



Appeal Decision

Site visit made on 3 June 2025

by Andreea Spataru BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 August 2025

Appeal Ref: APP/K2420/W/25/3361154

Land SW Sibson Road, Sheepy Parva, Leicestershire CV9 3RE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr & Mrs Morley against the decision of Hinckley and Bosworth Borough Council.
 - The application Ref is 24/00872/OUT.
 - The development proposed is described as 'outline planning permission (access only) for the erection of a C3 self-build dwelling and associated amenity space and parking'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development above has been taken from the application form. However, I have removed the words related to the address, in the interest of conciseness.
3. The application was made in outline with only details of access to be determined at this stage. Matters of appearance, landscaping, layout, and scale are reserved for future consideration (the 'reserved matters'). I have considered the appeal proposal on this basis.

Main Issues

4. The main issues are whether the appeal site is suitable for the proposed development having regard to:
 - its effect on the character and appearance of the area; and
 - the Development Plan's strategy for housing including access to services and facilities.

Reasons

Character and appearance

5. The appeal site consists of a paddock located on the south-western side of Sibson Road. The site is bounded by a residential property to the north and fields to the west and south. On the opposite side of the road there is another residential dwelling. The nearby built development sits close to the road and is generally sporadic, intersected by open green fields, which collectively define the semi-rural character and appearance of the area. The appeal site, through its openness and

greenery, reflects the semi-rural setting of the locality and contributes positively to the character and appearance of the area.

6. The proposal, through the removal of part of the existing hedgerow, the creation of a surfaced access, and the erection of a dwelling would result in a ribbon development that would have an urbanising effect. The associated domestic activities and paraphernalia would lead to an intensification in the use of the land, to the detriment of the character and appearance of the surrounding area.
7. I have had regard to the judgement¹ referenced by the appellant regarding limited infilling in the Green Belt context. However, the appeal site is not in Green Belt and given the distance between the appeal site and the neighbouring property to the south, including the size of the separating fields, the proposal does not constitute an infill site.
8. Consequently, the proposed development would harm the character and appearance of the area. Thus, it would be contrary to the aims of Policies S1, S8, and S10 of the Sheepy Neighbourhood Plan (SNP) made May 2022 and Policies DM4 and DM10 of the Site Allocations and Development Management Policies DPD (SADMP) adopted 2016 which collectively seek to safeguard the countryside and respond positively to the character and appearance of the area. I give significant negative weight to this conflict.

Strategy, Services and Facilities

9. The Hinckley & Bosworth Borough Council Settlement Hierarchy Review 2021 outlines the rural settlement hierarchy as defined in the Core Strategy 2009. The appeal site is located in Sheepy Parva, which is a rural hamlet with a low score in terms of services and facilities. Sheepy Parva adjoins Sheepy Magna, which is classified as a rural village, on the B585 road.
10. Regarding housing distribution, Policy S10 of the SNP informs that outside the Sheepy Magna and Sibson Settlement Boundaries, permission for housing development will be limited to certain exceptions. Policy DM4 of the SADMP states that development in the countryside will be considered sustainable where it meets certain criteria. The appeal site does not meet any of the outlined exceptions, thus the proposal is contrary to the development plan's strategy for development.
11. Sheepy Magna has a wider range of facilities and services than Sheepy Parva, including primary school, community hall, public house, mobile/part-time post office, place of worship, indoor/outdoor sports and play, and a reasonable bus service. There is a lit footpath that covers most of the distance from the appeal site to the main built-up area of Sheepy Magna. For some distance along Sibson Road, from the appeal site to the junction with Mill Lane, there are no footpaths or street lighting. However, the road is nevertheless surfaced, in good condition and has reasonably good visibility. I, therefore, foresee few problems with this particular short section of Sibson Road being used as a shared surface by pedestrians, cyclists, vehicles, and other road users.
12. Future occupants of the development would need to access services and facilities beyond those available in Sheepy Parva and Sheepy Magna. However, the National Planning Policy Framework (the Framework) recognises that

¹ Julian Wood v SSCLG & Gravesham Borough Council 2015

opportunities to maximise sustainable transport solutions will vary between urban and rural areas.

13. The nearest bus stop to the appeal site is within a reasonable walking distance from the appeal site. Given the current bus service options, I acknowledge that bus travel would not be convenient for all lifestyles or work/shift patterns. Nonetheless, the existing service would give future residents the choice to use public transport to access higher order facilities beyond Sheepy Parva and Sheepy Magna at reasonable times for an average work/school week. Thus, the bus service coupled with the range of day-to-day facilities available in Sheepy Parva and Sheepy Magna within walking and cycling distance, would give future residents a genuine choice of sustainable modes of transport, which would, in turn, help reduce reliance on private cars.
14. Consequently, given the particularities of the appeal site, I find that the location of the development, with particular regard to access to services and facilities, would be acceptable, as it would have access by a choice of modes of travel. This would promote sustainable patterns of development in accordance with Policy DM17 of the SADMP, and the Framework.
15. In conclusion, for the reasons set out above, the proposal would be contrary to the Development Plan's strategy for housing. Thus, the proposal is contrary to the aims of Policies S1 and S10 of the SNP and Policy DM4 of the SADMP as set out above. However, I give this moderate negative weight in light of my finding that the proposal would be in an acceptable location for access to services and facilities.

Other Matters

16. The appeal site is within proximity to two Grade II listed buildings, namely Barns at Manor Farm and Manor Farmhouse. Section 66(1) of the Act requires that I have special regard to the desirability of preserving the setting of the listed buildings. The Council found the proposal acceptable in terms of its effect on the setting of the listed buildings. Given the evidence before me, and the location of the appeal site in relation to the listed buildings I am also satisfied that the development would have a neutral effect on the setting of the listed buildings.
17. The appellant has drawn my attention to two appeal decisions². I have not been provided with full details of those cases, and it has not been demonstrated that the appeal scheme is directly comparable with those developments. Having read the Inspectors' assessments outlined within the submitted appeal decisions, the scheme before me is different from those developments, mainly because of its scale and the differing relevant policies, particularly those within the SNP. Accordingly, I have considered the proposal based on its own merits and site-specific circumstances, and these decisions do not change my conclusions.

Planning Balance

18. The Council acknowledges that it is unlikely to be able to demonstrate a 5-year supply of deliverable housing sites (5YHLS). In addition, there is a dispute between the parties regarding the Council's position with regard to its supply of self-build dwellings.

² Appeals ref: APP/F2415/W/22/3303898 & APP/K2420/W/24/3348387

19. Due to the housing land supply position paragraph 11 (d) of the Framework is relevant. As such, it is necessary for me to determine whether the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits inherent in providing an additional dwelling to assist the Council in addressing its undersupply.
20. However, paragraph 14 of the Framework states that in situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided that the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made and it contains policies and allocations to meet its identified housing requirement. Given the age of the SNP, and its housing policies and allocations, paragraph 14 of the Framework is applicable here.
21. The proposal seeks the provision of one self-build plot, which has reasonable access to services and facilities, and which would attract some social and economic benefits, albeit small given the scale of the development. One unit would make a minor contribution to meeting the housing requirement of the area, including releasing an existing family home for future generations, and may be built out relatively quickly. However, as it is only for a single dwelling, I give this limited positive weight.
22. In addition, paragraph 73(b) of the Framework supports small sites to come forward for self-build and custom-build housing. Even if I were to accept that there is a clear and significant demand for self-build and custom build plots within the district, given the small scale of the proposal, I can only attach further limited weight to this benefit.
23. The SNP states that the emerging Local Plan identifies Sheepy Magna as a 'Rural Village', where there will be a presumption of a minimum 50 dwellings in each rural village to help maintain services in those settlements. However, any re-drawing of the settlement boundary may not necessarily include this site and so does not provide a strong reason to grant permission.
24. Consequently, the benefits of the proposal do not outweigh the conflict with the SNP having regard to Framework paragraph 14, including the harm that I have found to the character and appearance of the area. Instead, the harm would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the Framework taken as a whole.

Conclusion

25. The development would conflict with the development plan as a whole and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, for the reasons given, the appeal should be dismissed.

Andreea Spataru

INSPECTOR