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## Appeal Decisions

Site visit made on 16 July 2020

**by D H Brier BA MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 17 August 2020**

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### **Appeals by Dr A Moody**

**Heather Bank, Holdworth Lane, Holdworth, Bradfield, Sheffield S6 6LL**

- The appeals are made under sections 78 and 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against the refusal by Sheffield City Council to: grant 3 certificates of lawful use or development (LDCs); AND the refusal to grant planning permission under section 73 of the 1990 Act for the development of land without complying with conditions subject to which a previous planning permission was granted.
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### **Section 195 Appeal A Ref: APP/J4423/X/20/3244252**

- The application Ref 19/02100/LD2, dated 30 May 2019, was refused by notice dated 10 December 2019.
  - The application was made under section 192(1)(b) of the Town and Country Planning Act 1990 as amended.
  - The development for which a certificate of lawful use or development is sought is 2 single storey side extensions and one rear extension.
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### **Section 195 Appeal B Ref: APP/J4423/X/20/3244254**

- The application Ref 19/02101/LD2, dated 30 May 2019, was refused by notice dated 9 December 2019.
  - The application was made under section 192(1)(b) of the Town and Country Planning Act 1990 as amended.
  - The development for which a certificate of lawful use or development is sought is 2 single storey side extensions and one rear extension.
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### **Section 195 Appeal C Ref: APP/J4423/X/20/3244255**

- The application Ref 19/02102/LD2, dated 30 May 2019, was refused by notice dated 9 December 2019.
  - The application was made under section 192(1)(b) of the Town and Country Planning Act 1990 as amended.
  - The development for which a certificate of lawful use or development is sought is 2 single storey side extensions.
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### **Section 78 Appeal D Ref: APP/J4423/W/19/3243801**

- The application sought planning permission for demolition of existing dwellinghouse and erection of new replacement dwellinghouse without complying with a condition attached to planning permission Ref 19/00771/FUL, dated 18 June 2019.

- The application Ref 19/02406/FUL, dated 30 June 2019, was refused by notice dated 28 October 2019.
  - The condition in dispute is No.4 which states that:  
*"Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015, Schedule 2, Part 1 (Classes A to D inclusive), Part 2 (Class A), or any Order revoking or re-enacting that Order, no extensions, porches, enclosures, fences, walls or alterations which materially affect the external appearance of the dwellinghouse shall be constructed without prior planning permission being obtained from the Local Planning Authority."*
  - The reason given for the condition is:  
*"In the interests of protecting the open character of the site given the location of the building in the Green Belt."*
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## **Decisions**

1. The appeals are dismissed.

## **Preliminary Matters**

### *Applications for Costs*

2. Applications for costs have been made by Dr A Moody against Sheffield City Council. These applications are the subject of separate Decisions.

### *Appeals A, B and C – Representations by Interested Persons*

3. A number of objections have been made by to the proposals that are the subject of Appeals A, B and C by interested persons. The concerns raised, however, are essentially directed at the planning merits of the schemes in question. As such considerations do not bear upon the question of lawfulness, I am unable to attach weight to the views expressed .

## **The Appeals Site**

4. The appeals site is in an elevated position on the north side of the Loxley Valley. It lies within the Green Belt and an Area of High Landscape Value (AHLV). The site is located well away from Holdworth Lane, from which it is separated by fields, and is served by an unmade access track that runs uphill from the lane in a generally north-easterly direction.
5. 'Heather Bank' is an oblong shaped single storey detached dwelling with a south facing aspect. It has timber walls and a corrugated metal roof and according to the parties, was built in the 1920s. The dwelling, as it now appears, is some 15.5m long and 5m deep. Referring to Ordnance Survey Maps from 1931 and 1951, the Council acknowledge that the length of the building was once 31m, as the appellant indicates. In this respect, I have read that an 8m section of the eastern part of the building was demolished in 2010, and its length was reduced by a further 7.5m in 2018; presumably because of this, the structure has no eastern gable end wall.
6. Near the eastern edge of the site is a large detached stone outbuilding, but apart from a small structure, seemingly housing services, just to the south of 'Heather Bank', no other buildings were apparent on the land. A good deal of the land in the immediate vicinity of 'Heather Bank' has a more or less level surface and this part of the site is separated from rising land to the north by a stone retaining that extends westward from the outbuilding more or less in line

with its rear wall. This wall is some 7m to 9m away from the dwelling and the land on which the demolished parts of it previously stood. On the slope above this wall is another wall which traverses across part of the higher ground. The site's northern boundary is flanked by a public footpath, alongside which is a close boarded fence.

### Site History

7. Both parties have outlined the site's planning history. Of particular note insofar as the current appeals are concerned are:
  - A response by the Council dated 17 September 2017 to a pre-application enquiry indicating that side and rear extensions to 'Heather Bank' would be permitted development (ref.17/03750/PREAPP).
  - Erection of dwellinghouse to replace original (ref.18/00107/FUL) An appeal under section 78 of the 1990 Act against the non-determination of this application was allowed by decision dated 19 December 2018 (ref. APP/J4423/W/18/3208670). Following a successful High Court Challenge by the Council, this decision was quashed and, upon redetermination, the appeal was dismissed on 1 November 2019.
  - Planning permission for the demolition of existing dwellinghouse and the erection of a replacement dwellinghouse, granted on 18 June 2019 (ref. 19/00771/FUL).
  - Application under section 191 for a LDC for a detached garage refused on 8 July 2019 (ref. 18/04769/LU1) and allowed on appeal on 12 February 2020 (ref. APP/J4423/X/19/3234000).
  - Determination by the Council that prior approval was not required for a rear extension, issued on 5 August 2019 (ref. 19/02299/HPN).

### The LDC Application Proposals

8. The 3 proposals in question tend to reflect the history of 'Heather Bank' and the changes brought about by the demolition work that has been carried out. The main features of each are:
  - **Appeal A** – Single storey extensions to the building as it has stood since December 2018 (15.5m in length). 7.75m wide by 9m deep additions on the west and east sides of the building, and a 15.5m wide by 4m deep addition at the rear.
  - **Appeal B** - Single storey extensions to the building as it stood from 2010 until December 2018 (23m in length). An 11.5m wide by 9m deep addition on the west side of the building; a 11m wide by 9m deep addition on its east side; and 4m deep addition in 3 sections at the rear. The resultant building would be 45m long. This scheme would involve the 7.5m 'demolished' section of the building being reinstated – this is annotated 'repaired' on the application drawing – and added to.
  - **Appeal C** - 2 single storey extensions to the building as it stood 'from 1920' until 2010 (31m in length). A 4m deep addition 31m long at the rear, and 15.5m by 9m addition on the west side of the building. This

would entail the reinstatement of the demolished 15.5m sections of the building on the east side of the existing structure.

## **Section 195 Appeals A, B & C**

### ***Preamble***

9. The question of lawfulness is distinct from any planning merits. The Courts have held that the onus on proving this lies with the appellant.
10. The nub of the appellant's case is that the proposed schemes would be lawful in that they all constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO). Before dealing with this, however, it is opportune for me to address refusal reason 2 which is common to all 3 LDC applications.
11. This reason focuses upon the implications for Schedule 2, Part 1, Class A of the perceived poor structural condition of 'Heather Bank'. I acknowledge that this is a matter that has already been commented upon by other Inspectors, and signs of deterioration, together with the absence of an eastern gable end, were readily discernible to me when I carried out my site inspection. That said, it is not suggested or claimed that 'Heather Bank' is anything other than a dwellinghouse at present.
12. It may be that the work involved in implementing the proposals could have deleterious consequences for the structural integrity of 'Heather Bank' to the extent that substantial rebuilding operations, or even a complete rebuild, besides the works indicated in the proposals, would be necessitated. Furthermore, it is not inconceivable that such works could lie outside the ambit of the GPDO, as the cases cited by the Council in this respect indicate. Be that as it may, Part 1 Class A of the GPDO makes no reference to either the structural condition of the host building, or the possible consequences of proposed works.
13. However well-founded the Council's concerns may be, they are not, in my view, sufficient to demonstrate that the proposals in question fall outside the ambit of permitted development set out in Schedule 2, Part 1, Class A of the GPDO. Accordingly, therefore, this is not a consideration to which I am inclined to weight in this instance.

### ***Main Issue***

14. I consider the main issue is whether the development proposed would be within the curtilage of 'Heather Bank'.
15. Refusal reason 1, common to all 3 LDC applications, is that the proposed additions at the rear of 'Heather Bank' and on its western side would encroach onto land that does not form part of the established residential curtilage of the dwellinghouse.
16. The appellant contends that the curtilage of 'Heather Bank' is an area about 0.4ha in extent, lying between the public footpath that runs to the north of the dwelling and the western, southern and eastern boundaries of the property.

17. There is no authoritative or precise definition of the term 'curtilage' in planning legislation. It does not apply to the use of land as such; rather it concerns the relationship of land to a building. Pointing to the definition in 'Permitted Development Rights for Householders - Technical Guidance', the appellant submits that the area he identifies is, "*land which forms part and parcel with the house*", "*the area of land within which the house sits*", and the land "*to which it is attached*". Reference is also made to the judgement in *Sinclair-Lockhart's Trustees v Central Land Board* [1950] 1 P&CR 195, where it was held that "*It is enough that it serves the purpose of the house or building in some necessary or reasonably useful way*".
18. Referring to an appeal decision which reviewed the current case law regarding curtilage<sup>1</sup>, mention is also made of *Methuen-Campbell v Walters* [1979] 1 QB 525 (CA) which found that for land to fall within the curtilage of a building or other land there must be an intimate association. And, in *Dyer v Dorset CC* [1988] 3 WLR 213 it was held that curtilage is a small area forming part and parcel with the house or building which it contained or to which it was attached. In that context, Nourse LJ commented that the kind of ground most usually attached to a dwelling house is a garden.
19. Another relevant judgement is *McAlpine v SSE* [1995] JPL B43 which indicated, amongst other things, that curtilage is a small area about a building, that curtilage land must be intimately associated with the building, and that the size of the area of ground is a matter of fact and degree. *Burford v SSCLG* [2017] EWHC 1493 (Admin), which appellant mentions, gave relatively short shrift to the concept of smallness but, as acknowledged in that judgement, this was in the context of the particular case involved. Moreover, the Judge observed that "*Whether something falls within a curtilage is a question of fact and degree and thus primarily a matter for the decision-maker*"<sup>2</sup>.
20. While these judgements identify factors to be taken into account in assessing the extent or otherwise of curtilage, it seems to me that much still depends upon the application of these considerations to the particular site specific circumstances involved. Indeed, the *Burford* judgment notes "*It was for the Inspector to decide what weight should be given to each of the relevant factors.*"<sup>3</sup>
21. The Council have not indicated what they believe the extent of the curtilage to be, but each Officer report refers to the proposed additions at the rear of the dwelling being "*partially built into the site's northern embankment*" which, as the report on the Appeal B scheme goes on to say, "*rises above behind the building*".
22. The remarks concerning the site's topography contained in the Officer reports have not been questioned by the appellant. But, instead of taking up some of the rising land mentioned in the reports, I saw that the land where the rear extension is proposed is now part of a deeper relatively flat area between 'Heather Bank' and the retaining wall referred to in paragraph 6 above. Judging by the description of the site recorded by an Inspector who visited it on 30 September 2019, the lie of the land appears to have been in this state then,

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<sup>1</sup> Appeal Decision ref APP/Z4718/X/16/3163422 dated 12 May 2019

<sup>2</sup> Paragraph 46

<sup>3</sup> Ibid.

but whether the levels were changed during the preceding months after the LDC application was made is not clear. What is more apparent is that the nature of the land is very different from what is shown on the 2 aerial photographs from 2018 submitted by the respective parties.

23. While these photographs offer little assistance insofar as levels are concerned, most, if not all, of the trees between the rear of 'Heather Bank' and the site's northern boundary that can be discerned on them have now been removed. This, coupled with the probability that the land levels have been altered, makes forming a view on the extent of the site's curtilage when the LDC applications were submitted somewhat difficult. That said, evidence about the land in the past helps to shed some light on the matter.
24. This evidence is not extensive, but my attention has been drawn to information supplied to the appellant by the daughter of the previous occupier of 'Heather Bank' who indicates that her late parents lived there between 1957 and 2016. She refers to land adjacent to the house having been used as a garden and the land "*below the footpath*" having been used for "*garden/storage/farming implements*".
25. I accept that these comments point to a relationship of sorts between 'Heather Bank' and parts at least of the appeal site. But, whether the whole of the land as opposed to parts of it, was used as garden is not elaborated upon. Having read that the daughter's father was a farmer, it may well be that items associated with agriculture were stored on the land, but it is not clear just what this entailed or exactly where it occurred. The presence of domestic paraphernalia within the site is also commented upon in the appeal decision dated 1 November 2019<sup>4</sup>, but what this comprised, how much there was, and just where it was is not stated.
26. As to the Council's concern about encroachment into the surrounding woodland (much of which is no longer there), the appellant's assertion that this characteristic is a recent feature, has not been challenged. Nor have the findings of an ecological survey submitted with planning application ref. 18/00107 which concluded that there were no mature trees on the site and those immediately surrounding 'Heather Bank' were largely immature or semi-mature.
27. A photograph said to date from 1931 is not particularly distinct and looks to have been taken some way away from the site, but whereas some large trees can be seen in the photograph's background, none are apparent in the vicinity of 'Heather Bank'. I accept that this evidence tends to back up the appellant's assertion, but it offers scant insight into the actual nature of the appeals site at that time. It falls well short of demonstrating that the land identified by the appellant constituted part of the curtilage of 'Heather Bank' then.
28. The appellant also refers to Ordnance Survey maps from 1934 and 1951 which show the dwelling in the midst of a larger area of rough pasture<sup>5</sup>. This tends to confirm the absence of woodland on the site in the past, but I do not consider this evidence adds much weight to the appellant's case. Rough pasture is not something that I would normally equate with land used as a garden or any

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<sup>4</sup> Appeal Decision ref APP/J4423/W/18/3208670 dated 1 November 2019, paragraph 8.

<sup>5</sup> Only the 1934 map has been submitted – in Appendix 1 to his appeal statement, the appellant notes that the rough pasture is replicated on the 1951 map.

other activity intimately associated with, or related to, the residential use of a dwellinghouse. If anything, this evidence tends to impart a large element of uncertainty into the claimed nature of the relationship between 'Heather Bank' and the appeals site as a whole.

29. The other evidence regarding the land prior to the submission of the LDC applications is in the form of sets of aerial photographs of the site at various dates between 1995 and 2018. The 1995 photograph shows what appears to be a lawn in front of 'Heather Bank', that is on its south side, and what may be the greenhouse referred to in the accompanying caption. To the east of 'Heather Bank', a tractor and a car can be discerned, together with a number of indistinct items that could well represent some form of storage, and what appear to be several outbuildings.
30. Possibly because the photograph appears to have been taken at an angle, the land immediately to the rear of 'Heather Bank' looks to be in shadow. This makes it very difficult to identify anything that may have been there with any degree of certainty. But, beyond the shadow there is what looks like a small shed, said to be a potting shed, the position of which seems to accord with a feature indicated on the topographical survey drawing submitted by the appellant, plus a relatively slender vertical feature that may be what the appellant refers to as a telegraph pole used to supply electricity to the dwelling.
31. While the provision of services such as electricity to a dwelling may well require associated equipment such as wooden posts to carry the wires, I am not satisfied that it necessarily follows the land upon which such items have been placed constitutes the curtilage of that dwelling. A feature such as a potting shed though, is more likely to have had a closer association with a dwelling. However, in this instance, it is not at all clear whether this structure was an isolated entity, or whether it formed part a larger area of land intimately associated with 'Heather Bank'.
32. The rest of the area to the north of the dwelling looks to be taken up by trees; I am unable to identify anything here that resembles the more noticeable features to the south and east of the dwelling. A small area immediately to the west of 'Heather Bank' looks as though it may have been free of trees, but the photograph is insufficiently distinct to allow the nature of this area to be identified with any degree of confidence.
33. Later photographs show some open land to the east of the dwelling, and on the 2008 one a vehicle can be seen parked here. But, it is difficult to identify anything resembling a garden or suchlike, or any activity seemingly associated with a dwellinghouse, on the land to the north and west of 'Heather Bank'. It looks as though some of the trees to the north and south of the dwelling had been removed on one of the two 2018 photographs. However, despite the proximity of this land to the dwelling, it is not clear from it what degree of association this land had with 'Heather Bank'.
34. Viewing all the evidence the in the round and considering it as a matter of fact and degree, there is some reason to believe that parts of the site to the east and south of 'Heather Bank' in its original form probably did constitute the curtilage of the dwelling from the mid-1990s onwards at least. But, the probability that the land to the west and north also formed part of its curtilage is far less apparent, notwithstanding the presence of the shed and telegraph

pole. In my view, the evidence falls short of demonstrating that this is the case. I therefore find that the burden of proof that rests with appellant in this respect has not been discharged – the evidence is insufficiently precise and unambiguous.

35. As a result of this, I am not satisfied that the proposed additions on the north and west sides of 'Heather Bank' would be permitted development in accordance with the provisions of Schedule 2, Part 1, Class A of the GPDO.
36. In coming to this view, I am mindful that curtilage does not appear to have been an issue when the question of the lawfulness of the outbuilding to the east of 'Heather Bank', referred to in paragraph 7, was in contention. I am also aware that the Council previously expressed the opinion that extensions to 'Heather Bank, similar to the appeal proposals, would be permitted development<sup>6</sup>. Nor is there anything that points to any concern about curtilage having been raised when it was determined that prior approval was not required for a rear extension to the property<sup>7</sup>.
37. On the face of it, the points referred to in the preceding paragraph appear to offer strong support to the appellant's case. However, given my conclusion regarding the land to the east of 'Heather Bank', it is perhaps not surprising that the outbuilding was viewed in the same light. I therefore attach little weight to this matter. The other 2 points do appear to be somewhat at odds with the Council's current stance, but, as I see it, what effectively was an Officer's view is not binding upon them. Moreover, a notification that prior approval was not required is not a formal declaration of lawfulness. I therefore do not attach much weight to these points either.

#### *Appeals B and C - Refusal Reason 3*

38. This reason for refusal concerns the implications of the demolition of parts of the dwelling for the application of the permitted development rights conferred by Schedule 2, Part 1, Class A of the GPDO. This matter is addressed further in the appellant's submissions and the Council's Officer reports on the schemes that are the subject of Appeals B and C and is clearly another area of dispute between the parties. However, as both proposals encompass extending the building in a northerly direction, given my conclusion on the main issue, this matter is now somewhat academic. As it does not bear on the considerations which led me to that conclusion, I see no need for me to address this point and so shall refrain from doing so.

#### *Overall*

39. For the reasons given above, I conclude that the Council's refusal to grant certificates of lawful use or development in respect of the extensions proposed in the 3 schemes that are the subject of Appeals A, B and C was well-founded and that the appeals should fail. I will exercise accordingly the powers transferred to me in section 195(3) of the 1990 Act as amended.

### **Section 78 Appeal D**

40. The main issue is whether the condition in question was reasonably imposed.

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<sup>6</sup> Pre-application ref.17/03750/PREAPP.

<sup>7</sup> Determination ref. 19/02299/HPN.

41. As noted in paragraph 4 above, the appeal site lies within the Green Belt where, in accordance with the guidance in the National Planning Policy Framework (The Framework), strict controls upon development apply. This approach is reflected in the policies relating to development in the Green Belt, including house extensions, contained the Council's Unitary Development Plan (UDP). The site also lies within an AHLV where, according to UDP Policy GE8, the protection and enhancement of the landscape will be the overriding consideration.
42. The appellant's assessment that the external footprint of the approved dwelling is 8m<sup>2</sup> or 5.7% more than that of 'Heather Bank' in its original form has not been challenged. Nor has the submission that the internal area is 5.4m<sup>2</sup> or 3.7% less. Although I can understand why the appellant has sought to highlight these points, I am not inclined to attach a great deal of weight to them in this instance. Mindful that The Framework advises that openness is an essential characteristic of Green Belts, I consider that the external massing of the structure is the key factor here.
43. It is common ground between the parties that the external volume of the approved dwelling is greater than that of the original 'Heather Bank', but by just how much is a matter of dispute. The Council estimate the increase to be 33%, whereas the appellant contends that the figure is in the order of 21.5%. The difference appears to stem from the parties' estimates of the height of the existing dwelling, 3.47m or 3.15m according to the appellant and the Council respectively. The Council are adamant that their figure is correct, but from my visual assessment, I am inclined to prefer the appellant's figure which, I note, accords with the finding of another Inspector who visited site previously<sup>8</sup>.
44. Even if the appellant's 21.5% figure is to be preferred, an increase in external volume of this magnitude would result in an appreciably larger structure than the original 'Heather Bank'. The scale of the increase is less than that provided for in the Council's supplementary planning guidance, 'Designing House Extensions', which allows for extensions up to a third of the cubic content of the original house, referred to by the appellant. Be that as it may, in this instance, the resultant additional building mass would have a commensurate impact upon both the open quality of the Green Belt and the local landscape in this part of the AHLV.
45. It is clear from the Council Officer report that the 2019 permission was granted against the backdrop of the relevant UDP policies. Nevertheless, permitted development rights are rights conferred by statutory instrument. And, while there are certain sensitive areas – known as 'Article 2.3 land' – where such rights are either removed, or apply on a more limited basis, no such blanket limitations apply to Green Belt or AHLV land as a matter of course. I am also mindful that the Planning Practice Guidance indicates that conditions restricting permitted development rights will rarely pass the test of necessity and should only be used in exceptional circumstances<sup>9</sup>.
46. In my view the fact that the approved dwelling would be larger than its predecessor does not, in itself, amount to an exceptional circumstance in this context. Indeed, the Council's Officer report acknowledges that, as a rule,

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<sup>8</sup> Redetermined appeal decision ref APP/J4423/W/18/3208670 paragraph 14.

<sup>9</sup> Planning Practice Guidance – Use of Planning Conditions, paragraph 017.

permitted development rights are not removed on all new dwellinghouses, including ones in the Green Belt. In addition, both UDP Policy GE5, entitled 'Housing Development in the Green Belt', and the stated reasons for the policy are silent insofar as the removal of such rights are concerned.

47. On the face of it, the foregoing factors appear to lend strong support to the appellant's case. Moreover, the Council's concerns about the impact on openness that could potentially occur through the exercise of the permitted development rights in Schedule 2, Part 1, Class A of the GPDO do not, at first sight, appear to sit comfortably with the stance regarding the application of such rights to 'Heather Bank' taken in the 3 LDC proposals. This, however, is not a matter to which I attach much weight. As I see it, the grant of planning permission for the new replacement dwellinghouse in June 2019<sup>10</sup> marked a significant new chapter in the planning history of the appeals site and the disputed condition has to be regarded in the light of this.
48. The approved site plan, expressly referred to in condition 2 of the June 2019 planning permission, includes a relatively large area surrounding the new dwellinghouse annotated as 'garden' and 'patio'<sup>11</sup>. As a result, it is not inconceivable that the view could be taken that the areas identified in this manner constitute the curtilage of the new dwelling and that the provisions of Schedule 2, Part 1, Class A of the GPDO would apply here.
49. It may be that the Council's fears that exercising the full range of permitted development rights available in Part 1 Class A could result in a threefold increase in the overall size of the dwelling amount to a somewhat extreme and improbable scenario. Indeed, the presence of the large outbuilding could well act as a constraint on the expansion of the approved dwelling in an easterly direction. Nevertheless, having regard to the amount of land involved, together with the particular locational characteristics of the site, most of which does not front onto a highway, even a more limited exercise of these rights could result in a considerable increase in the overall mass of the building. This in turn, could have a marked impact on the openness of the Green Belt and upon the local landscape and would fly in the face of the objectives of the Council's Green Belt policy and UDP Policy GE8.
50. The disputed condition does not preclude future additions to the property, but having regard to the particular site specific considerations involved in this instance, I consider it is important that there should be some means of assessing the effect of such development here. The condition in question provides an appropriate, necessary and reasonable safeguard in this respect.
51. The considerations involved in this case are such that in this particular case are such that I find that they amount to exceptional circumstances sufficient to warrant the removal of the permitted development rights indicated. I therefore conclude that the condition in question was reasonably imposed.

## **Other Matters**

52. I have taken into account all the other matters raised in respect of all 4 appeals, including the appellant's concern about the lack of dialogue in concerning the imposition of the disputed condition in Appeal D at application

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<sup>10</sup> Planning permission ref. 19/00771/FUL.

<sup>11</sup> Drawing No. PL002 (Site Plan) prepared by JDS Designs Ltd.

stage. None, however, are sufficient to outweigh the considerations that have led me to my conclusions.

*D H Brier*

Inspector