
Appeal Decision

Site visit made on 22 October 2025

by Hannah Guest BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 December 2025

Appeal Ref: APP/E3715/W/25/3368832

Land adjacent to Rosefields, Hinckley Road, Wolvey LE10 3HQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr John Mac against the decision of Rugby Borough Council.
 - The application Ref is R25/0381.
 - The development proposed is described as “Permission in Principle for two dwellings”.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second (‘technical details consent’) stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. I saw on my visit that there is a large outbuilding, as well as areas of hardstanding on the existing paddock that forms part of the appeal site. These appeared to have been constructed recently. Neither party has referred to this on-site development, and it is not shown on the Location Plan or Site Plan. For the avoidance of doubt, I have determined the appeal based on the submitted plans.

Main Issue

4. The main issue in this appeal is whether the site is suitable for residential development, having regard to its location, the proposed land use, and the amount of development.

Reasons

Inappropriate Development

5. Policy GP2 of the Rugby Local Plan 2011-2031 (2019) (Local Plan) permits development in the Green Belt only where national policy on the Green Belt allows.
6. The National Planning Policy Framework (Framework) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It states that inappropriate development is, by definition,

harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 155 of the Framework states that the development of homes in the Green Belt should not be regarded as inappropriate where a series of specific criteria are met.

7. For the purposes of decision-making, the Framework defines 'grey belt' as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in Paragraph 143 of the Framework. The Council do not dispute that the appeal site meets this definition and would comprise grey belt. Rather it considers the proposal would result in a significant encroachment into the countryside thereby undermining purpose (c) to assist in safeguarding the countryside from encroachment.
8. I saw on my visit that the appeal site is not overly large. It fronts the Hinckley Road and is surrounded on its other three sides by residential properties. Most of these properties, including the appeal site are separated from the wider countryside by the Hinckley Road and Gypsy Lane. I am therefore of the view that the appeal site does not make a meaningful contribution to the purpose of safeguarding the countryside from encroachment.
9. The sketch site plan demonstrates that the proposal could be set back from the highway and would be able to follow the linear pattern of development on this side of Hinckley Road. Given this, while the proposal would erode the openness of the appeal site and urbanise the open paddock and wider rural landscape to a degree, it would not extend the built form of the group of houses any further into the open countryside. It would therefore not result in significant encroachment.
10. Accordingly, the proposal would comprise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. It would therefore comply with criteria (a) of Paragraph 155 of the Framework.
11. There is no dispute between the parties that there is a demonstrable unmet need for the type of development proposed. The proposal would therefore comply with criteria (b) of Paragraph 155 of the Framework.
12. I saw on my visit that the appeal site is not very far from local facilities and services within Wolvey. However, the distance would be at the cusp of what is considered reasonable to walk and, although it would be more practical in terms of cycling, the route would not be appealing for either pedestrians or cyclists.
13. The Hinckley Road experiences reasonably frequent vehicle movements, including larger vehicles, such as HGVs. Between the appeal site and Wolvey, it is limited to 50 mph, and the vehicles appeared to travel close to this maximum speed. The footway at the beginning of the route is narrow and would not safely accommodate larger pushchairs or wheelchairs. Pedestrians would be positioned very close to the traffic and would likely feel vulnerable and unsafe. There is no dedicated cycle lane or path to Wolvey and the section of the Hinckley Road where the appeal site is located does not benefit from street lighting. As such, the route to Wolvey would not provide a pleasant environment for pedestrians or cyclists. The route to the nearest bus stop on Gypsy Lane would be even more unappealing, as it is without a continuous footway and there is a 60 mph speed limit along Gypsy Lane.

14. For these reasons, the accessibility of the appeal site in terms of walking and cycling would be limited, and future occupants of the proposed dwellings would be unlikely to access bus services on a regular basis.
15. Paragraph 115 of the Framework seeks to ensure that sustainable transport modes are prioritised considering site vision, development type, and location. Paragraph 110 acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and I note there are other houses located close to the appeal site. Nonetheless, in this case, together, the distance and nature of the walking and cycling routes to local facilities and services would deter most occupants from using more sustainable forms of transport to access them on a day-to-day basis. As such, they would be heavily reliant on the private car.
16. Overall, although I appreciate that, given the modest scale of the proposal, any additional vehicle movements would be limited, for the reasons above, the proposal would not be in a sustainable location. It would therefore not comply with criteria (c) of Paragraph 155 of the Framework.
17. Accordingly, the proposal would be an inappropriate form of development in the Green Belt.

Openness

18. The proposed dwellings would unavoidably take up an appreciable amount of space, which is currently open. This would result in significant harm to the spatial openness of the Green Belt.
19. I saw on my visit that the front of the appeal site is open to Hinckley Road with only a short closed-board fence running along the boundary. The proposed dwellings would therefore be readily apparent. While there is currently a caravan and associated outbuildings located towards the rear of the appeal site, the permission for these structures is temporary and conditions were imposed that require all materials and equipment to be removed when the permission ends.
20. Overall, the harm to the visual openness of the Green Belt would be significant, albeit localised, given the built form that surrounds the appeal site. This harm could be further moderated by an appropriate and comprehensive landscaping scheme at detailed consent stage. However, some moderate harm to the visual openness of the Green Belt would likely remain. I am also mindful that landscaping should be used to integrate a development with its surroundings and not to screen a development that would otherwise be unacceptable.
21. Accordingly, the proposal would not preserve the openness of the Green Belt contrary to the fundamental aim of the Framework.

Other Considerations

22. In terms of benefits, the proposal would provide two dwellings, which would support the Government's objective of significantly boosting the supply of housing. Also, as a small site, it could be built out relatively quickly.
23. The Council does not currently have a five-year supply of deliverable housing sites. It has been put to me by the parties that the latest position is somewhere between 4.5 to 4.6 years. The provision of any additional housing therefore carries

significant weight. Nonetheless, although a meaningful benefit, the two dwellings would only make a modest contribution towards the Borough's housing supply.

24. The proposal would have modest social and economic benefits arising from the spending associated with the construction of the new dwellings and their subsequent occupation. While there may also be potential environmental benefits arising from the dwellings' sustainable design and a net gain in biodiversity, the detailed design of the dwellings is not a matter considered at the permission in principle stage. There is also no mechanism for me to secure these benefits at this stage. I can therefore only afford them limited weight.

Green Belt Balance

25. I have found that the proposal would be an inappropriate form of development within the Green Belt, which would harm its openness. Paragraph 153 of the Framework states I should afford substantial weight to any harm to the Green Belt, including harm to its openness. The benefits of the proposal would not clearly outweigh this harm. Thus, there are not the very special circumstances necessary to justify the proposal. The proposal would therefore conflict with Policy GP2 of the Local Plan and the aims of the Framework with regards to Green Belt.
26. Accordingly, the appeal site would not be in a suitable location for the type and amount of development proposed when applying the development strategy set out in the Local Plan and national policy on the Green Belt.

Planning Balance and Conclusion

27. Given the shortfall in housing supply, paragraph 11d) of the Framework falls to be considered. In this case, I have found that the proposal would be an inappropriate form of development within the Green Belt, which would harm its openness. The application of policies in the Framework that protect the Green Belt therefore provide a strong reason for refusing the development proposed. Consequently, the proposal would not benefit from the presumption in favour of sustainable development outlined at paragraph 11 of the Framework.
28. Accordingly, for the reasons above, the proposal would conflict with the development plan, read as a whole. Having had regard to all relevant material considerations, it has not been demonstrated that there are any of sufficient weight to indicate that a decision should be taken otherwise than in accordance with it. The appeal is therefore dismissed.

Hannah Guest

INSPECTOR