

Marrons Planning  
 Waterfront House  
 35 Station Street  
 Nottingham  
 NG2 3DQ



**Charnwood Borough Council**  
 Development Management, Southfield Road,  
 Loughborough, Leicestershire, LE11 2TN

**Details of Application**

**APPLICATION NO:** P/18/0611/2  
 Outline planning permission for up to 220 dwellings with associated road infrastructure, landscaping, drainage and associated works (considering access from Melton Road only with all other matters reserved)

**PROPOSAL:**

**LOCATION:** Land at Melton Road, Queniborough, LE7 3FL.

**APPLICANT** Hallam Land Management Limited

**Details of Decision** Please Read All the Information in this Decision Notice.

Charnwood Borough Council has considered this application under the Town and Country Planning Act, 1990, and refuses planning permission for the development described in the submitted documents and on any accompanying plans and drawings.

The reasons for refusal are as follows:

1	<p>The general thrust of both local and national policy is to support sustainable development and of development that would promote the health and well-being of communities. Policy CS 1 of the adopted Charnwood Local Plan 2011 to 2028 Core Strategy relates to the hierarchy of sustainability of settlements in the Borough as locations for new development. The application site lies outside the limits to development of Queniborough, which is identified by Policy CS 1 as being in the 'Other Settlement' category of its settlement hierarchy. Policy CS 1 makes provision to meet the local social and economic need for development in 'Other Settlements' by responding positively to small scale opportunities within defined limits to development. The proposal is not small scale and not within the settlement boundary and neither has a local housing need been demonstrated. As such, the proposal is considered to be contrary to the Adopted Local Plan Core Strategy 2011-28 Policies CS 1 and CS 25, which both seek to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. Furthermore it is contrary to Policies CT/1, CT/2 and ST/2 of the Adopted Borough of Charnwood Local Plan 1991-2006 and no material considerations have been advanced that warrant setting aside the provisions of the Development Plan.</p>
2	<p>The proposed development would cause substantive and significant harm to the Area of Local Separation between Queniborough and East Goscote. Due to the scale and location of the development it would not ensure that the predominantly open and undeveloped character of the area is retained and it would reduce the already narrow gap between Queniborough and East Goscote. As such, the proposal is considered to be contrary to Policies CT/1 and CT/4 of the Adopted Borough of Charnwood Local Plan 1991-2006 and the aims and objectives of the National Planning Policy Framework. No material considerations have been</p>

advanced by the applicant to warrant setting aside the provisions of the Development Plan and the identified harm from the development would outweigh any benefits arising from the proposal.
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The following was taken into account when determining this application

1. In the Local Planning Authority's view the proposal is unacceptable in principle and the fundamental objections cannot be overcome through dialogue. The requirements of the National Planning Policy Framework (paragraph 38) has therefore been met in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

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Richard Bennett  
Head of Planning and Regeneration

**09 November 2018**

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**NOTES:** P/18/0611/2

### **Appeals 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 it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.  
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State 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 and to any directions given under a development order.

### **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 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 interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

### **Resubmissions**

A revised application for similar development may be exempt from a planning fee, if the proposal is the first revision of an application for development of the same character or description on the same site by the same applicant within 12 months of making the earlier application if withdrawn or the date of decision if granted or refused and NOT a duplicate application made by the same applicant within 28 days.

Notes for Refusal of Outline 0212