



Appeal Decision

Site visit made on 10 September 2024

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 September 2024

Appeal Ref: APP/K2420/W/24/3341001

Inglenook Farm, Leicester Road, Barwell, Leicestershire LE9 8BD

- 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 Fenny against the decision of Hinckley & Bosworth Borough Council.
 - The application Ref 23/00535/FUL, dated 6 May 2023, was refused by notice dated 30 November 2023.
 - The development proposed is erection of 9 accommodation pods, 4 holiday lodges, management building with associate internal access roads, parking, landscaping, and surface water balancing.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was reduced in the level of development from that originally applied for during the lifespan of the application. This is reflected in the change of description on the decision notice and the header above from the original application form. I am satisfied that neither party is prejudiced by changing the description in the header above.
3. Since the application was determined, the appellant has produced additional supporting material in order to address the second reason for refusal, which related to insufficient evidence to demonstrate that no harm would be caused to protected species. The Councils Statement of Case indicates that this information was suitable, and the Council have now withdrawn the second reason for refusal, subject to the imposition of conditions on the matter if the appeal were to be allowed.

Main Issue

4. In light of the above, the main issue in this appeal is the effect of the proposal on the character and appearance of the area, with particular reference to its Green Wedge designation.

Reasons

5. The appeal site is approximately 4 acres in size, close to the A47 and is an unused field. It is located just to the south of the settlement of Barwell. The A47 is a well trafficked highway in both directions past the site.
6. The proposal seeks to erect 9 accommodation pods of approximately 6m x 3.4m each, 4 holiday lodges at approximately 14.1m x 6m each and a

- management building of approximately 20m x 6.8m. All buildings are to be single storey in height and constructed in materials to include timber cladding and profiled metal sheet roofing. There would also be new landscaping, a pond and balancing ponds on site.
7. I understand from the evidence provided that the site lies within Area C of the Green Wedge review for that area, last reviewed in 2020 which states that any significant built development would have an impact on Barwell and Earl Shilton with particular reference to Carr's Hill which the site is adjacent to.
 8. Whilst there is some development (Inglenook Farm) close to the appeal site, the locality is relatively expansive and undeveloped. I find the level of development proposed, by numbers of structures and their respective sizes would cause harm to the character and appearance of the area. The proposed landscaping would not mitigate against the development to a level that would counteract the harm caused.
 9. The appellant has stated that the site is of low, neglected quality and would benefit from the development. I do not agree with this assessment. The site fulfils a green need of openness and development of this scale would affect that outlook, bringing a domestic style nature of expanse to an open area, to the detriment of the character and appearance of the area. I find that the landscape assessment, generated on behalf of the appellant, is written to bolster the case, and glosses over the inherent difficulties for the site, such as potential domestication and wider views beyond the site were the development to go ahead.
 10. I also cast doubt on the level of economic impact that the site would generate. Construction would generate some employment, but only for that time period, and the site, if operational would not generate a large amount of employment. The location of the site is not predisposed to a generation of visitor trips. It is alongside a busy A road, and not near any reasonable visitor destinations that would warrant staying in the area to visit. Such elevated claims are spurious at best. This is not near to a coastal location, or near major event destinations that would attract reasonable levels of visitors.
 11. With regard to the Paragraph 11 (d) designation of the National Planning Policy Framework, I do not consider this to be relevant. This is not a housing scheme, and there are relevant policies, so the "tilted balance" is not engaged in my opinion. Were 11 (d) to be engaged, I consider the adverse impacts to significantly and demonstrably outweigh the benefits and as such, the appeal would fail.
 12. In conclusion on this matter, I find that the proposed development would cause harm to the character and appearance of the area and conflict with policies DM4 and DM10 of the Site Allocations and Development Management Policies DPD and policies 6 and 23 of the Core Strategy which, when taken as a whole, amongst other matters, expect development not to have a significant adverse effect on the open character of the countryside, should complement or enhance the character of the surrounding area, retain the visual appearance of the area as it relates to the Green Wedge designation and is of a design and scale which is appropriate to minimise impact.

Conclusion

13. The proposal does not accord with the development plan as a whole and there are no other considerations, including the Framework, that indicate I should take a different decision other than in accordance with this.
14. For the reasons outlined above, I conclude the appeal should be dismissed.

Paul Cooper

INSPECTOR