

## REFUSAL OF PLANNING PERMISSION

Name and address of applicant:  Davidsons Developments Limited And Aidan Aikman Wilson House Leicester Road Ibstock Leicestershire LE67 6HP	Name and address of agent (if any):  Bidwells John Ormond House 899 Silbury Boulevard Milton Keynes MK9 3XJ
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### Part I - Particulars of application

Date of application: 5th September 2016      Application number: 16/01401/OUT

#### Particulars and location of development:

Outline application for the erection of up to 50 dwellings (access to be considered), Land South West Of, Church Lane, Dunton Bassett.

### 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, and its indicative design (as shown on the submitted illustrative masterplan), the proposal will cause harm to the setting of the Parish Church of All Saints, Dunton Bassett. This harm outweighs the public benefits of the proposal, including the provision of housing and, in accordance with paragraph 134 of the Framework, and the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and policy CS11 of the Core Strategy, the proposal must be refused.

2. The harm caused by the scale and siting of the proposal to the character and appearance of the village, significantly and demonstrably outweighs the benefits of the proposal, including the provision of housing when the Council cannot currently demonstrate a five year supply, and does not therefore represent sustainable development in the context of paragraph 14 of the NPPF. The proposal therefore fails policies CS11 c) iii), CS2 a) and CS17 a) of the Core Strategy.

#### Notes to Applicant

1. The decision has been reached taking into account 186-187 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](http://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.