

Appeal Decision

Hearing held on 29 June 2016 Site visit made on 30 June 2016

by Richard Allen B.Sc PGDip MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 08 August 2016

Appeal Ref: APP/F2415/W/16/3144470 Land East of Berry Close, Great Bowden, Leicestershire

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Mr Jonathan Wood (Redrow Homes South Midlands) against the decision of Harborough District Council.
- The application Ref 15/01425/OUT, dated 11 September 2015, was refused by notice dated 3 December 2015.
- The development proposed is outline planning application with means of site access from Berry Close to be determined (all other matters reserved for subsequent approval) for the erection of up to 70 dwellings (Class C3); earthworks, drainage, structural landscaping, formal and informal open space, car parking, site remediation and all other ancillary and enabling works.

Decision

1. The appeal is allowed and planning permission is granted for outline planning application with means of site access from Berry Close to be determined (all other matters reserved for subsequent approval) for the erection of up to 70 dwellings (Class C3); earthworks, drainage, structural landscaping, formal and informal open space, car parking, site remediation and all other ancillary and enabling works at Land East of Berry Close, Great Bowden, Leicestershire in accordance with the terms of the application, Ref 15/01425/OUT, dated 11 September 2015, subject to the conditions set out in the Schedule of Conditions at the end of this Decision.

Preliminary Matter

2. I was informed by the main parties at the Hearing that the copy of the draft Statement of Common Ground (SoCG) dated 27 June 2016 was now the final version. Within it, the main parties agree, amongst other things, that the Council is unable to demonstrate a five-year supply of housing. In accordance with paragraph 49 of the National Planning Policy Framework (the Framework), policies CS1 and CS13 of the Harborough District Local Development Framework Core Strategy 2006-2028, adopted 2011 (Core Strategy); and policy EV/3 of the Harborough District Local Plan 1991-2006, adopted 2001 (Local Plan) insofar as they are relevant to the supply of housing, are out-ofdate. I have taken these matters this into account in reaching my Decision.

Main Issues

- 3. The main issues are:
 - The effect of the proposed development on the character and appearance of the area, with specific regard to whether coalescence would occur between the settlements of Great Bowden and Market Harborough; and
 - Whether the location of the proposed development is acceptable having regard to policies to promote sustainable development, and whether any circumstances exist to justify the proposed development.

Reasons

Policy context

- 4. The development plan for the area comprises the Core Strategy 2011 and the Local Plan 2001. A number of policies from the Local Plan were 'saved' following a direction from the Secretary of State including policy EV/3, which the Council cites in its objection to the proposal.
- 5. Common Ground exists between the main parties that the appeal site is outside of the settlement boundary of Great Bowden. The Framework does not specifically exclude development in such areas. Nowever, in defining core planning principles to underpin plan-making and decision-taking, one of the objectives of paragraph 17 of the Framework states that development "should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in location which are or can be made sustainable"
- 6. As the Council cannot demonstrate a five-year supply of deliverable housing land, paragraph 49 of the Framework dictates that relevant policies for the supply of housing should not be considered up-to-date. In addition to those policies identified above, (also find that Core Strategy policy CS11(b) is out-of-date because it requires development to be directed away from undeveloped land. However, as Core Strategy Policy CS17(c) seeks to protect the character of the countryside rather than restrict development per se, I see no obvious reason why this policy should be considered out-of-date.
- 7. Paragraph 215 of the Framework states that due weight should be given to policies within existing plans according to their degree of consistency with the Framework. The Court of Appeal Judgement for *the Secretary of State for Communities and Local Government v Hopkins Homes Ltd* [2016] EWCA Civ 168, clarifies that weight to be applied to out-of-date policies will vary according to circumstances including, for example and in relevance to this appeal, the particular purpose of the restrictive policy such as the protection of a gap between settlements.
- 8. Core Policy CS1(h) states that sustainable growth must "safeguard the individual character of settlements by maintaining in principle the separation between Great Bowden and Market Harborough". Core Policy CS13(f) states that "the principle of a separation area between Great Bowden and Market Harborough will be maintained...to ensure the retention of identity and distinctiveness of neighbouring settlements". The policies do not necessarily restrict development in such areas, and the main parties agree that due weight can therefore be afforded to these policies, and I have no reason to disagree.

9. Local Plan policy EV/3 however specifically designates the appeal site, and the wider land surrounding Great Bowden, as an 'Area of Separation'. It states that "the District Council will refuse planning permission for development that would adversely affect the predominately open character of the land, or results in a reduction in the existing open land separating the settlements concerned". This policy takes more of robust line to policies in the Core Strategy and in doing so, limits the ability to take a balanced approach to development in such areas. I find the policy is not consistent with the Framework which seeks to boost significantly the supply of housing. In that context, the weight that I attach to policy EV/3 is reduced substantially in this regard.

Effect on Character, appearance and coalescence

- 10. The appeal site is agricultural land located immediately behind and to the east houses which front Station Road and Berry Close, and behind and to the south of houses in Knights End Road and Horse Shoe Lane. The site's boundaries are predominately hedge and tree planted giving the site a somewhat enclosed feel. A Public Right of Way footpath (Ref: A54) delineates through the site.
- 11. Great Bowden and Market Harborough retain independent identities. The southern end of Great Bowden is physically and visually divorced from Market Harborough by a railway line, and also by open and undeveloped land which wraps around on both sides of the village. This separating land taken as a whole has a vital function in ensuring the identities of each settlement are retained. I observed and appreciated the contribution the appeal site plays in retaining the openness and preventing coalescence.
- 12. The Council's Market Harborough Landscape Character Assessment and Landscape Capacity Study 2009, (LCS) which undertook a sensitivity appraisal for the appeal site (identified as 'Site 11'), states that the appeal site has a 'medium' landscape capacity for development, which is the midpoint range. By comparison, the land to the south and west of the appeal site, which physically adjoins the settlement boundary of Market Harborough, is considered to have a 'low' or 'medium low' landscape capacity, thus more sensitive to development. The LCS also identifies the appeal site as having a 'moderate' impact from development on coalescence, again the midpoint range of harm, such that it would not cause complete coalescence or a significantly compromise separation.
- 13. The proposed development would undeniably erode elements of the functioning space between Great Bowden and Market Harborough. In doing so, it would increase the size of Great Bowden and extend the settlement edge further towards Market Harborough particularly towards the industrial estate to the south east of the appeal site, although it would align with the current eastern, and the southern extents of the village. Nevertheless this would lead to harm to the character and appearance of the area.
- 14. However, the appeal site does not itself adjoin the settlement boundary of Market Harborough, and as such the proposed development would not physically unify the two settlements. The actual intervening land between Great Bowden and Market Harborough would continue to exist, and would ensure that the two settlement identities would remain clear and distinguishable from one another. Taken with the site's relatively enclosed nature, I am satisfied that the level of harm on coalescence would not be

significant. It would instead be moderate. I therefore concur with the findings in the LCS.

- 15. The Council states that LCS is not, and was never intended to be a blueprint for identification or promotion of sites for development. Indeed my attention is drawn to the Council's Area of Separation Review document (2011) in which its policy position states that any development on Parcel B (the appeal site and adjacent land to the south and east) would threaten the separation of the settlements. However, I was told at the Hearing that this document is itself under review; nevertheless I find the approach rather one dimensional, because it adopts a more prohibitive and unbalanced approach to development consistent with Local Plan policy EV/3, which I have already found to be inconsistent with the Framework. Accordingly I have afforded the document with little weight in my Decision.
- 16. Matters relating to the appearance, scale, siting and landscaping of the proposed development are reserved for future consideration. Nevertheless the main parties agree that the significant landscape and visual effects caused by the proposed development would be limited to within sites boundaries and from 175m east of the appeal site, as well as visual effects from Berry Close, and particularly in winter months when the dwellings would be more visible. Elsewhere, there would be no significant landscape effects, or visual effects from medium and long range viewpoints. I am satisfied that these effects would be predominately localised. I am also satisfied that the proposed landscaping measures, notably the substantial landscaped and tree buffer area on the site's eastern and south eastern edges where it adjoins the open countryside, would go some way to minimising these localised harmful effects and would ensure the proposed scheme would sensitively adjoin neighbouring open countryside land.
- 17. I acknowledge a development of this size would somewhat contrast with the urban grain and the established pattern of the village, which has evidently grown organically. However, this would be an inevitable consequence of any new development such as this, and it is not as a matter of principle a reason to dismiss the scheme out of hand. In any event, I do not find that the proposed scheme would necessarily contrast unfavourably with pattern of surrounding development to cause significant harm to its character.
- 18. Therefore on the first main issue, I find that the proposed development would reduce and therefore would not maintain as existing, the separation space between Great Bowden and Market Harborough and a degree of coalescence would occur. It would amount to environmental harm and would therefore conflict with Core Strategy policies CS1(h) and CS13(f) which I have set out in more detail above. However for the reasons I have identified above, I find the level of harm would not be significant but moderate. Because the scheme would be well landscaped and would sensitively assimilate into its surroundings, I find no conflict with Core Strategy policy CS17(c), which I have also discussed above.

Location, and whether any circumstances exist to justify development

19. Although the site lies beyond the settlement boundary of Great Bowden, the main parties agree that the appeal site is conveniently and sustainably located in terms of its proximity and access to local services and facilities. It is also well served by public transport, with a bus stop located 100m from the appeal

site which two bus services operate from, with a third operating from a bus stop located 380m to the south. Market Harborough railway station lies to the south and provides frequent and direct services to London and Leicester. Having also regard to its proximity to the Great Bowden village boundary, I agree with the main parties that the proposed development would be sustainable development in this regard.

- 20. Paragraph 47 of the Framework seeks to boost significantly the supply of housing. It requires local planning authorities to meet the full objectively assessed needs for market and affordable housing in the housing market area. Core Strategy policy CS1 requires housing to be delivered at a rate of 350 dwellings per annum (dpa). However it is common ground that the Council is currently seeking a higher delivery rate of housing of 475 dpa and furthermore, this figure will likely rise again in the near future as options for the forthcoming Local Plan will seek a provision of 550 dpa.
- 21. The increasing demand for housing, taken with the absence of a five-year housing land supply, adds considerable weight for the need for the proposed development. Furthermore, the proposed development would provide a not inconsiderable 40% of the total number of dwellings as affordable houses, which I was informed at the Hearing is in very short supply in the area. I also acknowledge that the proposed development would likely contribute towards the viability and vitality of local shops and services in the village as well generate employment opportunities through its construction.
- 22. I find therefore on the second main issue that its sustainable location, and the delivery of market and affordable housing would amount to considerable social and economic benefits from the proposed development, which would also make a significant and necessary contribution towards the Council's five-year housing land supply.

Other Matters

- 23. Concerns have been raised by residents in respect to the effect caused from the construction and operation traffic that would be generated by the proposed development on the safety and traffic levels on the local highway network, that there is insufficient capacity to absorb it particularly around the school start and finish times. I observed the village traffic in the early morning period at school opening time. I did not witness any obvious issues or problems at my site visit; however that is not to cast doubt on residents' views and experiences. Nevertheless the appellant's Transport Assessment indicates that no significant harm would occur, and the Council has not raised this as an issue. In the absence of evidence to the contrary, I find the proposed development would not have a significantly harmful effect on the road network, and construction traffic matters can be controlled by planning condition.
- 24. My attention has been drawn to a forthcoming Neighbourhood Plan for Great Bowden which, I was told at the Hearing, will identify suitable sites for housing. It is common ground between the main parties that little weight should be applied to the Plan as its progress remains in its infancy and has yet to be externally examined. I must agree with the main parties in this instance, and determine the appeal on its merits and on the current Local Plan and Core Strategy policies. I do not agree that my overall conclusions would however set a precedent for future development, as each case is judged on its merits.

Planning Balance

- 25. Paragraph 14 of the Framework states that a presumption in favour of sustainable development lies at the heart of the Framework. Where the development plan is out-of-date, permission should be granted for development unless any adverse impacts of doing so would be significantly and demonstrably outweighed by the benefits when assessed against the policies of the Framework taken as a whole.
- 26. The appeal site positively contributes to the overall important open space which separates and maintains the settlement identities of Great Bowden and Market Harborough. The proposed development would encroach into the countryside and erode a portion of the separating space. This would amount to a level of harm, and the proposed development would not accord with Core Strategy policies CS1(h) and CS13(f). However, it would not lead to the complete coalescence or a significant erosion of the space between Great Bowden and Market Harborough, and the separate identities of the settlements would remain. I am satisfied that the scheme would not appear wholly incongruous with the settlement pattern of Great Bowden, and would be considerably and sensitively landscaped to ensure no significant harm to the appearance of the village and the open countryside, and that it would accord with Core Strategy policy CS17(c). I find that the proposed development would have a moderate level of environmental harm on the character and appearance of the area.
- 27. The proposed development would be sustainably and conveniently located to local services and facilities and public transport. It would provide much needed market and affordable housing and in doing so, would significantly boost the supply of housing and contribute towards the Council's five-year housing land supply. It would also offer palpable social and economic benefits, all of which which weigh heavily in the scheme's favour.
- 28. In applying the balancing exercise required by paragraph 14 of the Framework, I find that the significant social and economic benefits of the proposed development would not be capable of being significantly and demonstrably outweighed by the moderate environmental harm that I have identified. I therefore find that for these reasons the balance lies in favour of the proposed development.
- 29. In taking this decision, I have had regard to a previous appeal Decision for this site, (*Ref: APP/F2415/A/10/2128267 for residential development, estate road and open space*). Here, the Inspector in dismissing the appeal found that the proposed development would diminish the sense of separation, and increase the tendency towards coalescence. While additional landscaping would help to limit the impact, it would not in his judgement adequately compensate for the loss of openness.
- 30. I do not consider that my views are inconsistent with the previous Inspector in this respect. However, I find that the appeal before me differs considerably from the previous scheme. The scheme before the previous Inspector concerned only the southern portion of the appeal site, and the Inspector voiced concerns that the scheme would have resulted in a staggered and unsympathetic urban edge on which countryside land would have been sandwiched between two areas of urban development to the north and south. This would not be the case here, it would not appear as awkwardly juxtaposed

as the previous scheme, and in my judgement the harm would not be as severe in this context.

- 31. Moreover, the previous Inspector's balancing exercise on housing supply rested on national policy as it existed then, (PPS3) and which predated the Framework's requirement to significantly boost the supply of housing. As is the case now, the Council was unable to demonstrate a five-year supply of housing. However the Inspector had only needed to 'look favourably' on housing proposals in such circumstances, and on this test, he found the harm from the scheme outweighed those benefits. I on the other hand must have regard to the Framework's requirements set out in paragraphs 47, 49 and 14, which in my judgement requires a significantly different balancing exercise be undertaken, and one in which a greater emphasis on housing delivery is required.
- 32. I therefore find the circumstances before me are materially different to the previous appeal, and sufficient for me to reach a different conclusion. This equally applies to previous appeals on the site from 1988, 1990 and 1997. I have also had regard to other referenced appeal Decisions for other areas, however the specific details of these cases are not before me. In any event, I have determined the appeal solely on the evidence before me.

Conditions

- 33. The main parties have agreed upon the conditions that should be applied in the event of the appeal being allowed. I have considered them against paragraph 206 of the Framework, and made changes necessary to comply with those requirements.
- 34. I have specified the approved plans for the avoidance of doubt and in the interests of proper planning. Although in outline form only with layout a reserved matter, I nonetheless find compliance with drawing 4571_003_F is necessary in the interests of ensuring the appearance of the development would be satisfactory, and this negates the need for a separate condition for this purpose. Conditions relating specific details of landscaping, boundary treatments, planting, materials to be submitted and the storage of refuse and recycle bins are necessary to ensure the appearance of the development would be satisfactory. However, I have removed some of the specific requirements suggested by the main parties (such as details of sports facilities, allotments etc) as they are either unnecessary or covered by the wording of the condition in any event.
- 35. Conditions requiring the submission of a construction method statement and to ensure roads and footways are constructed in a timely manner are necessary to minimise the effects of the proposed development on living conditions of occupiers of future and existing properties or disruption to the local highway network. Conditions relating to biodiversity and ecology are necessary in the interests of sustainable development and ensuring there would be no undue effects on wildlife. A condition requiring details of surface water drainage is necessary to ensure the development is adequately drained. Conditions relating to the improvement of the footpath are necessary to ensure that it is retained and improved to an adequate standard, although a separate planting condition is not necessary as this is already set out. Land contamination conditions are necessary to ensure any contaminants are adequately remediated in the interests of public health. However it is not necessary to list

the standards required for each report or investigation as I find this would be apparent to the appellant, and in any event the quality of the report and its ability to be discharged would be in the Council's control.

36. As foul sewage is controlled by other legislation, and in the absence of any specific planning reason for the need for the Council to approve such matters, I find the suggested condition is not necessary. The main parties agreed at the Hearing and in response to my questions that suggested conditions relating to the route of the public footpath and a signage and waymarking scheme were unnecessary and should be deleted. I agree.

Legal Agreement

- 37. A signed copy of a Legal Agreement is before me, in which the Council and appellant are agreed that the proposed development facilities a requirement for provision for affordable housing, and for financial contributions to be made towards local services and facilities to include, amongst other things, education, health, libraries, policing, community and civic facilities, bus passes cemeteries and monitoring costs. The main parties agree that the requests are complaint with paragraphs 122 and 123 of the CIL Regulations.
- 38. Paragraph 204 of the Framework states that requests for planning obligations must be: (i) necessary to make the development acceptable in planning terms; (ii) directly related to the development; and (iii) fairly and reasonably relate in scale and kind to the development. In light of the evidence before me, which includes justification from Leicestershire County Council, I am satisfied the requests made and their intended purposes are wholly justified, and that they meet all three tests and are CIL complaint.

Conclusion

39. For the reasons given above reached that the appeal should be allowed.

R Allen

INSPECTOR

zichor

SCHEDULE OF CONDITIONS

- 1) Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- The development hereby permitted shall be carried out in accordance with the following approved plans: 4571_004_B; 4751_003_F; 4751_005_A; C85141-F-008A; C85141-SK-101C; C85141-F-008a; C85141-SK-004a; and C85141-F-009a.
- 5) The layout and landscaping details to be submitted in accordance with Condition 1 shall include details of existing and proposed levels of the site and the finished ground floor levels of dwellings, garages and other structures. The development shall thereafter be implemented in accordance with these approved details.
- 6) The landscaping details to be submitted in accordance with Condition 1 shall include details of the position and design (dimensions and materials) of all boundary and surface treatments (including details of paths, driveways and all public areas). The boundary and surface treatments shall be provided to each dwelling before that dwelling is first occupied, or in accordance with an approved phasing plan.
- 7) The landscaping details to be submitted in accordance with Condition 1 shall also include a Candscape Management Plan which shall detail the specification, the timing of the completion of and the arrangements for the management and maintenance of all areas of informal and formal open space to be included within the development which shall thereafter be implemented in accordance with these details.
- 8) In the first planting season following the commencement of development the Proposed Advance Planting Plan 4571_005_A will be implemented and subsequently maintained.
- 9) The external appearance details to be submitted in accordance with Condition 1 shall include details of the materials to be used externally in the construction of dwellings and other buildings (all bricks, tiles, including ridge tiles, render types and colours, garage door and other doors, windows, sills and lintels, corbel/dentil/string course brickwork, rainwater goods, porch canopies, bargeboards, fascias, soffits, finials and other external materials). Thereafter, the development shall be implemented in accordance with these approved details.
- 10) No development shall commence on site until details of storage facilities for refuse and recycling materials (wheelie bins) have been submitted to the Local Planning Authority for approval in writing. The storage facilities shall be provided for each dwelling in accordance with these approved

details before that dwelling is first occupied and, thereafter, shall be retained as such in perpetuity.

- 11) No development shall commence on site (including any site clearance/preparation works), until a Construction Method Statement has been submitted to the Local Planning Authority for approval in writing. Details shall provide the following, which shall be adhered to throughout the construction period.
 - the parking of vehicles of site operatives and visitors;
 - loading and unloading of plant and materials;
 - storage of oils, fuels, chemicals, plant and materials used in constructing the development;
 - the erection and maintenance of security hoarding, including any decorative displays and facilities for public viewing;
 - wheel washing facilities and road cleaning arrangements;
 - measures to control the emission of dust and dirt during construction;
 - a scheme for recycling/disposing of waste resulting from site preparation and construction works;
 - measures for the protection of the natural environment;
 - hours of work on site, including deliveries and removal of materials;
 - full details of any piling technique to be employed, if relevant;
 - location of temporary buildings and associated generators, compounds, structures and enclosures; and
 - routeing of construction traffic.
- 12) The layout matter to be submitted in accordance with Condition 1 shall demonstrate accordance with the design standards of the Leicestershire County Council Highway Authority (as contained in its current design standards document; The 6Cs Design Guide). Such details must include parking and turning facilities, access widths, gradients, surfacing, and visibility splays. Development shall be carried out in accordance with these approved details.
- 13) Before the occupation of any dwelling, the footway and footpath works illustrated on drawing numbered C85141-F-009a on the site shall be constructed, completed and open for use.
- 14) The development hereby approved shall be undertaken in accordance with the recommendations contained within Section 5.0 of the Ecological Appraisal Report prepared by LDA Design, dated September 2015.
- 15) No development shall commence on site until a Biodiversity Management Plan has been submitted to the Local Planning Authority for approval in writing and thereafter the development shall be implemented in accordance with these details.
- 16) The development hereby approved shall be undertaken in accordance with the recommendation contained within Section 7.0 of the Arboricultural Impact Assessment, prepared by Tim Pursey, dated 7 September 2015.

- 17) No development shall take place until such time as a surface water drainage scheme including details of a tank and anti-flotation system has been submitted to the Local Planning Authority for approval in writing. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing and phasing arrangements embodied within the scheme.
- 18) The Public Right of Way (Ref: A54) which delineates through the development site to the junction with the footway on Station Road between the house nos. 34 and 38/40 Station Road, shall be improved with a 2 metre wide all-weather sealed surface in line with the aforementioned County Council's/6Cs Design Guide standards, details of which must be submitted to the Local Planning Authority for approval in writing.
- 19) No development shall commence on site until a Remedial Scheme and a Verification Plan pursuant to the works recommended in the Phase II Site Appraisal, prepared by GRM Development Solutions Ltd dated July 2015, have been submitted to the Local Planning Authority for approval in writing. Measures agreed shall be carried out in accordance with those approved details.
- 20) If, during the course of development, previously unidentified contamination is discovered, development must cease on that part of the site and it must be reported in writing to the Local Planning Authority within 10 working days. Prior to the recommencement of development on that part of the site, a Risk Based Land Contamination Assessment for the discovered contamination (to include any required amendments to the Remedial Scheme and Verification Plan) must be submitted to the Local Planning Authority for approval in writing.
- 21) Prior to occupation of any part of the completed development, a Verification Investigation shall be undertaken in line with the agreed Verification Plan for any works outlined in the Remedial Scheme relevant to either the whole development or that part of the development. Prior to occupation of any part of the completed development, a report showing the findings of the Verification Investigation shall be submitted to the Local Planning Authority for approval in writing.

APPEARANCES

FOR THE APPELLANT:

Mr H Flanagan Ms K Ventham Mr R Crow Ms N Longland Mr J Wood Of Counsel Planning Consultant Planning Consultant Landscape Consultant Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Ms T Osmund-Smith Ms N Parry Mr S Pointer Mr J Billingsley Mr A Tyrer Of Counsel Planning Officer Planning Policy Manager Landscape Consultant Planning Officer Leicestershire County Council

DOCUMENTS SUBMITTED AT THE HEARING

- 1. Letter of notification of the date, time and venue for the Hearing.
- 2. Copy of a signed S.106 Legal Agreement
- Copies of revised photomontages of Viewpoint 8 drawing nos 4751_PM_08_YR01 and 4751_PM_08_YR10
- 4. Update note for the appeal submitted by Ms Kathryn Ventham up to paragraph 2.12 only, with other paragraphs to be disregarded, and a copy of the Court of Appeal Judgement Secretary of State for Communities and Local Government v Hopkins Homes Ltd [2016] EWCA Civ 168.
- 5. Additional documentation submitted by the appellant containing the 2001 Harborough District Council Local Plan; Inspectors Report on Objections EV3 and EV4; and Excerpts of Market Harborough Landscape Character Assessment (April 2009).
- 6. Copy of an unnumbered indicative layout drawing which is dated 21 August 2015.