

REFUSAL OF PLANNING PERMISSION

Name and address of applicant: AWPP c/o agent	Name and address of agent (if any): Mr Brian Mullin - Marrons Planning Two Colton Square Leicester LE1 1QH
---	--

Part I - Particulars of application

Date of application: 5th October 2018

Application number: 18/01695/OUT

Particulars and location of development:

Outline application for the erection of 4 dwellings with associated access and community orchard (access to be considered), Land Off, Fenny Lane, Shearsby.

Part II - Particulars of decision

In pursuance of its powers under the Town and Country Planning Act 1990, the Harborough District Council refuses to permit the carrying out of the development referred to in Part I hereof for the following reasons:

1. By virtue of its siting, the proposal will lead to harm to the character of the Conservation Area and the character and appearance of the countryside, contrary to CS11 and CS17 of the Harborough District Core Strategy. The public benefits of the proposal are not considered to outweigh this harm and therefore, in accordance with paragraph 11 d) i) of the National Planning Policy Framework, the proposal must be refused.
2. By virtue of its design, the proposal does not provide an appropriate and safe vehicular access for all highway users. The residual cumulative impacts of the proposal are therefore considered severe, and the proposal does not meet paragraphs 108 and 109 of the National Planning Policy Framework, and policies CS5 and CS11 of the Harborough District Core Strategy.
3. The proposed new dwellings would be sited in a remote location with poor accessibility to local services and community facilities. Future occupiers of the development would lack viable transport alternatives and thereby be overly reliant on the use of a private motor vehicle. The proposal would therefore represent an inappropriate and unsustainable form of development that would be contrary to paragraph 108 and 110 of the National Planning Policy Framework and Policies CS5 (a), CS9 (a), CS11 (c(viii)) and CS17 of the Harborough District Core Strategy.
4. The adverse impacts of the proposal are not considered to significantly and demonstrably outweigh the identified harm, including the conflict with policy ENV1 of the emerging Neighbourhood Plan to which significant weight is given. The proposal is not considered sustainable development therefore, and must be refused, in accordance with paragraph 11 of the National Planning Policy Framework.

18/01695/OUT - Outline application for the erection of 4 dwellings with associated access and community orchard (access to be considered), Land Off, Fenny Lane, Shearsby.

Notes to Applicant

1. The decision has been reached taking into account paragraph 38 of the National Planning Policy Framework.



Pp Development Control Manager

STANDARD NOTES

1. Please quote the application number in any communication.
2. **APPEAL TO THE SECRETARY OF STATE**
If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant consent subject to conditions, then you can appeal to the Secretary of State for Transport, Local Government and the Regions under section 78 of the Town and Country Planning Act 1990. If you want to appeal, then you **must** do so **within six months of the date of this notice, or within 12 weeks in the case of householder development**, using a form which you can get from the Planning Inspectorate, Temple Quay House, 2 The Square, Bristol, BS1 6PN Tel: 0303 444 5000 or submit online via www.planningportal.gov.uk/planning.appeals/online/makeanappeal.. The Secretary of State can allow a longer period for giving notice of an appeal, but he/she will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him/her that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order. In practice, the Secretary of State does not refuse to consider appeal solely because the local authority based their decision on a direction given by him/her.

3. **PURCHASE NOTICES**
If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.