MAIR

LAND & PLANNING CONSULTANTS LTD

PLANNING APPEAL RESPONSE

LAND OFF MAIN STREEET, CARLTON

October 2026

Ref.: MLP-25-J046

RTPI Chartered Town Planner

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Prepared on behalf of Mr S Harding

Project Ref.: MLP-25-J046

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1. Introduction

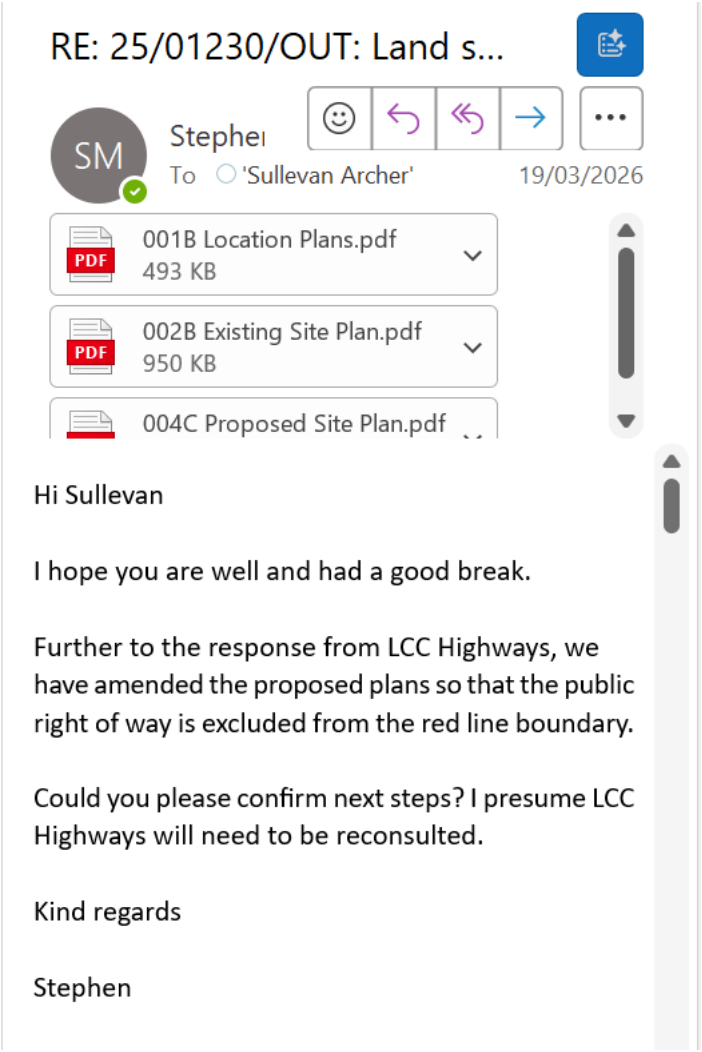
1.1. Mair Land & Planning Consultants Ltd has been instructed by the appellant, Mr S Harding, to prepare and submit a planning appeal against the decision of Hinckley & Bosworth Borough Council to refuse planning consent for the development consisting of *'the erection of a single self-build dwelling'* at Land off Main Street, Carlton.

1.2. The following statement will deal with matters raised by the Local Planning Authority in its Appeal Statement.

2. Appellant's Response

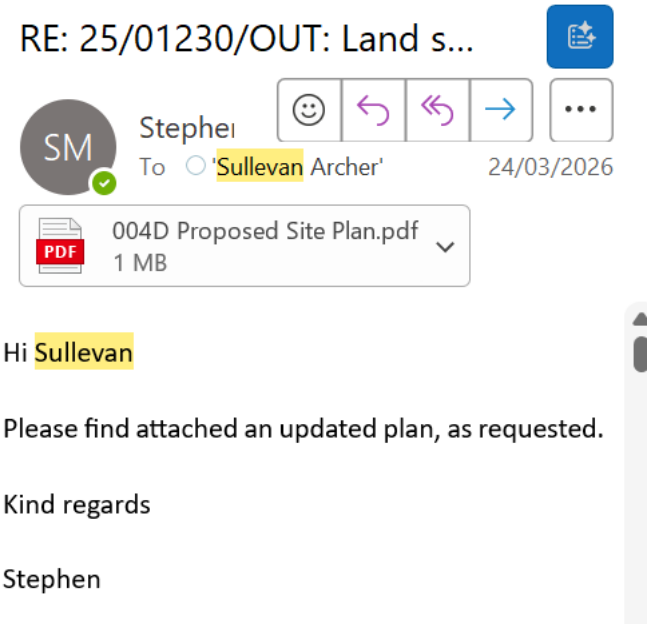
2.1. In response to the Appeal Statement by the Local Planning Authority (LPA), the appellant submits the following comments.

2.2. Regarding the preliminary matters raised by the Council at 5.3-5.9, documents 001B (Location Plan) and 002B (Existing Site Plan) were submitted to the Planning Officer by email on 19/03/2026, see below screenshot (Figure 1). The plans were updated in response to a point raised about the legal position of the adjacent public right of way.



Above: Figure 1 – Email Screenshot

2.3. The Planning Officer responded on the 23/03/2026 to request *'a revised plan that details the positioning of the Public Footpath as per the LHA's map…'*. With reference to Figure 2, this document ref. 004D was submitted to the Planning Officer on the 24/03/2026.



Above: Figure 2 – Email Screenshot

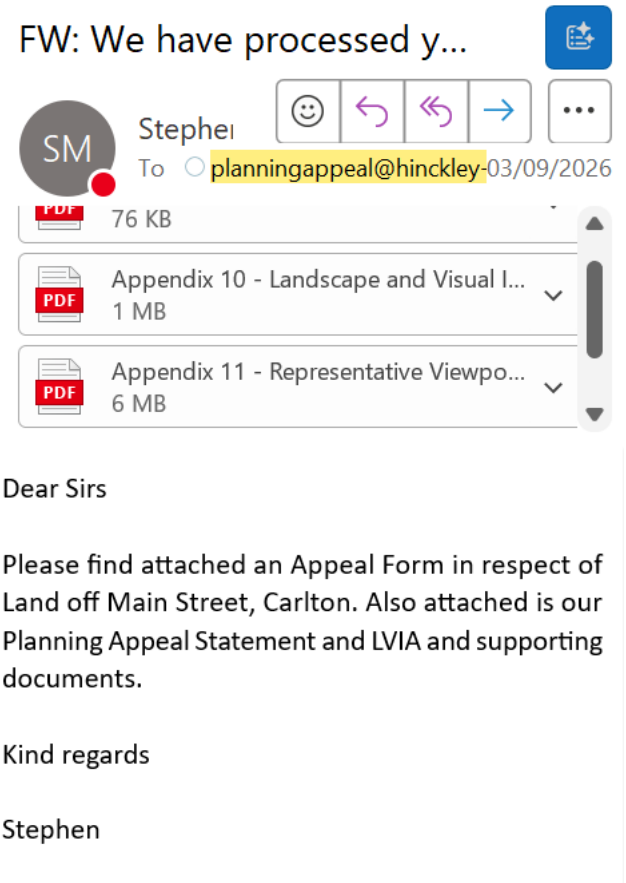
2.4. The application should have been determined against the plans (001B, 002B and 004D) that were submitted to the Planning Officer and which were uploaded and are available on the Council's own website. These documents were acknowledged by the Planning Officer by email. These are the documents that have been submitted in support of the appeal. No issues regarding the updated plans were raised by the Planning Officer during the determination period.

2.5. Regarding the Landscape and Visual Impact Appraisal, it was not considered that this was required in support of the planning application and at no point during the determination process did the Planning Officer request such document or raise any concerns regarding the proposed development or that the application would be recommended for refusal. It was not until 27/03/2026 that the Planning Officer emailed to confirm *'Subject to the final comments from this re-consultation period, I'm afraid the informal officer recommendation will be for refusal due to the scheme's harm to the character of the surrounding area in principle. As this is a principal issue, I'm afraid I would not be able to advise on any opportunities to overcome these concerns, but my informal recommendation to the Applicant would be to either withdraw the application or appeal any forthcoming decision should the Local Planning Authority refuse the planning application. Please can you confirm how the Applicant would like to proceed?'*

2.6. The refusal was issued on the 23/04/2026 and the applicant decided to proceed with the submission of an appeal. In order to respond appropriately to the reasons for

refusal, a Landscape and Visual Impact Appraisal document was produced. This is entirely appropriate.

2.7. In response to 5.6, the Council was made aware of the additional documents (Landscape and Visual Impact Appraisal and supporting Representative Viewpoint) at 1.5 in the Appeal Statement. In addition, these documents were identified and submitted to the Council by email on 03/09/2026 (ref. Figure 3 below) along with the Appeal Statement and Appeal Form.



Above: Figure 3 – Email Screenshot

2.8. In line with the Planning Inspector's Procedural Guidance for Planning Appeals, the appellant clearly identified new evidence submitted in support of the appeal and submitted these documents to the Council via the email address provided online. The fact that the Council has not considered the submitted information is no fault of the appellant. The appellant queries why the Council has adopted the position it has and why the Council has not reviewed the documents that were submitted in support of the appeal.

2.9. At 5.15, the LPA confirms that it cannot demonstrate a 5 year supply of deliverable housing land. It has been demonstrated in the submitted Appeal Statement that the

proposal will deliver significant benefits in the form of a new dwelling and there are no adverse impacts that would arise as a result of the development.

2.10. In response to 5.14, Carlton is identified by the Council as a 'Rural Hamlet' in the Council's Development Plan. It is considered that the use of the term 'Rural Hamlet' is not appropriate and does not reflect the status of Carlton and other villages identified as 'Rural Hamlets' in the development plan. It is officially regarded as a village with core amenities, including a church and public house. The definition used by the Council in the settlement hierarchy is artificial and does not reflect the NPPF. It is accepted that Carlton is a village and therefore under the NPPF is a settlement, where **S5: Principle of development outside settlements** applies. In line with part j. the proposal addresses an evidenced unmet need in respect of the 5 year supply and the delivery of new homes. The site is physically well-related to the existing settlement of Carlton and is of a scale which can be accommodated.

2.11. In response to 5.17-5.24, the application was submitted in outline, seeking to establish the principle of development but was accompanied by a Proposed Site Plan and Proposed Floorplans to indicate the size and scale of the dwelling proposed. On receipt of an outline planning permission, the appellant would have submitted further details for approval, including the detailed design of the dwelling. The Council would therefore have control over the appearance and design of the dwelling, to ensure an appropriate residential dwelling was built out. It is the intention of the appellant to design and built a highly attractive dwelling to live in, sympathetic to the site's location, that being an edge of settlement site, immediately adjoining the existing built form.

2.12. There is a mix of styles and design of dwellings surrounding the appeal site, including dwellings of a traditional brick built design and dwellings of a more contemporary and modern design. Given the varied character of the area immediately adjoining the site, it is proposed that a dwelling could be suitably designed with a supporting landscaping strategy, which would limit its visual impact and enable it to integrate with its surroundings.

2.13. In response to 5.25, it is not considered that the proposal for a single dwelling can be determined to have a 'significant urbanising impact'. The appellant owns the adjoining land in blue. It is not his intention to develop this and the land will continue to be used as it currently is.

2.14. In response to 5.28, the appellant proposes that the appeal site is well related to the existing built form of the settlement. There are existing residential dwellings to the east of the site, to the west of the site on the western side of Congerstone Lane

and to the north across Main Street. The site is well related to the village and is viewed as an edge of settlement site.

2.15. The appellant disputes the Council's justification that the site is 24m from the nearest property and is therefore considered to not be physically well related to and would appear visually disconnected from the built form within Carlton. The site immediately adjoins the village. As you exit the village to the west, the existing development on the northern side of Main Street/Congerstone Lane extends well beyond the appeal site. Development of the site would not extend the village any further west than the existing built form of the settlement.

2.16. In response to 5.33, the proposed development of a single dwelling fronting Main Street, reflects the prevailing character of the settlement and will not extend the urbanising built form of the village into the open countryside.

2.17. In response to 5.35-5.50, the appellant has demonstrated in the Appeal Statement that there are public transport links available for residents of Carlton. These provide residents with the ability to access a wide range of services without being reliant on travel by private car.

2.18. In response to 6.5 and the statement submitted by the Parish Council, the appellant currently lives in Carlton. However, he is seeking to build a larger home with flexible living accommodation for his family. His family is well connected to the village and they do not want to move elsewhere. Therefore, he is seeking to build his own self-build dwelling within the village he currently lives in and on a parcel of land he owns. This is not a speculative build, it meets a specific housing need and is supported by a signed Unilateral Undertaking. It is wholly supported by **Policy HO7** in the NPPF. The Council has a duty to provide permissions for serviced plots to meet this type of housing and the proposal would assist in this regard. Substantial weight should be attached to the proposal on the basis that it will contribute to the housing needs of the area.

2.19. In response to 6.10, the appellant has submitted an Appeal Statement and supporting documents, which addresses the reasons for refusal.

2.20. In conclusion, the development will result in a number of positive benefits, as follows:

2.20.1. Contribution to the local economy via the creation of construction jobs, investment and expenditure;

2.20.2. Expenditure to the local economy by the spending and use of local services by the residents of the dwelling;

2.20.3. Reinvestment of Council Tax into the local economy;

2.20.4. The delivery of the self-build dwelling will meet an identified housing need;

2.20.5. The development is located in close proximity to local services available within Carlton and will support existing services within the surrounding settlements, which can be accessed by public transport.

2.20.6. The site is well related to the existing built form of Carlton and future residents can access local services by alternative means to private car travel.