
Appeal Decision

Site visit made on 21 June 2022

by A Berry MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 July 2022

Appeal Ref: APP/F2415/W/22/3293937

The Paddock, Glen Road, Newton Harcourt, Leicestershire LE8 9FH

- 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 and Mrs Eales against the decision of Harborough District Council.
 - The application Ref 21/01806/FUL, dated 7 October 2021, was refused by notice dated 9 December 2021.
- The development proposed is described as “proposed new dwelling”.
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Decision

1. The appeal is dismissed.

Main Issue

2. The principle of the proposed development with specific regard to its location.

Reasons

3. The appeal site is located within Newton Harcourt; a settlement within the countryside with no facilities or services. No buses serve the village, footways terminate at either end and the roads are unlit. Whilst the distance between Newton Harcourt and surrounding larger settlements is not extensive, the general state of local infrastructure is such that travel by more sustainable means such as walking and cycling would not be encouraged. Consequently, occupiers of the proposed development would likely rely on the private car to access services, employment, education and healthcare to support day to day living. This is the least sustainable travel option. The erection of a dwelling on the appeal site would therefore serve to promote unsustainable patterns of development.
4. New housing in the countryside is restricted to those developments listed at (a) to (f) of Policy GD4 of the Harborough Local Plan (LP), of which, criterion (a) is applicable to the proposed development. The appeal site is physically and visually connected to the settlement of Newton Harcourt. However, a rural housing needs survey has not been produced to evidence that the dwelling would meet a local need for housing of a particular type. Therefore, the proposed development would be contrary to Policies GD1 and GD4 of the LP that seek to encourage sustainable patterns of development and restrict development in the countryside, where public transport is more limited and there is a reliance upon the private car.

Other Matters

5. Paragraph 79 of the National Planning Policy Framework (NPPF) requires planning policies, amongst others, to identify opportunities for villages to grow and thrive and to support services in another village nearby. Policy GD4 of the LP is consistent with paragraph 79, as it does not preclude new housing from Newton Harcourt, rather it provides a mechanism to be followed for new housing to be acceptable. I have no compelling evidence before me that would indicate this would be the case for the appeal scheme. Paragraph 80 refers to isolated homes in the countryside. Whilst the appeal scheme would be in the latter, by virtue of its siting in the general vicinity of other dwellings, it would not be isolated. The criteria of paragraph 80 would not therefore apply.
6. The appellant has drawn my attention to a previous planning permission for a dwelling within Newton Harcourt. I am not aware of the full circumstances of that case, although it is noted that different policies were in place and the council did not have a five year housing land supply at the time the decision was made. The permission is therefore not directly comparable to the appeal proposal and in any event, I must consider the appeal scheme on its own merits. Furthermore, the weight given to Policy GD4 by the council when determining that case is not a matter that is relevant to my consideration of the development before me.
7. There is some discussion in the appellant's evidence pertaining to the blanket approach to development in locations such as Newton Harcourt. Whilst the limitations of the relevant policies are evidently particular to a large number of areas, they do include criteria by which some development may be acceptable. As such, I do not agree that said policies are necessarily 'blanket restrictions' on development in such locations.
8. I am mindful of the appellants' difficulties in communicating with the council, however, my decision is concerned with the planning merits of the proposed development. This is therefore an administrative matter which the appellant should take up directly with the Council.

Conclusion

9. For the reasons given above, the appeal scheme would conflict with the development plan and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal should therefore be dismissed.

A Berry

INSPECTOR