



## Appeal Decision

Site visit made on 6 January 2026

by **S Dean MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19<sup>th</sup> January 2026

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### Appeal Ref: APP/T2405/W/25/3369148

#### Land to the north of Leicester Road, Sharnford LE10 3BD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
  - The appeal is made by Mr Jim Abraham against the decision of Blaby District Council.
  - The application Ref is 24/0834/OUT.
  - The development proposed is an “Outline planning application for a.) provision of up to 134 dwellings constituting up to 43 Affordable Housing units, up to 75 Open Market Housing units and up to 16 serviced plots for self-build and custom housebuilding, b.) hedge and tree removal with (re)planting where relevant, c.) provision of a mobility hub and d.) some matters reserved.”
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The application was made in outline with approval sought for access. Layout, appearance, landscaping and scale would be the subject of future applications for approval of reserved matters. Plans were submitted showing the access and an indicative layout of the site. Indicative plans have been treated as such.
3. The description of development in my banner heading above is taken from the Council’s decision on the application. This differs from that on the application form, as the scale of the development was reduced during the lifetime of the application.
4. Requests were made to submit late evidence beyond the normal timetable for doing so. Given the timings of the original appeal and my consideration of it, these requests were allowed, and main parties were given the opportunity to comment on them. I am satisfied that no prejudice has arisen to any parties as a result.
5. Following the Council’s decision on the application and the submission of the appeal, the government has published for consultation “National Planning Policy Framework: proposed reforms and other changes to the planning system” which sets out potential alterations to the Framework along with other changes to the planning system. The consultation was accompanied by a Written Ministerial Statement. However, the *draft* Framework for *consultation* is just that. As it is a draft, subject to consultation until March 2026, with consideration for an uncertain period of time after that before publication, I give it no weight in my determination of this appeal and have not found it necessary to seek the views of the parties. I am satisfied that no prejudice arises to any of the parties as a result.

## **Main Issue**

6. The main issue is whether or not the appeal site is a suitable location for the development proposed, having regard to the sustainability of the location.

## **Reasons**

### *Location*

7. The appeal site lies adjacent to, but not within the settlement of Sharnford, which is defined by Policy CS5 of the Blaby District Local Plan – Local Plan (Core Strategy) Development Plan Document, adopted February 2013 (the Core Strategy) as a smaller village. That policy allows for a combined figure of 80 units to be delivered in smaller villages between 2006 and 2029. The level of housing planned for by this policy in this settlement has been delivered. Policy CS1 of the Core Strategy sets the strategy for locating new development in the district on which CS5 builds.
8. The strategic objectives for both of these policies include, amongst other things, providing housing to meet needs, optimising affordable housing delivery and encouraging and developing the use of more sustainable forms of transport. They also establish a clear methodology for distributing development across the district on the basis of the scale of development reflecting the range of services, facilities and public transport alternatives within each settlement.
9. Given the location of the appeal site, the policy conflicts with Policies CS1 and CS5 of the Core Strategy.

### *Sustainability*

10. Sharnford is extremely limited in terms of the services and facilities within it. I accept that there is a school, public houses, play areas and a car garage, but note that there is no shop or post office. As such, facilities for day-to-day living and convenience are not available within the village itself, with residents instead needing to travel to other nearby settlements, such as Sapcote or Stoney Stanton for day-to-day services and facilities.
11. The appellant accepts that the shop and post office in the village has now closed, and I saw this on my site visit, with no obvious signs of any imminent re-opening. Whilst it may be, as the appellant suggests, that the appeal development might lead to an increased demand for such a shop and its eventual re-opening, I have no evidence to support that.
12. Non-car routes within Sharnford are, as the appellant says available on lit footways, connecting the site to the village centre. However, as noted above, there are relatively few facilities to access in the village. In addition, some parts of the footway are narrow, and the siting of obvious average speed cameras through the village combined with my experiences on my site visit suggest that the walking experience, particularly on the narrower footways is less than encouraging. This would be particularly pronounced for anyone in a wheelchair or pushing a pram.

13. Non-car routes from the appeal site to day-to-day facilities and services in other nearby settlements are available. There is a relatively dense network of public rights of way, as well as scheduled and on-demand bus services. These do connect Sharnford, and the site in particular to Sapcote and beyond. However, whilst they are available, I do not consider that they offer a realistic alternative to the private car.
14. The public rights of way, whilst pleasant to walk along in the course of a site visit, would not offer a realistic route to get, for example, milk and bread from Sapcote. Similarly, whilst the bridleway in its current form would be accessible to horse riders and bike riders on certain types of bike and with an appropriate degree of adventurousness, it does not offer a reasonable, practical, easy alternative to the private car. Again, this would be particularly pronounced for anyone in a wheelchair or pushing a pram. An offer of footway improvements has been made but see little evidence of how this would work in practice, particularly beyond the boundaries of the site itself, so give relatively little weight to that offer.
15. Turning away from meeting day-to-day needs, there are scheduled and on-demand bus services which provide access to employment locations and larger settlements. However, looking at the timetable posted in the bus shelter closest to the site, and in evidence before me, I do not consider that this offers a realistic alternative route to such locations. By way of example, using the scheduled bus service, one could not access Enderby Park and Ride or Fosse Park before 10am.
16. None of these non-car modes of transport really offer, in my opinion, and on the evidence before me a sensible, context-appropriate real choice to the private car.
17. Directing development to sustainable locations is a key part of the Framework. As is focussing development on locations which are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes.
18. Evidence from 2020, commissioned to support the emerging development plan, which was published in advance of the closure of the shop and post office, found that the settlement was one of the least sustainable in the district. Only limited development was therefore considered appropriate in view of the reliance on the private car. This supports the conclusions I have reached above.
19. As such, the appeal site is not a sustainable location and is not therefore a suitable location for the development proposed, in direct conflict with Policies CS1, CS5, CS10 and CS18 of the Core Strategy as well as national policy in the Framework.

### **Other Matters**

20. I accept that beyond the locational and sustainability harm identified by the Council in their decision and by me in my reasoning above, there are no other harms arising from the proposal. In particular, it can be safely accessed, would not cause landscape or visual harm and there are no other insurmountable constraints to, or restrictions on the development of the site, subject to the imposition of suitable conditions.

## Planning balance

21. Main parties agree that the Council cannot demonstrate a five-year supply of deliverable housing sites, and as such, the development plan policies which are most important for determining the application are deemed out-of-date by the Framework. There is disagreement on the size of the shortfall, but as there is agreement on its existence, I do not need to establish the size of it. Although I have referred above to the requirements identified in the Core Strategy for this settlement type having been met, I accept that these figures are not a ceiling.
22. Subject to the test at paragraph 11d)ii of the Framework, the proposal could therefore benefit from the presumption in favour of sustainable development.
23. I have found above that the appeal site is not a sustainable location and the proposal conflicts with the development plan as a result. The Framework explicitly identifies that policies within it which direct development to sustainable locations should be given particular regard when applying the test at paragraph 11d)ii.
24. I have found that the proposal would give rise to unsustainable transport patterns owing to the likely reliance of future occupiers on the private car to meet their day-to-day needs. This conflicts with the aim of the Framework to promote sustainable transport, even acknowledging that opportunities to do so will vary between urban and rural areas.
25. With regard to unsustainable patterns and modes of transport, the appellant has drawn my attention to another appeal which addressed similar issues, albeit in a different local plan area, subject to different development plan policies. Consistency in appeal decisions, in which like cases should be decided in a like manner is of course an important principle. However, unlike that appeal, this site is not previously developed land. Furthermore, it is a significantly larger proposal. As a result, the cases are not so alike that the conclusions of that Inspector, on the evidence in that case would affect my conclusions here. Moreover, given the size difference, the adverse effects from an unsustainable location and resultant unsustainable modes of travel would be far greater in this appeal than the example given.
26. In addition to the Framework policy conflicts I have found, the proposal also conflicts with the overall spatial strategy in the Core Strategy, which, in this respect, is wholly consistent with the Framework, adding to the overall weight of the adverse impacts I have found.
27. Set against those adverse impacts, there are benefits which arise from the proposal. It would deliver market, affordable and custom/self-build housing where there is a demonstrable need for it, and where that need is not currently being met.
28. The proposal would also give rise to economic benefits, during construction and occupation. It would do these on a site without other harms, including to the landscape, historic environment and highway safety.

29. Although the Framework requires that decisions should recognise that meeting needs in rural areas may require sites to be in locations not well served by public transport, it does so whilst still requiring proposals on such sites to exploit any opportunities to make a location more sustainable. I am not convinced that this proposal or the evidence which underpins it demonstrates that the proposal would take any opportunities to make the location more sustainable, or that fundamentally, there are any realistic, practical opportunities to make the location more sustainable.
30. Whilst those benefits set out above are of some weight, given the overall unsustainability of the site, and the overarching aim of the Framework to deliver sustainable development, I find that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations.
31. It is important to note that my conclusion on the sustainability of the location is reached, in spite of, the age of the Plan, and consistent with the assessment of such matters in the Framework.
32. As such, not being sustainable development, the proposal does not benefit from the presumption in favour of sustainable development set out in the Framework.

### **Planning obligation**

33. In line with the Procedural Guidance, a completed agreement under section 106 has been entered into and submitted during the course of the appeal. This provides for, in the case of planning permission being granted, the payment of various contributions and the carrying out of various actions. However, as the appeal is being dismissed, it is not necessary to consider the obligation further.

### **Conclusion**

34. The proposal conflicts with the development plan.
35. Whilst there are material considerations which weigh in favour of it, on the basis of the evidence before me, I do not consider that they are of such weight to indicate that a decision be taken other than in accordance with the development plan.
36. The appeal should therefore be dismissed.

*S Dean*

INSPECTOR