
Appeal Decision

Site visit made on 8 July 2026

by **A Fulford BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5th August 2026

Appeal Ref: 6010066

Paddock House, Ashby Road, Stapleton, Leicestershire LE9 8JF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Mr Tony Coombs against the decision of Hinckley and Bosworth Borough Council.
 - The application Ref is 25/01029/PIP.
 - The development proposed is a permission in principle for the erection of a single C3 self-build dwelling, associated amenity space and parking land north of Paddock House, Ashby Road, Stapleton, LE9 8JF.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle ('PiP'). Planning Practice Guidance ('PPG') advises that this is an alternative way of obtaining planning permission for housing-led development. The PiP consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle, and the second ('technical details consent') stage ('TDC') is when the detailed development proposals are assessed. This appeal relates to the first of these two stages.
3. The scope of the considerations for PiP is limited to location, land use and the amount of development permitted. All other matters are considered as part of the subsequent TDC application if PiP is granted. I have determined the appeal accordingly.
4. An applicant can apply for PiP for a range of dwellings by expressing a minimum and maximum number of dwellings as part of the application. In this instance, permission is sought for a single dwelling.

Main Issues

5. The main issues are whether the site location is suitable for residential development, having regard to i) accessibility to local facilities and sustainable modes of transport and ii) its effect on the character and appearance of the area.

Reasons

Sustainability

6. The appeal site is located on a rural road to the north of the village of Stapleton. Ashby Road is a busy A road that has a 40mph speed limit outside the appeal site

that reduces to 30mph within the village of Stapleton. Ashby Road is unlit and there is no pedestrian footway outside the appeal site.

7. The appeal site consists of a well-maintained parcel of paddock land that is located in open countryside outside of any defined settlement. The site is located in close proximity to Stapleton which is designated as a rural hamlet. The Core Strategy (2009) states that rural hamlets have limited, if any services and generally rely on Key Rural Centres or surrounding urban areas for schooling, employment and the provision of goods and services.
8. The appeal site is located 600m from a bus stop on Ashby Road which is served by the LC6 bus route which runs between Hinckley and Coalville but there are only four services per day, Monday – Saturday. Whilst the bus stop is within an acceptable walking distance, the first part of the route involves utilising a grass verge that has relatively fast-moving traffic and is unlit. Taking these factors into account this route would not be a realistic option for many future occupiers especially a parent with young children or those with mobility issues. Furthermore, given the infrequency of the route it is unlikely that the bus service will be a practical option to access employment opportunities in Hickley or Coalville.
9. It has been indicated that the highway authority are open to the suggestion of extending the footpath on Ashby Road up to the appeal site entrance. At this stage as the proposed site entrance is not fixed it is not clear how far the footpath would need to be extended and existing street furniture would need to be relocated. However, given the nature of the application as a permission in principle, there is no mechanism by which the pedestrian route enhancements could be secured. I can therefore attach no meaningful weight to this matter.
10. The only facilities within Stapleton are a village hall, church and public house. Given this situation the occupiers of the proposed development would be wholly reliant on surrounding settlements for access to essential facilities and services such as schools, GP surgeries, retail, leisure and employment.
11. There are larger settlements within 5km such as Hinckley, Barwell and Stoke Golding where there are a greater range of services and facilities. Given the distance, cycling to these destinations would be possible. However, the routes include sections of unlit road where vehicles can travel at 50mph. This would be unattractive to all but the most confident cyclists.
12. The National Planning Policy Framework (the Framework) at paragraph 110 acknowledges opportunities to maximise sustainable transport solutions will vary between urban and rural areas. However, this is a case where future occupiers would have to rely on the use of private vehicles to access the vast majority of everyday services and employment.
13. For the reasons given, the appeal site would not be a suitable location for residential development taking into account the limited accessibility to local facilities and sustainable modes of transport. The development is contrary to policy DM17 of the Site Allocations and Development Management Policies DPD (July 2016) (SADMPDPD). Amongst other matters, this policy seeks to ensure that there is convenient and safe access for walking and cycling to services and facilities and that developments make the best use of existing public transport services.

Character and Appearance

14. The appeal site is a field bound by hedgerows to the east and west. The site is located between two dwellings known as Paddock House and Rose Cottage. Paddock House forms part of a complex of converted rural buildings, whereas Rose Cottage is a traditional two-storey detached property that has been refurbished in recent years. Beyond this the area has a very rural appearance to the north, east and west with a small number of isolated dwellings and agricultural businesses.
15. Within the Council's Landscape Character Assessment the appeal site falls within an area entitled 'Stoke Golding Rolling Farmland'. The Key characteristics of this character area are undulating arable and pasture farmland with gentle valleys sloping down to the Ashby Canal, Tweed River and associated tributaries and small to medium scale rectilinear field pattern divided by low hedgerows and mature hedgerow trees.
16. Within the Council's Landscape Sensitivity Assessment the appeal site is located within Earl Shilton North and Barwell West Landscape Sensitivity Area. The area is described as having a rural character, with low hedgerows and hedgerow trees combining with smaller, more naturalistic areas around the watercourses to provide a simple and unified landscape. The area is considered to have an overall medium-high sensitivity to residential development due to the rural and relatively tranquil character and the great intervisibility with the wider countryside from local highpoints.
17. The site contributes positively to the landscape character of the area providing a typical gap between rural dwellings and is visibly separate from the settlement boundary of Stapleton. The introduction of a dwelling in this setting would have a harmful urbanising effect that detracts from the attractive rural environment. Furthermore, the proposal would result in an intensification of the number of dwellings located outside of the settlement of Stapleton. The erection of a dwelling would fill the gap between existing built form thereby creating an uncharacteristic form of ribbon development. The proposed dwelling would appear prominent from both Ashby Road and the public right of way located to the east of the site.
18. I conclude that the proposal would materially harm the character and appearance of the area. The development is contrary to Policies DM4 and DM10 of the SADMPDPD. Amongst other matters, these policies set out to protect the countryside's intrinsic value, beauty, open character and landscape character and only permit development where it complements or enhances the character of the surrounding area.

Other Matters

19. I have had regard to comments made by the Council at pre-application enquiry stage however, this does not alter my findings above and the harm to the character and appearance of the area from the appeal scheme.
20. The scheme has been presented as self-build housing (SBH) which could be secured as such at the TDC stage. There is an unmet local need for SBH although the extent of that shortfall is not agreed between the parties with it ranging from 17 to 27 units. Regardless of the precise figure, this range represents a significant

shortfall. This is a benefit to the scheme which I attribute limited weight to given the scale of development as one residential unit.

21. I have been made aware of previous decision by the Council on application reference 24/01155/PA where consent was granted for SBH. This application was supported by a legal opinion that suggested any shortfall in SBH should be afforded significant weight in the planning balance. However, the same legal opinion also acknowledges that attributing weight is a matter for the decision maker.
22. My attention has been drawn to other appeal decisions and decisions made by the Council. However, minimal evidence has been provided on these schemes to convince me that they are directly comparable to the appeal scheme, particularly with regards to location and scale of development. In any case, I have dealt with this appeal on its own merits.

Planning Balance

23. The Council does not currently have a 5 year housing land supply and consequently paragraph 11 d) of the Framework applies which aligns with the approach set out in footnote 8. There is nothing before me to suggest that there are strong reasons to refuse the development as outlined in paragraph 11 d) i). Accordingly, paragraph 11d) ii) is engaged.
24. This stipulates that permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. Footnote 9 of the Framework sets out the specific policies referred to in paragraph 11 d) ii). These include paragraphs 110, 115, 135 and 139 of the Framework which seek to ensure access via sustainable modes of transport and secure high quality design.
25. The proposal would deliver one dwelling, making efficient use of land and contributing to housing supply supporting the Framework's objective of significantly boosting the supply of homes. Moreover, the proposal seeks to provide SBH where there is a particular local shortfall. The development would also provide economic benefits during both the construction phase and in future occupation. Given the proposal is for just one dwelling, the benefits would be modest in extent.
26. I have found the proposal would have limited accessibility by sustainable modes of transport thereby increasing private car use to access most local services and facilities and materially harm the character and appearance of the area. These are major shortcomings of the appeal scheme, and I attach significant weight to this harm.
27. Taking all matters into account, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. As a result, the presumption in favour of sustainable development does not apply.

Conclusion

28. For the reasons given above, I conclude that the proposal would conflict with the development plan and material considerations do not indicate that the appeal should be decided other than in accordance with the development plan. Therefore, the appeal is dismissed.

A Fulford

INSPECTOR