



Appeal Decision

Site visit made on 31 October 2017

by L Fleming BSc (Hons) MRTPI

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

Decision date: 13th November 2017

Appeal Ref: APP/G2435/W/17/3180362

Land at Church Lane and Wash Lane, Ravenstone, Coalville, Leicestershire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr D Land against the decision of North West Leicestershire District Council.
 - The application Ref 17/00238/OUT, dated 23 February 2017, was refused by notice dated 15 June 2017.
 - The development proposed is outline application for the erection of up to 9 bungalows including details of access.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was submitted in outline with all detailed matters reserved apart from the access. I have dealt with the appeal on that basis, treating the plans as illustrative other than in respect of the access details.

Preliminary Matters

3. The Council's decision notice and statement refers to draft policies of an emerging local plan. In accordance with paragraph 216 of the National Planning Policy Framework (the Framework) weight may be given to emerging policies subject to the extent of unresolved objections. However, as the formal examination of these policies has not concluded and further consultation has been undertaken to which I am not aware of the outcome, I find the evidence before me with regard to unresolved objections to be inconclusive I have therefore attached limited weight to these draft policies.
4. It is contested whether the Council can demonstrate a deliverable housing land supply in accordance with paragraph 47 of the Framework. I note the Council's objectively assessed need (OAN) has not been fully tested through a full local plan examination. I also acknowledge that a proportion of any unmet OAN in neighbouring areas may need to be met in the district. However, there is no substantive evidence before me which challenges the Council's housing land supply nor is there any robust evidence which suggests an alternative OAN figure to that used by the Council. Furthermore, I have been presented with a number of appeal decisions¹ where the Council's housing land supply has been

¹ Appeal Reference: APP/G2435/W/16/3150237, APP/G2435/W/17/3166865 & APP/G2435/W/17/3168722

considered and most recently in July 2017² it was found the Council could demonstrate at least a five year supply. Thus, based on the evidence before me, I have determined the appeal on the basis that the Council can demonstrate a five year supply.

Main Issues

5. The main issues are:

- The effect of the proposal on the character and appearance of the area bearing in mind it would be in a gap between Ravenstone and Coalville.
- whether the proposal would amount to sustainable development having regard to the development plan and national policies.

Reasons

Character and appearance

6. The appeal site forms part of an arable field adjoining the main built up area of Coalville. To the south and west is open countryside which together with relatively loose development next to terraced dwellings on Church Lane and the adjacent detached dwellings facing Wash Lane gives the area an edge of settlement character and appearance. Furthermore, the linear pattern of development provides a gradual transition from the main built up area of Coalville to the countryside.
7. The Council's 2010 Settlement Fringe Assessment notes the landscape is typical with a range of uses with fragmentation of hedgerows and fields left unmanaged as rough grassland. Furthermore, it notes urban elements are frequent and exert a strong influence and the presence of urban influences is never far away which reduces the sense of settlement separation and remoteness.
8. However, even so, the illustrative details show nine bungalows informally arranged around a private drive. These would be adjacent and opposite to dwellings which extend along the Wash Lane and Church Lane road frontages. The proposal would result in a significant additional bulk of built development on the south side of Church Lane which would be at odds with the prevailing frontage pattern of development nearby.
9. The proposal would be visually prominent when travelling along Church Lane towards Coalville. Based upon the illustrative details through its inevitable scale and layout it would urbanise this part of Church Lane and erode the soft and gradual transition from built development to the countryside. This would give the perception that Coalville and Ravenstone are closer together and would be harmful to the character and appearance of the area.
10. I acknowledge the existing hedgerow would be retained and new landscaping would be provided. However, new landscaping would take some time to become established and would not screen the development from view. Furthermore, the proposed development would be visible above the hedgerow and through the access.

² Appeal Reference: APP/G2435/W/17/3168722

11. I note that the Council do not intend to carry forward the area of separation between Ravenstone and Coalville into the new local plan. However, the fact remains that saved Policy E21 of the North West Leicestershire Local Plan Written Statement (2002) (LP) LP currently forms part of the development plan and in so far as it aims to protect the countryside and avoid settlement coalescence, I find it is consistent with core planning principle of the Framework which requires recognition of the intrinsic character and beauty of the countryside.
12. Thus for the reasons given, the proposed development would be harmful to the character and appearance of the area. It would therefore be in conflict with saved Policy E21 of the LP which seeks to protect the character of the countryside and avoid settlement coalescence.

Sustainable development

13. Policy S2 of the LP defines limits to development around the District's main settlements. Policy S3 of the LP restricts development outside the limits to development to uses which are essential within the countryside and the conversion of rural buildings. As the appeal proposal would involve the development of market housing on part of the countryside between Ravenstone and Coalville outside of the defined limit to development the proposal is in direct conflict with saved Policies S2 and S3 of the LP.
14. However, paragraph 215 of the Framework advises that due weight should be given to relevant policies according to their degree of consistency with the Framework. In accordance with previous Inspector's findings³, I find that Policies S2 and S3 of the LP reflect the requirements of a time expired plan and are more restrictive than the Framework, thus the weight I afford to the conflict with Policies S2 and S3 of the LP is significantly reduced.
15. I accept the proposed dwellings would be integrated into an existing settlement such that they would not be isolated. I also note Coalville is the principal location for development in the district, has a broad range of services, facilities, employment opportunities and benefits from good public transport connections. I also acknowledge the proposal would provide new customers and potential employees for local businesses and services and there would be economic benefits associated with construction.
16. However, whilst the proposed development would provide nine new homes which would be delivered soon after any planning permission. Other than the comment that they would meet the needs of an ageing population and three letters of support expressing an interest in the homes there is limited substantive evidence before me which demonstrates the proposed housing would meet the specific needs of the local community at this point in time. Even though the Council's ability to demonstrate a five year supply does not restrict new development the weight I attach to the social benefit of the additional housing is significantly reduced as the Council can currently demonstrate a five year supply.
17. That said the combined social, economic and environmental benefits of the proposed development are relatively modest and are outweighed by the significant environmental harm I have identified with regard to the character

³ Appeal References: APP/G2435/W/17/3166865 & APP/G2435/W/17/3168722

and appearance of the area combined with the limited harm arising from the loss of agricultural land. The proposed development would not therefore amount to sustainable development and for the reasons given, on balance it would not accord with the development plan or the Framework.

Conclusion

18. For the reasons set out above, having had regard to all other matters raised, I conclude that the appeal should be dismissed.

L Fleming

INSPECTOR