

# Outline Application

Refuse

David Wilson Homes c/o Harry White & Anthony  
Raymond Shuttlewood  
David Wilson Homes, East Midlands  
Cartwright Way  
Forest Business Park, Bardon Hill  
Leicester  
LE67 1GL



Charnwood Borough Council  
Development Management, Southfield Road,  
Loughborough, Leicestershire, LE11 2TN

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## Details of Application

**APPLICATION NO:** P/21/0491/2  
**PROPOSAL:** Outline planning application for up to 170 dwellings (including affordable housing) with all matters reserved other than access together with associated landscaping and other infrastructure.  
**LOCATION:** Land East of Cossington Road, Sileby, Leicestershire  
**APPLICANT:** David Wilson Homes c/o Harry White & Anthony Raymond Shuttlewood

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**Details of Decision** Please Read All the Information in this Decision Notice.

Charnwood Borough Council has considered this application under the Town and Country Planning Act, 1990, and refuses planning permission for the development described in the submitted documents and on any accompanying plans and drawings.

The reasons for refusal are as follows:

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| 1 | <p>The local planning authority is of the opinion that the proposal would lead to the loss of an Area of Local Separation resulting in a significantly narrowed and reduced actual and perceived gap of open undeveloped land between the villages of Sileby and Cossington contrary to Core Strategy Policy CS11 and the saved policy CT/4 in the adopted Borough of Charnwood Local Plan. The resulting harm would also have a significant harmful impact to the character of the countryside and the separate identities of the villages of Sileby and Cossington which is well documented in Council studies and assessments. This would be contrary to interests of the well established planning policies, and emerging policies in the draft Charnwood Local Plan, to prevent the coalescence and merging of villages in the Soar Valley. This significant adverse impact is considered to significantly and demonstrably outweigh the benefits of allowing the development because of the harmful effect it would have on the purpose and integrity of the Area of Local Separation and would undermine its continuing planning function.</p> <p>To approve the development would be contrary to Policies CS1 and CS11 of Charnwood Core Strategy, 'saved' Policies ST/2, CT/1 and CT/4 of the Charnwood Local Plan, Policies G1 and G2 of Sileby Neighbourhood Plan, and the aims and objectives of the National Planning Policy Framework. In combination these harms are considered to significantly and demonstrably outweigh the benefits of the scheme when taken as a whole.</p> |
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| 2 | The development creates demand for open space, education provision and healthcare services which cannot be met by existing services. Additionally there is a need to secure affordable housing and an appropriate mix of type tenure and size of home in order to ensure that the proposal complies with development plan policy CS3. Notwithstanding the submitted Heads of Terms these matters have not been secured by way of a Section 106 Legal Agreement at this time. Accordingly the development fails to comply with policies CS3 and CS24 of the Development Plan and would lead to significant and demonstrable harm which would outweigh the benefits of the scheme. |
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The following was taken into account when determining this application

1. The Local Planning Authority acted pro-actively through positive engagement with the applicant in an attempt to narrow down the reasons for refusal but fundamental objections could not be overcome. The decision was therefore made in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

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Richard Bennett  
Head of Planning and Regeneration

**17 September 2021**

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**NOTES:** P/21/0491/2

## **Appeals 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 it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.  
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State 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 and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and the Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are here: <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>

## **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 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 interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

## **Resubmissions**

A revised application for similar development may be exempt from a planning fee, if the proposal is the first revision of an application for development of the same character or description on the same site by the same applicant within 12 months of making the earlier application if withdrawn or the date of decision if granted or refused and NOT a duplicate application made by the same applicant within 28 days.