SUBMISSION TO HARBOROUGH DISTRICT COUNCIL LOCAL PLAN EXAMINATION

From : Dr AJJ Bentley, Houghton Resident (Also now Chairman of the Parish Council but writing here in a private capacity, although this is also the Parish Council view too)

Regarding: Matter 7 – and specifically Site HH2 as mentioned on page 22 of the document and especially as mentioned on page 32 and the three questions that are posed specifically about that site.

Date: 9th October 2026

I am writing to object to the site HH2 being included in the HDC Local Plan and to ask for its removal please to make the plan align to recent planning decisions and the recently Made NDP for Houghton on the Hill

My regulation 19 comments were:
https://harborough.oc2.uk/document/representation/12826

Regulation 19 - Proposed Draft Local Plan Submission
Representation ID: 12826
Received: 30/04/2025
Respondent: Anthony Bentley
Legally compliant? No
Sound? No
Duty to co-operate? No

Representation Summary: Development on this site HH2 is not supported by democratic opinion (it was 5th out of 6 in the Village Questionnaire) and it is been removed by the Parish Council from draft village plan. It is far from the A47 and bus links and is near an already dangerously busy road bend – it should be removed from the HDC plan as it has been from the village plan

Change suggested by respondent: HH2 needs to be removed as it is unsuitable for development on practical and democratic grounds

Full text: Development on this site HH2 is not supported by democratic opinion (it was 5th out of 6 in the Village Questionnaire) and it is been removed by the Parish Council from draft village plan. It is far from the A47 and bus links and is near an already dangerously busy road bend – it should be removed from the HDC plan as it has been from the village plan

These reasons remain and I shall expand upon them here in writing and also at the hearing if called to do so.

This is a site that was part of the larger Coop land of the Stoughton Estate. It is situated in High Leicestershire, National Character Area 93, as defined by Natural England and is characterised by rolling ridges, steep valleys, extensive woodlands, and rural farmland centred around Tilton on the Hill at about 210 m elevation.

The site is an important part of the landscape view on the approach to Houghton from the SW and as it has an ancient public right of way across it towards Bushby and Leicester. The site is an important amenity which gets much regular use by villagers and other walkers. It was used for arable and livestock farming but is now fallow. It is also a rich natural habitat for wildlife including badgers, bats, birds such as owls and swifts, and includes evidence of Great Crested Newt populations.

I shall list the recent planning history of the site below but it is first relevant to say why HH2 is **NOT** in the Made Houghton Neighbourhood Development Plan (NDP) 2025-2041 and so should be removed from the HDC Draft Local Plan (HDC LP).

HH1 and HH2 were indeed in the early drafts of the Houghton NDP but through the consultation process HH2 was removed. The HDC LP was not updated at that time to reflect those changes (which were made as part of the Consultation) as it should have been, which was a failure of HDC's process, and so the HDC LP's soundness is undermined. The Examination and Referendum versions of the Houghton NDP not only had removed use of site HH2 but also placed that site into the formal Area of Separation to the West of the Village between Houghton and Thurnby & Bushby Parishes. The version that the Examiner passed and the Referendum subsequently supported and was then Made specifically omitted the use of HH2 – so the HDC LP continuing to contain it fails the soundness test and the democratic test too when it is compared with the recently made Houghton NDP.

The made Houghton NDP does not use this site but instead uses two sites North of the A47. To the NE as the main site and to the NW as the reserve site

NE site:

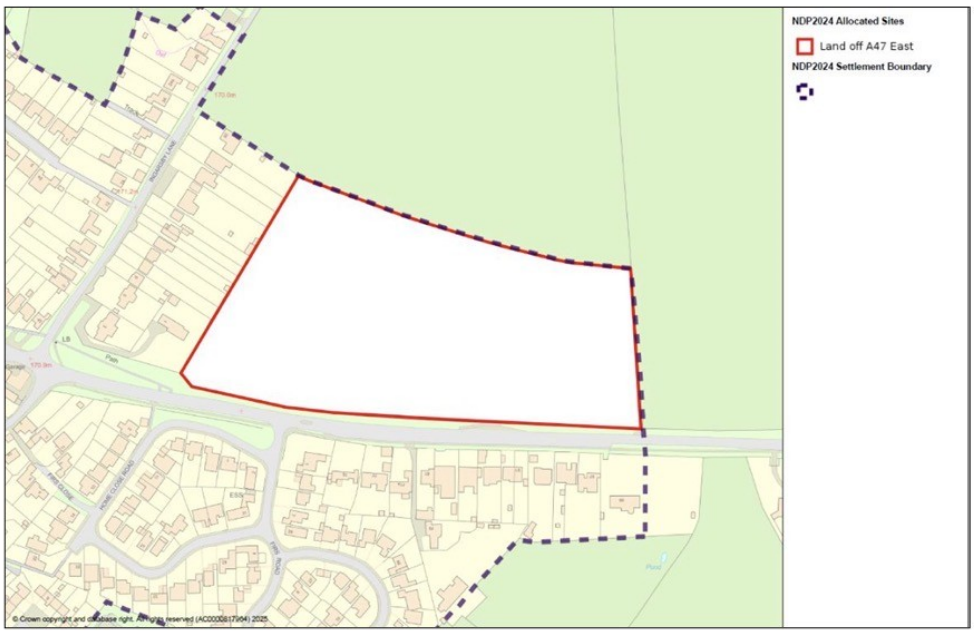


Figure 6-3 Location of the Allocated Site, north of the A47, east of Houghton.

NW site:

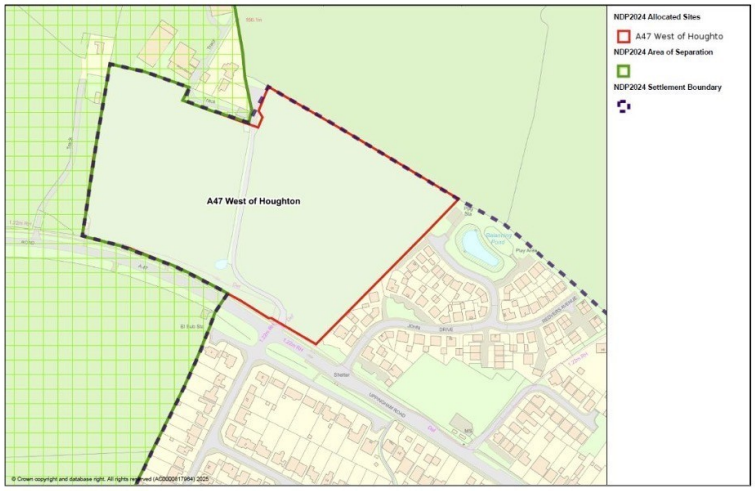


Figure 6-4 Location of Reserve Site

Both these sites provide 90 dwellings each.

Site HH2 in the made NDP is outside the settlement boundary:



Figure 6-1 Houghton on the Hill Proposed Settlement Boundary (purple dashed line).

Site HH2 is also part of the agreed Area of Separation:

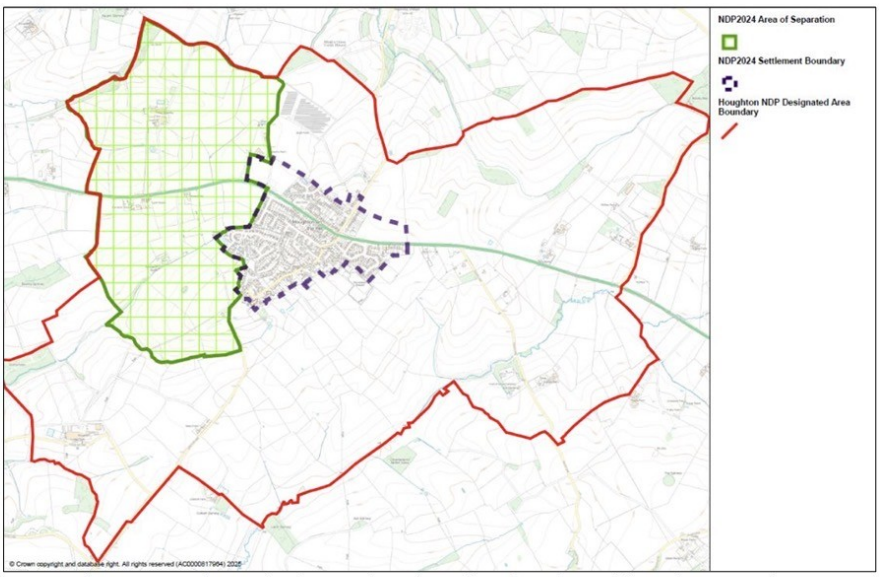


Figure 6-2 Area of Separation between the Designated Area boundary and the Settlement Boundary.

HDC policy AP01 criterion 4 excludes Green Wedges and Areas of Separation site allocations and existing commitments from the definition of land adjoining the existing built-up area/settlement limits. So including HH2 in the HDC LP is at variance with HDC's own policy.

And as has been noted site HH2 directly adjoins the Conservation Area:



Figure 6-9 Location of listed Buildings and the Houghton Conservation Area.

The HDC Draft Plan states that HH2 could be used if the Site would deliver 100% affordable housing provision. In addition to SA01 it needs to meets **local housing need** as evidenced through a Neighbourhood Plan.

Independent consultant AECOM (as part of the generation of the recently Made NDP) assessed a Houghton need for up to 45 affordable dwellings up to 2041.

72 affordable dwellings (on the two sites N of the A47, 40% of the 180 in the two sites above) have already been approved but not yet built so the affordable housing requirement is already satisfied for many years to come and still leaves a surplus for of over 27 affordable dwellings for occupants from elsewhere in the District.

Mixing Affordable Dwellings within a larger development provide the best opportunity for cohesion and integration of new arrivals into the community. So HH2 as a 100% Affordable proposal, beyond the Settlement Boundary into the Area of Separation, conflicts with that and with NDP Policies L1 AND L2 (copied below)

Houghton NDP L1 states "Groups of dwellings beyond the settlement boundary will not normally be supported without evidence of local need. That has to mean additional local need. There is no such proven need as shown above and the evidence is that there is NOT such need. So the HH2 site is not needed and should be removed.

Houghton NDP POLICY L1: SETTLEMENT BOUNDARY

Development proposals within the Designated Area will be supported on sites wholly within the Settlement Boundary as shown in Figure 6-1 where the proposal fully complies with all of the policies in this NDP and the provisions of the Village Design Guide & Codes.

Land outside the Settlement Boundary is treated as open countryside, where development will be carefully controlled in line with the provisions of this NDP, and Local and National strategic planning policies.

Appropriate development in the countryside includes uses contained in the National Planning Policy Framework (para 84) and;

a) farm diversification for the viability of agriculture; the re-use and adaptation of redundant rural buildings in the most sustainable locations subject to the consideration of its impact;

b) the provision of affordable housing, where the local need has been proven;

c) the provision of formal recreation, community or sport facilities;

d) replacement of dwellings of a similar scale and with no greater negative impact on the countryside than the existing dwelling(s).

The following proposals will not normally be supported:

a) development within the Area of Separation;

b) groups of dwellings beyond the Settlement Boundary.

Houghton NDP POLICY L2: AREA OF SEPARATION

To retain the geographical distinction and visual separation between Houghton and Thurnby & Bushby and Scraptoft, the open and largely undeveloped land (Figure 6-2) between Houghton settlement and the parish boundary is designated as an Area of Separation. Development proposals in the delineated area will be controlled, and any permitted developments will be located and designed to preserve the separation of Houghton from Thurnby & Bushby and Scraptoft.
Development in the Area of Separation must be:

a) of appropriate types including, among others, agriculture, green infrastructure (woodlands) or new facilities providing community amenity;

b) located to maintain the separation of the villages and;

c) wherever possible, designed to enhance the rural character of the areas between the villages;

d) compliant with the Village Design Guide & Codes.

So. In answer to your Three Questions:

Site HH2: Land north of Stretton Lane (24 homes) Policy SA01

1 What is the robust evidence to justify the amount of development and density of this site allocation?

There is none. The plan says that the only housing there must be 100% affordable but, apart from that being in totally the wrong place for that anyway, there is no local need for it as evidenced as being already over-provided for and it conflicts with NDP Policies L1 and L2. This is part of the basis for the recent rejection of a planning application similar to the HH2 criteria on that site.

As the recent HDC decision on an application to develop up to 24 affordable dwellings on this site says:

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. The proposal is contrary to Houghton on the Hill Neighbourhood Plan policies L1 and L2 and has landscape harm and harm to Houghton on the Hill conservation area.

2 What is the robust evidence to provide assurance that development would not result in unacceptable impact on the significance of the Houghton on the Hill Conservation Area and other designated heritage assets?

There is none such robust evidence.
As the decision for the recent application for 24 affordable houses on site HH2 says:

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. The proposal is contrary to Houghton on the Hill Neighbourhood Plan policies L1 and L2 and has landscape harm and harm to Houghton on the Hill conservation area.

3 How would the requirements of policy SA01 HH1 interface with those of the Houghton Neighbourhood Development Plan? Does this raise any issue of soundness?

The **Stretton Lane** HH2 site is not included in the Houghton NDP for many reasons, and supported by our community and the independent site assessment report produced during the NDP review process.

Additionally, development of this site threatens the sustainability of the Houghton community by breaching the defined Settlement Boundary, Policy L1, the Area of Separation, and Policy L2.

Houghton's NDP has full weight. Therefore this part of the HDC LP is unsound. It should have been changed by HDC before it was submitted to you – please change it now and remove HH2.

Development on this site would totally conflict with the Houghton Neighbourhood Plan as Examined, Voted on, and Made – this site is not for development in that Plan and indeed it is in the agreed Area of Separation – again the recent HDC decision states:

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:

2. The proposal is contrary to Houghton on the Hill Neighbourhood Plan policies L1 and L2 and has landscape harm and harm to Houghton on the Hill conservation area.

The adverse impacts are:

- Breaching the HDC development plan Settlement Boundary and Area of Separation. Committee should be aware that there are other housing development applications active within our parish.

So I hope the Examiners agree that site HH2 is not sound to be included in the HDC LP and it is not compliant with the NDP or Democracy and the site should be removed and the other two Houghton sites that are in the NDP be used instead as are in the NDP.

For further supporting facts the background to the site is outlined here:

This site was part of the Coop land to be used for the failed Pennbury Ecotown site under the Brown Government and then the Coop tried to develop it as a standalone site in 2015.

The application Ref 15/01067/OUT, dated 13 July 2015, was refused by notice dated 3 December 2015.

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. The proposed development would have an adverse effect upon the rural character and appearance of the Site and the rural setting of Houghton on the Hill. This harm is not outweighed by the benefits of the scheme, including housing land supply. Accordingly the proposal is contrary to Core Strategy Policy CS11 and CS17c. The proposed development would also be contrary to the aims and objectives of the Framework.

This was appealed and Appeal Ref: APP/F2415/W/15/3141322
Land north of Stretton Lane, Houghton on the Hill was dismissed by Elaine Worthington BA (Hons) MTP MUED MRTPI on 22nd March 2016. That Appeal Decision is attached to this submission as an appendix.

It is important as it touches on the questions the current Local Plan Inspectors pose and have been answered above.

The Coop presumably decided then that developing this site was a bad idea and sold the land - a further application was made by the new owner

24/00359/FUL - Land North of Stretton Lane, Houghton On The Hill - Erection of up to 24 dwellings with associated access, landscaping and open space, Land North of Stretton Lane, Houghton On The Hill.

This was considered by the HDC planning Committee after over 2 years of the developer presenting revised plans and was refused unanimously in April 2026. The Minutes are copied here:

7. 24/00359/FUL – Land North of Stretton Lane, Houghton On The Hill
The Development Management Team Leader introduced the report in respect of application 24/00359/FUL, Land North of Stretton Lane, Houghton On The Hill, erection of up to 24 dwellings, with associated access, landscaping and open space.
Representations were heard from objectors John Siddons, Rikie Ford and Tony Bentley, the applicant's agent Jake Stentiford, a representative of the Parish Council Ian Hill, and Ward Member Councillor Simon Galton.
The Committee then had the opportunity to question speakers and officers, and make comments on the application, and after debate it was proposed by Councillor Graves and seconded by Councillor James that the application be refused on the grounds that the proposal is contrary to Houghton on the Hill Neighbourhood Plan policies L1 and L2 and poses landscape harm and harm to Houghton on the Hill conservation area.

In accordance with the provisions of the Council's Constitution, a recorded vote was

required, the results of which were as follows: - For: 8 (Bannister, Burrell, Elliott, Graves, James, Modha, Scott, Worrell) Against: 0 Abstain: 0
Therefore, Planning Permission was refused on the grounds that that the proposal is contrary to Houghton on the Hill Neighbourhood Plan policies L1 and L2 and poses landscape harm and harm to Houghton on the Hill conservation area.

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:

The proposal is contrary to Houghton on the Hill Neighbourhood Plan policies L1 and L2 and has landscape harm and harm to Houghton on the Hill conservation area.

So please remove site HH2 from the Harborough Local Plan and instead make it align with the Made Houghton on the Hill Neighbourhood development Plan

Thank you.
Dr Tony Bentley

The Planning Inspectorate

Appeal Decision

Site visit made on 23 February 2016

by Elaine Worthington BA (Hons) MTP MUED MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22nd March 2016

Appeal Ref: APP/F2415/W/15/3141322
Land north of Stretton Lane, Houghton on the Hill

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr James Litherland, The Co-operative Group against the decision of Harborough District Council.
- The application Ref 15/01067/OUT, dated 13 July 2015, was refused by notice dated 3 December 2015.
- The development proposed is a residential development for up to 32 no dwellings including details of access.

Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was submitted in outline with all matters except access reserved for future consideration and I have dealt with the appeal on this basis. However an illustrative masterplan has also been provided, to which I have had regard.

Main Issue

3. The main issue in this case is whether the proposal is a sustainable form of development and would provide a suitable site for development having regard to policies which seek to protect the open countryside, including its effect on the character and appearance of the area and the setting of the Houghton on the Hill Conservation Area.

Reasons

4. The appeal site is an open field on the west side of Stretton Lane. It is outside, but directly adjacent to, the limits to development of Houghton on the Hill which is identified as a selected rural village as set out at Policy HS/8 of the Harborough District 2001 Local Plan (Local Plan).

5. The Council accepts that it is unable to demonstrate a five year supply of housing land. Paragraph 49 of the National Planning Policy Framework (the Framework) indicates that where local planning authorities are unable to demonstrate a five year supply of deliverable housing sites, relevant housing supply policies should be considered out of date.

6. Local Plan Policy HS/8 seeks to restrict development to those areas within the defined limits. Policy CS2 of the Harborough District Core Strategy (Core Strategy) advises that limits to development boundaries around settlements will be used to shape their future development and will be reviewed in order to enable the scale of new housing envisaged to be accommodated. It further states that housing development will not be permitted outside limits to development (either before or following their review) unless at any point there is less than a five year supply of deliverable housing sites and the proposal is in keeping with the scale and character of the settlement concerned. Core Strategy Policy CS17 seeks to strictly control new development in the countryside and other settlements not identified as selected rural villages.

7. The Council accepts that these policies represent restrictive blanket policies on new housing development outside limits, and in so far as they restrict development outside settlements, I agree that they should be considered out of date. I also note the appellant's reference to an appeal decision elsewhere in the district which found that Core Strategy Policy CS17 fails to reflect the positive approach to rural development in paragraph 28 of the Framework.

8. As such, in itself, the appeal site's location outside the development limits for Houghton on the Hill does not necessarily exclude its development for housing in policy terms. The presumption in favour of sustainable development is set out at paragraph 14 of the Framework and indicates that where relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. Paragraph 7 of the Framework establishes the three dimensions to sustainable development; economic, social and environmental.

9. In terms of the economic and social roles of sustainability, although outside the settlement boundary, the site is adjacent to it and accessible to the village on foot. The primary school, shops and pub along with hourly bus services to nearby settlements are within easy walking distance of the site, which the Council agrees is well located in terms of access to local services and facilities and sustainable modes of transport. Consequently the future occupiers of the proposal would not be unduly reliant on the use of a car to meet their day to day needs. This would support the core planning principle of the Framework to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling. It would also align with Paragraph 55 of the Framework which advises that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

10. The scheme would provide 32 houses, 40% of which (13 homes) would be affordable. The need for affordable housing is a priority in the Strategic Housing Market Assessment and the appellant considers the village is an example of extreme market housing affordability issues. The proposal aligns with Core Strategy Policy CS3 which requires all residential developments to contribute towards meeting affordable housing needs. It also supports paragraph 50 of the Framework which aims to deliver a wide choice of high quality homes and requires local planning authorities to plan for a mix of housing as well as meeting the need for affordable housing on site.

11. The Council's Emerging Local Plan remains subject to consultation and has not yet been examined. As such, it is of only limited weight. However I understand that it includes an option to upgrade Houghton on the Hill from a selected rural village to a rural centre as well as growth options showing up to 172 homes here to 2031. The appeal site is indentified in the Strategic Housing Land Availability Assessment (SHLAA) and the Council confirms it will be classed as deliverable within 5 years in the updated version. I am aware that planning permission has recently been granted for 70 houses in the village and the Council refers to other planning applications for residential development which are yet to be determined. Despite this, the appellant indicates that no other sites in the village are identified in the SHLAA as being deliverable in 5 years, and only two other sites on the western side of the village are defined as developable within 6-10 years.

12. The appellant advises that there has been little development in the village over the last 15 years and development on open land south of the village is restricted by its Conservation Area status. The appeal site could be brought forward relatively quickly since it is available and achievable, and its contribution to housing land supply alongside the provision of affordable housing is recognised by the Council as a significant benefit and would align with the government's aim to significantly boost the supply of housing.

13. The proposal would contribute to the construction trade and generate new employment opportunities during the build phase. The future occupiers of the houses would support local services and facilities through expenditure. The Council also acknowledges the benefits of the scheme in relation to the New Homes Bonus and council tax revenue. The public footpath running through the site (linking to further footpaths beyond) would be retained and set within a landscaped corridor of open space that would be maintained. New areas of open space including an equipped play area for children would be provided. Other contributions for education and community facilities along with highway works would result in further investment in the area. The appellant has submitted a signed Unilateral Undertaking to secure these and other matters.

14. Thus the proposal would meet the economic and social dimensions of sustainability. Additionally, these factors are benefits of the scheme and cumulatively (alongside the benefits to housing land supply and affordable housing outlined), they add some considerable weight in favour of the proposal.

15. Turning to the environmental role of sustainability, the site is a field on the edge of the village and close to the existing built development on Stretton Lane and Freer Close. The site wraps round the edge of the settlement and has a close relationship to the village. However, despite these factors, it adjoins open fields to the north and west and relates closely to them. Whilst it is delineated from those to the north by a hedgerow and trees, it is open to the fields to the west and appears very much as part of this wider landscape.

16. The appeal site is within Natural England's National Character Area 93 High Leicestershire which refers to characteristic small historic villages, usually located on high ground (such as Kings Norton and Houghton on the Hill), comprising buildings clustered around prominent spired churches. The strong visual and historic character of this varied and sparsely settled rural landscape of broad rolling ridges and wide secluded valleys are recognised, as is the need

to protect and appropriately manage them. It also falls within the High Leicestershire landscape character area as identified in the Harborough District Landscape Character Assessment (2007) which advises that development should be avoided or minimised in all but its most western regions (which Houghton on the Hill is not identified as being part of).

17. The appellant also refers to the site being within the Leicester Fringes Character Area of the Leicester Landscape Character Assessment and Landscape Capacity Study for Harborough District Council (2009) where there is a strong undulating landform with a pattern of narrow soft ridges and valleys and localised plateaux. The appellant advises that this document finds the character area to be of moderate condition, moderate strength of character and of medium sensitivity overall.

18. High Leicestershire is one of the larger identified character areas, the local landscape is not rare and as an open field the appeal site has few landscape features. Nor does it have a particular formal landscape (or ecological) designation or lie within a National Park or Area of Outstanding Natural Beauty and it is not identified for its special character. Nevertheless, the appeal site is prominently located on a plateau ridge and upper valley slope and is elevated in relation to the surrounding undulating countryside. It forms part of the surrounding landscape and is representative of the wider area of ridges and valleys that characterise this part of the countryside. A public footpath leading from Freer Close crosses the northern section of the site, runs to the bottom of the valley and connects to a wider network of footpaths to the north west which cross the opposite valley side up towards the A47.

19. The site appeal has a frontage to Stretton Lane and is adjacent to the Houghton on the Hill Conservation Area. This covers the historic core of the village and open land to its south including the cricket pitch on the other side of Stretton Lane directly opposite the site. In conjunction with the adjoining fields and the cricket pitch, as an area of open undeveloped land in a gateway position, the site plays an important role at the approach to the village from the south along Stretton Lane. It is also in a key position when entering the village on foot across the fields on the public footpaths to the north west.

20. Notwithstanding the wide swathe of open land to the south of the village within the Conservation Area, to my mind the appeal site and the wider open countryside to the west also forms part of the attractive landscape setting of the village which contributes to the character and appearance of the settlement. Thus, in my view, the countryside nature of the appeal site is a characteristic of the setting of Houghton on the Hill and its Conservation Area. Paragraph 132 of the Framework indicates that the significance of a designated heritage asset can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

21. The proposed low density residential development would incorporate green space and planting including street trees to soften the appearance of the built form. It would be similar to the existing housing nearby and generally characteristic of the village. The houses would be sensitively designed in terms of building orientation, massing and materials and this could be secured at reserved matters stage. The sensitive treatment of the public footpath running through the site would introduce a more gradual transition from settlement edge to open countryside for those using it.

22. Although matters of landscaping are reserved for future consideration, an indicative landscape strategy has been prepared to support the appeal. The landscape features that are present and characteristic of the area would be retained. Additional hedgerow planting to the existing field access would be introduced along with a mix of low and high level structural planting to form a significant buffer to the west of the site. The houses on this side of the site would be orientated to face the countryside to the west and together with the landscaping buffer are intended to provide a more positive and considered edge to the settlement which presently backs on to the landscape with a varied mosaic of rear garden boundaries and planting.

23. This landscaping belt would incorporate densely planted hawthorn hedge, post and rail fence and native trees. It would accord with the Council's own guidance and that from Natural England with respect to the site's landscape character area. These layers of native planting would be at various heights to filter views of the proposal whilst retaining notable views including those of the church tower. Slower growing species and plant sizes would be mixed with faster establishing and quicker growing species and would help to assimilate the proposal into the landscape. The planting would be implemented prior to construction beginning to allow it time to establish effectively. These details and a management plan could be secured via a planning condition.

24. The site is not generally visible from the landscape to the north east, east or south. When viewed from the west, the proposed development would be seen against the backdrop of the existing houses and the church spire and in the context of the proposed landscaping which would to some extent screen the site and mitigate the proposal's visual impact. However, this would not generally be the case in views from the north west including those from the footpaths on the northern valley side, or from the A47 (and the rear of the properties there) looking across the valley towards the site.

25. From these positions, a good deal of the proposed development would be seen against the backdrop of the open ridge fronting Stretton Lane, rather than against that of existing buildings. As a result it would appear in a prominent and elevated position, exposed on the skyline where it would be seen as a noticeable expansion of the extent of the village. I appreciate that views of the proposal from the footpaths to the north west would vary in nature along their routes and would be interrupted at various points by both the existing intervening trees and hedgerows on the field boundaries as well as by the proposed landscaping.

26. Even so, the proposal would be evident along significant sections of the footpaths when descending the northern valley slope and climbing back up the southern valley slope and through the appeal site. As a considerable amount of built development on the elevated ridge at the top of the valley side the proposal would be a dominant and intrusive feature. This being so, I am not convinced that a viewer's attention would necessarily be attracted to the existing hedgerows and open landform rather than to the appeal scheme. Albeit at a greater distance, the proposal would also be seen from the A47. Additionally, the resultant extension of the village would be appreciated from Stretton Lane. As such, I am not persuaded that the number of visual receptors of the appeal scheme would be small.

27. In my view, the proposal would represent a visible and significant encroachment of development into currently open land that is defined as countryside. I cannot see that it would be visually contained or sit within the natural envelope of the village. Rather it would result in the loss of what is an important and prominent area of countryside on the edge of Houghton on the Hill that would undermine the existing form of the settlement. The proposal would seriously erode the open character and rural appearance of the site, which forms part of the gateway setting to the village when approached from both the south on Stretton Lane and also from the west and north via the public footpaths.

28. I have had regard to the appellant's Landscape and Visual Appraisal and see no reason to question its tried and tested methodology. I also appreciate that the planting plan proposed has been utilised at other sites and that the visual effects of the proposal would reduce with viewing distance and time (as the built form weathers and structural planting and habitats mature). Nevertheless, given the surrounding topography and the site's elevated position on the ridge, I am not convinced that the existing planting or proposed landscaping would disguise the consequent loss of openness or screen the proposal to the extent that it would lessen its visual impact to an acceptable degree.

29. Thus, the proposal would unduly detract from the rural character of the site along with that of the adjoining land and the appearance of the surrounding countryside. Consequently it would fail to be sensitive to the distinctive qualities of the wider landscape character area in which it is located. It would appear intrusive in this context, at odds with the surrounding rural landscape and would unacceptably detract from the attractive open character of the village and its landscape setting. For these reasons I consider that the proposal would harm the overall character and appearance of the area.

30. As an unsatisfactory intrusion into the rural surround to the village the proposal would have a negative impact on the countryside setting of the village and thus on the setting of the Conservation Area as well. I am conscious that the Council raises no objections to the proposal in this specific regard and appreciate the Conservation Officer's view that its impact could be reduced by a sympathetically designed scheme. Nevertheless, I have a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

31. As I see it, the proposed houses would detract from the open character of the area and the rural setting of the village, which form part of the significance of this heritage asset. Paragraph 131 of the Framework indicates that the desirability of sustaining and enhancing the significance of heritage assets should be taken into account in determining planning applications. Whilst the proposal would lead to less than substantial harm to the significance of the Conservation Area, (as described at paragraphs 133 and 134 of the Framework), the harm caused would be material.

32. The appellant considers the proposal would lead to sustainable habitat enhancement through a comprehensive ecological mitigation strategy that would strengthen the existing ecological framework and provide greater diversity compared with the site's existing role as an open field. These include on site public open space, new planting and green infrastructure, sustainable

urban drainage systems, new wetland and grassland areas along with new habitats including a 6 metre wide newt corridor to connect with existing hedgerows, trees and suitable newt habitat nearby. Additionally, the houses would reach high sustainability design standards in line with Core Strategy Policy CS9.

33. However, for the reasons set out above, the proposal would have an adverse visual impact on the character and appearance of the surrounding area (including the setting of the Conservation Area) and so overall would fail to protect or enhance the natural environment. Consequently, it would not accord with the environmental dimension of sustainable development.

34. Despite the considerable concerns of local residents and the Parish Council (including the evidence put forward on their behalf) subject to conditions and developer contributions the Council and the Highway Authority raise no objections to the scheme in relation to highway considerations. Subject to mitigation measures the Council also finds no unacceptable adverse impact on protected species, archaeology, drainage/flood risk, agricultural land, or the living conditions of nearby residents. It is also satisfied that adequate living conditions could be provided for the future occupiers of the proposed houses in relation to noise (from Leicester airport). I see no reason to come to a different view on these matters. However, the absence of harm in these regards counts neither for, nor against the proposal.

35. Bringing matters together, paragraph 8 of the Framework is clear that to achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously. The proposal would result in the considerable economic and social gains considered above and would play a role in building a strong responsive and competitive economy and supporting a strong, vibrant and healthy community. There would also be some environmental gains in terms of the scheme's contribution to helping to improve biodiversity and use of sustainable construction methods to adapt to climate change. However, for the reasons given, the proposal would fail to result in positive improvements in the quality of the built, natural and historic environment anticipated by paragraph 9 of the Framework. As such, when considering the scheme as a whole, environmental gains would not be realised. As a result, the proposal does not amount to sustainable development.

36. I confirm in any event, that the adverse impacts of granting permission in this instance would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. With paragraph 134 of the Framework in mind, I also confirm that although the harm that would be caused to the significance of the setting of the Houghton on the Hill Conservation Area would be less than substantial, it would nevertheless be material, and would not be outweighed by the public benefits of the proposal as outlined.

37. I therefore conclude on this issue that the proposal is not a sustainable form of development and would fail to provide a suitable site for development having regard to policies which seek to protect the open countryside. It would have a harmful effect on the character and appearance of the area and the setting of the Houghton on the Hill Conservation Area and would undermine the significance of this heritage asset.

38. This would be contrary to Core Strategy Policy CS11 (b) which indicates that new development should be directed away from undeveloped areas of land which are important to the form and character of a settlement or locality. It would also be at odds with and Core Strategy CS17 (c) which requires rural development to be located and designed in a way that is sensitive to its landscape setting, retaining, and where possible enhancing, the distinctive qualities of the landscape character area in which it is situated and protecting the landscape setting of individual settlements (vi).

39. I note the appellant's views that Core Strategy Policy CS11 (b) should be afforded limited weight since it fails to include any form of planning balance. However, this policy concerns promoting good design and I have seen nothing to suggest that it relates to the supply of housing or places a strict control over all development in the countryside. Thus I do not regard it to be out of date, and am satisfied that it aligns with the core planning principle of the Framework to recognise the intrinsic character and beauty of the countryside and the role of the planning system to contribute to and enhance the natural and local environment, by amongst other things protecting and enhancing valued landscapes (paragraph 109). For the same reasons, and notwithstanding my views in relation to its out of date nature set out above, I am content that part (c) of Core Strategy Policy CS17 in itself also accords with these aims of the Framework. Since the proposal would conflict with these policies, and having taken all material considerations into account, it would therefore not be in accordance with the development plan as a whole.

Other matters

40. The appellant has submitted a signed Unilateral Undertaking in relation to matters including education contributions, highway contributions, affordable housing (on site), community facilities contributions, open space (on site and commuted maintenance sums) along with monitoring fees. However, since the appeal is unacceptable for other reasons and is to be dismissed on its substantive merits, it has not been necessary for me to consider the submitted obligation in the light of the tests out in regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 and paragraph 204 of the Framework.

Conclusion

41. For the reasons set out above, I conclude that the appeal should be dismissed.

Elaine Worthington

INSPECTOR