

The Planning Inspectorate

COMMENTS ON CASE (Online Version)

Please note that comments about this case need to be made within the timetable. This can be found in the notification letter sent by the local planning authority or the start date letter. Comments submitted after the deadline may be considered invalid and returned to sender.

Appeal Reference: APP/X2410/W/23/3316574

DETAILS OF THE CASE

Appeal Reference APP/X2410/W/23/3316574

Appeal By DAVID WILSON HOMES EAST MIDLANDS

Site Address
Land off Barkby Road
Queniborough
Leicestershire
LE7 3FB
Grid Ref Easting: 464315
Grid Ref Northing: 312470

SENDER DETAILS

Name COUNCILLOR DANIEL GRIMLEY

Address
14 The Banks
Queniborough
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ABOUT YOUR COMMENTS

In what capacity do you wish to make representations on this case?

- Appellant
- Agent
- Interested Party / Person
- Land Owner
- Rule 6 (6)

What kind of representation are you making?

- Final Comments
- Proof of Evidence
- Statement
- Statement of Common Ground
- Interested Party/Person Correspondence
- Other

YOUR COMMENTS ON THE CASE

For this application the planning department had received around 250 responses from local residents with not one letter of support. Objections have also been received from myself as well as Leicestershire County Councillor James Poland, Local MP Ed Argar, all local Parish and Town Councils, Barkby and Barkby Thorpe Action Group and the Campaign to Protect Rural England.

There are a number of reasons for dismissing the appeal. The most important being the demonstrable harm to the area of local separation in terms of landscape value.

On page 21 of the original Planning Committee Report the professional landscape officer for Charnwood stated the following:

The proposals would erode an essential part of the area of separation and, when taken with previous development in the Area of local Separation, is of the view that the overall integrity of the designation would be compromised such that the impact would be significant and demonstrable and not mitigated by landscaping.

In the Committee Report the Planning Officers had referred refer to an appeal in Sileby and Cossington. The relevant reason for refusal of this application was as follow:

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.

To reiterate page 21 of The Planning Committee Committee Report refferd to a higher degree of harm ie. demonstrable harm rather than the lesser harm for the Cossington appeal. There are clear differences in the level of harm between the two applications.

Regarding the Queniborough Neighbourhood Plan I am somewhat concerned that the Committee Report did not refer to recent separate Legal Advice obtained by Queniborough Parish Council that is again contrary to Charnwood's previous legal opinion from earlier in the year.

Charnwood Planning Committee Members, like myself, who had attended plans training will be aware that Charnwood's previous legal opinion is not a clear cut as officers tried to make out at the committee meeting for the extension to Barley Fields in Queniborough. Officers confirmed that Chanwood's stance was based on one single appeal and they could not demonstrate that this view had been upheld anywhere else in the country. The latest legal opinion that Queniborough Parish Council have obtained is that Charnwood's stance is not valid. Therefore, it should be considered that the Queniborough Neighbourhood plan complies with paragraph 14 of the NPPF.

Traffic is a on Barkby Road is at a demostrable level already. Having visited the majority of the occupied properties on the recently completed Barley Fields development the biggest concern from the residents was the speed and volume traffic of travelling on Barkby Road.

Queniborough and other local primary schools are already over capacity. The Committee Report made reference for 106 monies to go to Queniborough or other local schools. Queniborough School does not have the capacity to expand and nor do other local primary schools. The education authority has failed to identify a local school that can expand to provide places for the additional children. The evidence base for the draft local plan is clear on this point and requires an additional primary school for further development in the area.

The NHS had confirmed that the Syston Medical Centre is already operating at full capacity. The centre itself does have the capacity to expand. The NHS do not identify where the proposed additional medical facilities were to be located.

The proposed application site is not included in Charnwood's draft local plan. Since the Planning Committee's decision to refuse the Planning Application had taken place the Planning Inspectorate Public Hearings for the Draft Local Plan have now been completed and is gathering momentum to its conclusion. The Draft Local Plan should be given more weight that it was at the time of the decision.

In conclusion, Charnwood's professional landscape officer's stated that this development will lead to demonstrable harm to the area of separation which was and still is a valid reason for refusal even. The Cossington Sibley Appeal is not relevant because the reason for refusal there was about significant harm which is a lesser level of harm.

It is also fair to say that the Charnwood Planning Officer's stance on the Queniborough Neighbourhood Plan was shaky at best. It is only based on a single decision and the officers have not sort further expert opinion on the latest legal advice. This shoudl be reviewed as part of the Appeal.