883**

**Mill Farm, 1 Slawston Road, Medbourne LE16 8EA**

- 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 & Mrs Bromwich against the decision of Harborough District Council.
  - The application Ref: 19/00960/FUL, dated 6 June 2019 was refused by notice dated 23 October 2019.
  - The development proposed is erection of a 2 storey front, side and rear extension.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The description in the banner heading above is taken from the appeal form and decision notice as it is more precise than that shown on the application form.

### Main Issues

3. The main issues are:
  - whether it is necessary to justify the extension on the basis of proportionality to the need of the agricultural business and, if so, whether such a justification exists, and
  - the effect of the proposed development on the character and appearance of the host dwelling and rural area.

### Reasons

#### *Justification in respect of business need*

4. The host dwelling is a detached two-storey farmhouse of stone construction. It is located in the countryside outside the village of Medbourne.
5. The principle of proportionality between the agricultural business function, viability and house size, informed the host dwelling's original development<sup>1</sup>. This principle is echoed in Policy GD4 of the Harborough Local Plan 2011 to 2031 (LP), which was adopted in 2019.
6. The absence of reference to functional need in Policy GD3 of the LP does not render this consideration inapplicable in this case. Rather, Policies GD3 and

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<sup>1</sup> Planning Permission Ref: 12/00818/FUL

GD4 together require application of a combination of character and appearance, and functional need 'filters'. I note the appellants' view that Policy GD4 does not apply to the proposed extension, and that the Council's approach is 'over zealous'. Nevertheless, GD4 covers new residential development, and as development of a residential nature, the proposal falls to be assessed under the above combination of LP policies.

7. Criterion 1.b of Policy GD4 of the LP allows for the possibility of housing in the countryside to meet the appropriately evidenced functional needs of a full-time rural worker, subject, amongst other things, to (ii) there being no suitable alternative accommodation in the locality and) v) the size of the dwelling being commensurate with the financial need and not unusually large in relation to the functional needs of the unit. Policy H2 of the Medbourne Neighbourhood Plan 2017-2031 Referendum Version (2018) (NP) sets out that development in the countryside will be carefully controlled.
8. Criterion 1.b.ii of Policy GD4 of the LP requires the business to have been established for at least three years, profitable for at least one of them, and to be financially sound and with a clear prospect of remaining so. The Council sets out that one year's accounts for the year ending 31 December 2017 were submitted, whereas three years' accounts were requested. The appellants, by contrast, refer to two years of accounts submitted, and provide financial statements from 2009, 2016, 2017 and 2018 with the appeal. In any case, whilst the financial statements suggest some business growth in recent years, and profitability levels which may support the costs of the proposed extension, the statements are unaudited, which limits the weight they carry.
9. My attention is drawn to another appeal decision in the district in 2015<sup>2</sup>. The current appeal before me differs from the other case as follows: new development plan policies have been adopted since the other decision; and in the current case there is not evidence before me of support for the proposed extension from an agricultural consultant advising the Council. The above combination of factors limits the extent to which the other case is analogous to that before me.
10. I note the appellants' concern that without the extension it would be necessary to employ an additional worker to reside at the site, with associated costs. However, there is not definitive business profile and viability evidence before me that would lead me to conclude that either an existing employee could not reside at the dwelling, or if there were no such employees, the cost would jeopardise the business.
11. The planning permission in Melton Borough for a farm dwelling extension<sup>3</sup>, cited by the appellants, is noted. However, full details of that case, which was in another local planning authority area in 2012, are not before me. Moreover, the current appeal proposal has its own circumstances and I assess it on its own merits.
12. Pulling the strands together, I find that it is not decisively demonstrated that maintaining the functioning of the cattle farming business is dependent on accommodating the proposed new farm office and growing family accommodation of a director of the business, on the appeal site.

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<sup>2</sup> Appeal Refs: APP/F2415/C/15/3004957 and APP/F2415/W/15/3005387.

<sup>3</sup> Planning Application Ref: 12/00473/FUL.

13. Overall, the above factors lead me to conclude that it is necessary to justify the extension on the basis of proportionality to the functional and financial needs of the agricultural business, and such a justification is not decisively demonstrated. As such, the proposal would undermine the rigour of the approach of Policy GD4 of the LP, with consequent risk to the wider control of development in the countryside in the district.

*Character and appearance*

14. The appeal property is located in a somewhat elevated position within a gently rolling rural landscape, approximately 700m to the west of Medbourne village.
15. The proposal would entail the expansion of the house from a rectangular to a T-shaped footprint, and from three to four bedrooms. The proposal would more than double the house's floorspace from approximately 170sq.m to more than 370sq.m. The extension would have the same eaves and ridge height as the host building. As such, the proposal would constitute a substantial proportional increase in mass.
16. That said, the following combination of factors would help the proposed extension to assimilate into its setting. The 'T' shape of the resultant building would diffuse the perception of bulk from different viewpoints around the dwelling. The 'hammerhead' extension would be located on the southern elevation of the host dwelling, furthest away from the driveway access to the property and Slawston Road. The main entrance to the building would remain in the middle of the eastern elevation which faces the driveway, thereby helping the host building to retain its architectural 'authority'. While the southern elevation would have a 'presence' to match that of the original building, it would not appear intrusive from longer distance views across the relatively open and unpopulated rural landscape to the south.
17. The sloped roof pitch of the southern end of the extension would moderate its visual impact, viewed from easterly and westerly directions. Furthermore, the substantial barns and garage building to the north, and hedgerow to the west would, in combination, provide screening and softening of localised views of the extended building. On the approach to the property, the extension would integrate satisfactorily with the assemblage of farm buildings. Middle-distance views between the site and two other dwellings to the east and south-east are moderated by trees. The proposed matching vernacular stonework and fenestration style, along with the assimilating factors described above, would enable the extension to blend in. Consequently, the proposed extension would not 'outrank' the host building or overdominate its setting.
18. It is questionable whether the proportional increase of the building could be described as minor, so as to satisfy that aspect of criterion h) of Policy GD3 of the LP. Nevertheless, for the reasons described above, the proposal would, overall, read 'on the ground' as sufficiently subordinate to the host dwelling in appearance and scale, and so not conflict with the other part of criterion h).
19. In conclusion, the proposal would not be discordant within its rural context, or harmful in character and appearance terms. As such, it would broadly accord with Policy GD8 of the LP and Policy H5 of the NP in terms of respecting local character and the context of the individual site, and sympathetic vernacular materiality.

20. The absence of harm to character and appearance is a neutral factor which does not weigh in favour of the proposed development.

**Other Matters**

21. The proposed extension would provide additional living space for the appellants' growing family, and the convenience of a substantial, dedicated office space on the site. I acknowledge the aspiration for continuing growth of the agricultural business. However, the above do not demonstrably constitute significant public benefit which outweighs the identified harm.

**Conclusion**

22. For the reasons given above I conclude that the appeal should be dismissed.

*William Cooper*

INSPECTOR