



Appeal Decision

Site visit made on 19 March 2025

by **B Plenty BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4th April 2025

Appeal Ref: APP/F2415/W/24/3356646

Land west of Church Causeway, Church Langton, Leicestershire LE16 7SU

- 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 Trustees of The Major Ferguson Will Trust against the decision of Harborough District Council.
 - The application Ref is 23/01535/FUL.
 - The development proposed is the formation of a new agricultural access onto Church Causeway.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The location of the proposed access was altered during the Council's consideration of the scheme. I have taken into account the amended plan, showing the proposed access as opposite 1 and 2 Church Causeway (reference: 26146-01 rev A), which I am satisfied would not cause prejudice to any party.

Main Issue

3. The main issue is whether the proposed access would preserve or enhance the character and appearance of the Church Langdon Conservation Area (CLCA).

Reasons

4. Church Langdon is a small village of traditional rural buildings. Roadside boundaries consist of a variety of styles, although brick walls of various heights feature predominantly throughout, with boundary hedges evident on the periphery of the settlement. Open spaces also feature within the village, some connected to buildings such as the church, whilst others consist of fields and paddocks. The evident green spaces and sylvan features emphasise the low-density and rural nature of the settlement and the importance of space between buildings in contribution to the area's character. The appeal site comprises a group of paddocks, enclosed by hedging on its eastern boundary. Due to its verdant qualities, the site makes a positive contribution to the character and appearance of the surrounding area.
5. Most of the small village of Church Langton is within the conservation area. The significance of the CLCA seems to derive from its inclusion of a range of traditional rural buildings including farmsteads, dwellings, a church, a community hall, a primary school and a series of open spaces set within a village setting. The paddock has a visual relationship with the three buildings to its north, including the

listed building of Leadclune Court, and to the pastoral character of the area, that contributes positively to the conservation area.

6. The site of the proposed access is opposite the modern housing estates of Thornton Crescent and Hanbury Gardens which are adjacent to, but outside, the CLCA boundary. The eastern boundary of the appeal site consists of tree and hedge planting that forms a pleasant transition between the village core to the north and the largely open countryside to the south. The proposed access would result in the removal of a large portion of this hedgerow. The loss of the hedgerow and the proposed bellmouth access would appear as a heavily engineered solution that would appear discordant with the low-key, verdant and open character of this part of the conservation area.
7. Furthermore, the extent of hedgerow required to be removed is not clearly disclosed, but as it is only recessed from the highway edge by a shallow grass verge, a large area of hedging would be likely to need to be removed to achieve the required visibility splay. Accordingly, the combination of the loss of a large part of the hedgerow and the visual impact of the bellmouth access would result in a form of development that would be out of keeping with the surrounding area. Consequently, the proposal would result in harm to the character and appearance of the CLCA. The harm, being localised would result in less than substantial harm to the conservation area.
8. Paragraph 215 of the National Planning Policy Framework (the Framework) requires that where less than substantial harm is found this should be weighed against the public benefits of the proposal. The appellant informs that the access is required as the existing Stonton Road access has poor visibility when exiting and is too small for modern agricultural vehicles. It is also stated that the existing access is opposite Church Lane that leads to increased conflict with other road users. As such, it is asserted that the relocation of the access would improve highway safety which amounts to a public benefit.
9. The existing access appears to be a standard width for a field access gate. It is within a brick wall boundary that is recessed by around 1.2 metres from the highway edge and adjacent to trees that to an extent crowd the access. These features cause some obstruction to agricultural vehicles using the access and reduce the visibility for motorist leaving the site.
10. However, during my visit I noted that traffic levels, and the speed of traffic on Stonton Road, was low. Whilst offering only a snapshot in time I find that due to the rural characteristics of the road, the risk of accidents through the use of the access seems extremely low. Furthermore, it is not reported that the existing access has been subject to recorded accidents and only limited branch cutting would be required to provide unimpeded access into the site. As such, I calibrate the benefit of the proposed access to highway safety and convenience, in removing the reliance on the existing access, to be a consideration of only limited weight that would not outweigh the identified harm to the conservation area.
11. Furthermore, the paddock consists of semi-improved grassland with a mature hedgerow and is designated by the NP as an environmentally sensitive site. The loss of a sizeable section of hedgerow and some grassland would erode the ecological value of the site to a modest extent. Nonetheless, no evidence has been submitted to demonstrate the ecological value of these features. As such,

without such evidence I must conclude that the proposal has failed to demonstrate that it would not also harm ecological interests.

12. As a result, the proposed access would not preserve or enhance the character or appearance of the CLCA. Accordingly, the proposal would conflict with policies GD8 and HC1(3) of the Harborough Local Plan [2019] and policies DBE1, DBE3 and ENV2 of the East Langton Neighbourhood Plan [2018](NP). These seek, among other matters, for development to be permitted where it would preserve or enhance the significance of a conservation area, for new development to reflect the character and historic context of existing development within the parish and to protect environmentally sensitive sites.
13. However, whilst NP policy ENV4 relates to the protection of ridge and furrow earthworks, the site is not designated as such, unlike those areas shown on figure 7 of the NP. As such this policy weighs neither for, nor against, the proposal. Also, NP policy DBE2 relates to the preservation and enhancement of local heritage assets. As the evidence has not identified clear harm to the significance of the stable building, this policy is not relevant to this appeal.

Other Matters

14. Leadclune Court, to the north of the appeal site, is a Grade II listed building. It is a late C18, three-storey building with a slate roof, coped gables and gable stacks. Its significance appears to derive from its architectural interest and age of origin within a rural setting. Due to the limited scale of the proposal and its limited wider effects, the proposed access would have a negligible effect on its setting, thus preserving its significance.
15. The significance of the stable block a non-designated heritage asset (NDHA), adjacent to Leadclune Court appears to derive from its architectural interest and relationship to the listed building. Based on the evidence before me, no historic link has been demonstrated between this and the proposal, nor do I find a clear visual link due to intervening planting and structures. As such, the effect of the proposal on the setting of the NDHA would be neutral, preserving its significance.
16. An appeal decision has been referenced in evidence to a dismissed appeal¹ for two self-build dwellings to the south of the appeal site. In that case the Inspector found that the access for that proposal would not have an urbanising effect on the area. Whilst both appeals share a similar roadside hedge boundary, the hedge alongside the appeal site is within the conservation area. This increases the significance of this boundary in consideration of heritage matters. Therefore, the proposal is materially different in context to the previous appeal preventing any clear comparisons to be made.

Conclusion

17. The proposal would not accord with the development plan, when read as a whole, and the material considerations do not indicate that the appeal should be determined other than in accordance with it. For the above reasons, the appeal is dismissed.

B Plenty (INSPECTOR)

¹ Planning Appeal Reference: APP/F2415/W/24/3338486