



Appeal Decision

Hearing Held on 18 and 19 May 2021

Site visit made on 20 May 2021

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 July 2021

Appeal Ref: APP/E2340/W/20/3266495

Cartledge Hall Farm, Cartledge Lane, Holmesfield S18 7SB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ashgate Property Developments Ltd against the decision of North East Derbyshire District Council.
 - The application Ref 19/00786/FL, dated 1 August 2019, was refused by notice dated 10 July 2020.
 - The development proposed is the demolition of a range of existing buildings (formerly used in association with the livery business and riding school); conversion of existing buildings (formerly used in association with the livery business and riding school) to form a single dwelling; restoration and retention of ancillary buildings; and erection of four new dwellings with associated landscaping, parking and access.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the time of the Council's decision, the emerging North East Derbyshire Council Local Plan – Publication Draft [Feb 2018] (ELP) has been considered at independent examination. Whilst there is no dispute that the policies contained within it attract some weight in the decision-making process, the main parties agreed that there were some inconsistencies with the National Planning Policy Framework (the Framework). For clarity, I have identified the inconsistencies agreed between the parties and the subsequent weight to be attributed to the relevant policies in my decision.
3. During the course of the Council's consideration of the planning application some amended plans were submitted by the applicant. The Council subsequently reconsulted with relevant parties who have had the opportunity to comment. No further amendments have been made since that time. I therefore find that no party would be prejudiced by my consideration of the amended scheme and I have proceeded on that basis.

Main Issues

4. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt
 - the effect of the development on the character of the locality

- whether the redevelopment of the site preserves or enhances the character or appearance of the Cartledge Conservation Area (CA)
- if the development is inappropriate, whether the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development in the Green Belt

5. The Government attaches great importance to Green Belts. Section 13 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
6. Paragraph 145 of the Framework makes it clear that new buildings are inappropriate in the Green Belt subject to a limited number of exceptions. Of those exceptions the appellant draws my attention to Paragraph 145 g) in relation to the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development. In addition, Paragraph 146 d) indicates that the re-use of buildings, provided that the buildings are of permanent and substantial construction, is not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.
7. Policy GS2 of the North East Derbyshire Local Plan [2005] (LP) pre-dates the most recent iteration of the Framework. Whilst it is consistent with the Framework in relation to the re-use of buildings in the Green Belt, it does not include its provision in relation to previously developed land. Although the Policy is consistent with the Framework's broad approach to the protection of the Green Belt, in the circumstances, the provisions of the more recent Framework in relation to redevelopment of previously developed land prevail. Policy SS10 of the ELP reflects the provisions in Paragraphs 145 g) and 146 d) and therefore attracts significant weight.
8. At the hearing, the description of the existing site as being formerly used in association with the livery business and riding school was questioned by some third parties. I heard that part of the planning history referenced by the Council erroneously related to an adjacent site, which was previously used as an equine centre. The evidence of the main parties and nearby residents confirmed that the site was used in conjunction with equine livery from some point in the mid-80's. This is reflected in planning permission ref. 87/00493/FL approved for the retention of a change of use of a farm building as livery stables.
9. Although that use is not currently taking place and possibly ceased some time ago, there is little evidence before me to suggest that it has been supplanted or abandoned in a manner where it could not lawfully take place once more. Additionally, the use of the vacant bungalow on part of the site could be reinstated. On the basis of the evidence before me, the land would fall within the Framework's definition of previously developed land.

10. The proposed redevelopment of the land under Paragraph 145 g) is subject to the test of preserving openness. As established in case law, the effects on openness of the Green Belt should be considered in both spatial and visual terms.
11. The main parties confirmed that the boundary between the Settlement Development Limits and the Green Belt bisects the site in a manner whereupon the buildings proposed for demolition within the appeal site all lie within the Green Belt. Of the proposed development, the new detached dwellings and the re-use of the traditional buildings, save for the former stable/granary building to the west of the track, are situated beyond the settlement limit.
12. At the hearing a revised assessment of the volume of the buildings to be removed from the Green Belt was provided. The figures indicate the volume of the proposed new buildings would be slightly greater than those to be removed. However, according to the main parties' interpretation of the Green Belt boundary, the proposed semi-detached houses would lie within the settlement limit whereupon their inclusion for the purposes of assessing the effect on the Green Belt should be discounted. Accordingly, there would be a modest reduction in the volume of built development in the Green Belt. Furthermore, the cumulative footprints of the proposed buildings against those to be demolished would be less. Together, this would lead to a benefit to the spatial openness of the Green Belt.
13. However, those elements currently positioned furthest from the settlement limit are modest in height – most notably the timber barn converted to stables and the bungalow. As former agricultural development their effect on openness is negligible. The latter lies close to the highest point of the site and its effect is tempered by the presence of an established boundary hedge and short open front boundary. Although the highest part of the Dutch barn would be of similar overall height to the proposed new dwellings, it is a single characteristic building that also benefits from some visual assimilation. This arises from the combined effects of being partly cut into the local topography and screening by a stand of trees against its southern elevation.
14. The erection of 2 two-storey units further south of the existing line of the Dutch barn with cleared garden areas below, would significantly heighten their prominence outside of the settlement boundary and, taken with the broader spread of substantially bulkier development, cause harm to the perception of openness on the southernmost part of the site. Notwithstanding the removal of some existing buildings, the extent of increased development at the most open parts of the site would outweigh the identified benefit to spatial openness. This would be readily observable from the nearby footpaths.
15. There is no dispute between the main parties that the re-use of the traditional stone buildings on the site could take place without adverse effect on the Green Belt. However, I heard that the means of enclosure and associated formation of the garden area and courtyard, the possibility for future outbuildings and the presence of domestic paraphernalia had some potential to affect the open spaces about the threshing barn. This would equally apply to the detached new build.
16. The formation of the outside spaces associated with the proposed use of the threshing barn would introduce some hardstanding and additional means of enclosure. However, this would be in lieu of two existing timber-clad stable

buildings, including the removal of the concrete flooring and retaining structure supporting the larger of the stables. Furthermore, I heard the appellant's willingness to accept the restriction of rights under the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) which would prevent extensions, outbuildings or other development with potential to affect openness without recourse to a formal application for planning permission. Subject to those restrictions, I find the combined effect would be neutral on the openness of this part of the site.

17. The garden areas to the southern pair of new build units would extend marginally beyond the garden of the bungalow. Their orientation would be such that the effects of any extensions, outbuildings, hardstandings or means of enclosure would be more obtrusive on the visible southern side of the buildings. Whilst I heard that such effects could occur if permitted development rights under the terms of the GPDO were exercised in conjunction with the occupation of the bungalow, there is little to suggest that this would be a realistic proposition if the proposed development did not take place. It is therefore a matter of limited weight in the balance of effects on the openness. Regardless, the GPDO rights in relation to the detached units could also be limited by condition such that effects on openness in those areas would be neutral.
18. Taking all the above together, I find that there would be a significant reduction in the visual openness of the Green Belt caused by the increased height, bulk and spread of the buildings at the southern extent of the site. This is where the topography is close to its greatest height and the degree of harm would not be outweighed by the identified benefits to spatial openness. The proposal would thereby constitute an inappropriate form of development in the Green Belt that would erode its openness. As such, it would conflict with Policy GS2 of the North East Derbyshire Local Plan (LP), emerging Policy SS10 of the ELP and the Framework as they seek to preserve the openness and permanence of the Green Belt.

Character and appearance

19. The site lies on high ground above a broad valley rural landscape of irregular hedged fields. The area is interspersed with woodland and pockets of development including farmsteads and small groups of housing. The site extends from the end of a ribbon of development which stretches southwards from the main built up area of Holmesfield. It is accessed from a point where the made surface of Cartledge Lane divides into an unmade track passing through the site and a bridleway running alongside it.
20. The nearby settlement consists of a mixture of traditional vernacular buildings, predominantly relating to the area's farming heritage, and later domestic development consisting of both individually designed and planned properties along the western side of the approach roads.
21. Within the site is a cluster of farm buildings and later purpose-built stables in a range of materials including stone/masonry, metal and timber. These lie between the former farmhouse close to the entrance to the site and a vacant former agricultural workers bungalow at its southern extent. Save for two modern stable blocks and the bungalow, which appear as subsidiary functional elements of the group, the buildings retain their characteristics as agricultural buildings of their time.

22. Although there is a physical connect and overlap with the settlement area, the character of the site is distinctly more rural than that derived from the later areas of development in the adjacent settlement. The formalised rows of houses in the village are set behind enclosed gardens and are predominantly served by made roads with paved footways. At the site visit, I observed that it is only in close proximity to the entrance to the site where it can be viewed in tandem with the nearby settlement area. Even then, only parts of the site can be seen. This is a view shared in the appellant's Landscape and Visual Impact Appraisal. Due to the local topography and vegetation cover, the site is mainly seen from elsewhere in the context of the open rural landscape and the adjacent farm buildings at Cartledge Grange Farm.
23. Notwithstanding the considered design of the proposed new buildings, their number, formal arrangement and domestic appearance would contrast sharply with the organic layout of the existing buildings. The staggered alignment of the semis and footprint proportioning of the buildings would not reflect the more linear forms of the larger buildings within the site. They would contrast with the simple rustic form and appearance of the former agricultural buildings.
24. Furthermore, the use of substantial areas of standing-seam metal to the upper elevations and roofs of the new dwellings would cause them to be conspicuous in their proposed setting. Although metal cladding is present in the locality on modern agricultural buildings, these do not have the formality of standing seam roofs of such large extent. At the site visit I was directed to some examples of leadwork and observed some minor metal detailing on domestic properties. However, these examples were limited elements that did not visually impose as the large areas of zinc cladding to the upper walls and roof would.
25. Along with the proposed number, configuration and proportions of the openings, the buildings would contrast sharply against the more simplistic and functional forms of the existing buildings. The upward extension of the first-floor windows would reflect examples of some dormer windows in the vicinity, however, these are building elements usually restricted to domestic properties and would serve to highlight the contrast to the agricultural character of the locality.
26. Moreover, there would be a significant degree of domestication of the spaces about the buildings. This would arise from the associated formalisation of parking, circulation and servicing areas in place of unsurfaced tracks and bare-earth hardstands; the creation of significantly more prominent gardens; and, the enclaving of semi-private spaces with domestic landscaping. This would contrast sharply with the prevailing rural character of the site and the countryside area beyond to which it is inextricably linked.
27. I acknowledge that the effect of the development would be limited in the context of regional level landscape designations on account of its minor nature, however, at the local scale the effects would be considerable. Although some screening benefit would arise from the topography of the locality in conjunction with existing vegetation, such that longer views of the site would be limited in their scope and interpretation, the introduction of the new buildings and gardens would be clearly observable from the immediate footpaths and approaches from the south. Furthermore, the development would result in pressure to remove some low-quality elements of screening within the

appellant's extended land ownership to fully realise the value of the southerly outlook that would otherwise be impeded. This would have considerable potential to increase the prominence of the proposed buildings.

28. Notwithstanding the domestic appearance of the existing bungalow, for the above reasons, I find that the scale, form and appearance of the buildings and formation of the southerly gardens and domestic spaces would appear at odds with the current character and appearance of the site as one rooted in its rural landscape. The proposal would thereby conflict with Policies GS1, GS6 and H12 of the LP and emerging Policies SS1, SS9 and SDC3 of the ELP as they require development to protect the character of locations, the countryside, local distinctiveness and the natural environment, and, avoid prominent intrusions into the countryside. These policy requirements are consistent with the aims of the Framework.

Cartledge Conservation Area

29. As the substantial part of the site lies within the CA, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires me to have special regard to the desirability of preserving or enhancing the character or appearance of the CA. The CA boundary traverses the site such that, except for the converted stable extension to the threshing barn, the bungalow and a purpose-built stable block west of the Dutch barn, the buildings and majority of the intervening spaces all lie within the CA.
30. The CA primarily consists of the combined groups of mixed formal and functional buildings at Cartledge Grange, Cartledge Hall and Cartledge Hall Farm. Most of the buildings in the northern part of the CA are listed and derive from activity on those sites from as early as C15 onwards. The more informal buildings and later simple additions to the group, potentially dating from late C17 onwards, are located within the southern part of the area, including the appeal site.
31. The significance of the CA subsequently stems from the architectural interest of the listed buildings, as the wider cluster of buildings forming the historic beginnings of the hamlet of Cartledge, and, the buildings' origins associated with upland farming.
32. Within the appeal site there are a number of traditional stone farm buildings of varying age, size and form set out in what is described by the parties as a loose linear farmstead plan form. The older buildings include a former C17/C18 threshing barn of some size which, despite several phases of alterations, retains many of its original features and limited parts of its stone roof slates.
33. Other buildings include a cart/implement shed with first floor store, pigsties with loft, split level former stables with stores, a calving pen and a metal clad Dutch barn. These buildings are in various states of repair, some having been actively maintained and others showing signs of dereliction. The group within the CA also includes a detached modern timber stable building between the threshing barn and cart shed.
34. The proposal includes the demolition of a number of structures on the site. The main parties agreed that the loss of a small rendered extension to the eastern end of the threshing barn and the timber stable block to the north, would preserve the character and appearance of the CA.

35. The removal of the lean-to calving pen/stable attached to the threshing barn, estimated to date from 1820 to 1880, would result in the loss of a characterful subordinate extension which contributes to the collective group. Although its appearance has been altered, its simple form and partially buried elevations add to the diversity of buildings within the historic cluster. A structural assessment indicates that its condition is poor and inadequate to be capable of conversion for alternative uses and would need to be substantially rebuilt. Nevertheless, I find its removal would have a negative impact on the collective value.
36. Although a somewhat later addition to the group, the Dutch barn is also characterful and reflects part of the farming history of the site, the extension of the operational areas of the farmstead and its organic evolution. Notwithstanding the current patchwork of cladding and simple functional form, its demolition would also remove an element which makes up part of the existing character and appearance of this part of the CA. Aside from facilitating the new development, there is little justification for its removal other than the timeworn external appearance arising from a patchwork of low-level maintenance. I am not persuaded that the loss of the building around which the CA is purposely drawn, has been adequately justified.
37. The impact of the proposed semi-detached buildings, associated courtyard and formalisation of the access would harm the character and appearance of the CA in the manner described under the previous heading. Furthermore, the introduction of 3 new homes within this area of the CA, in conjunction with a net increase of one much larger dwelling immediately adjacent, would drastically alter the rural character and experience of this part of the CA. Arising as a result of the introduction of new boundaries, semi-private domestic spaces and the activity associated with those residential uses, this would be experienced along and about the line of the through route and would contrast with that aspect of the character of the CA identified for its farming heritage and the associated ties to the countryside.
38. Paragraph 200 of the Framework states that local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. The removal of the larger timber stables to reveal the original elevation of the threshing barn would lend itself to this aim.
39. However, in contrast to the appellant's assertion, I find that the individual and group scale of the proposed buildings, set on the higher ground, would impose significantly on the existing cluster. Due to the level variations in the site, the close siting and scale of the buildings would impose on the historic group and loom large above it. The experience of users of the footpath set between the buildings would change dramatically with the focus being drawn to the large scale and height of the proposed dwellings. The creation of an imposing backdrop would overbear on the 'nestled' appearance of the existing buildings which respond to and are set into the local topography.
40. On the approach from the south, identified by the appellant as an important aspect of the public appreciation of the CA, this scale and close siting of the proposed development would visually out-compete and dominate the group of traditional buildings. The effect of the detached units, with the backdrop of the semis, would be far greater than that of the existing bungalow, which the

appellant identifies as a detractor in that aspect. Although the new dwellings would not block views of the older buildings, their bulky domestic appearance, height and elevated position emphasised by the large area of metal standing seam cladding, would create a significant change to the skyline. They would dominate the views into the CA to suppress the group importance and undermine the focus upon it. Although the contrasting appearance of the new buildings would provide visual distinction, the effect of the imposition on the group would outweigh any benefit therein.

41. Whilst I acknowledge that such views might be limited in the medium to long distance, as the appellant's Landscape and Visual impact Appraisal concludes, this effect would be readily observable to the public from the rights of way. In conjunction with the creation of the domestic spaces about the buildings and impingement on the extent of the former farmstead, I find their relationship with the adjoining open countryside and rural context would be dramatically undermined. This would adversely impact the group's significance in the CA.
42. At the hearing, the Council indicated that the roofs of the proposed new buildings would be visible from the upper floor of Cartledge Hall, a Grade II* listed building. They would replace the view of the Dutch barn roof currently afforded. However, it was later conceded that this would not harm the listed buildings or their settings. Having visited the site and had special regard to the duty under Section 66(1) of the Act, I concur with that view.
43. The Council considered that the degree of harm to the CA would be substantial. This is on account of the impacts on the character and appearance of the CA and amount of the CA that it affects. Although it conceded that its original estimate of the proportion of the CA was overstated, it maintained that the degree of harm to the significance of the CA was substantial.
44. The Government's Planning Policy Guidance (PPG) advises that substantial harm in this context is a high test. In this regard the appellant has referred to caselaw¹ where reference to 'substantial' harm is construed as within the ballpark of a total or near total loss of an asset's significance.
45. There would be some direct loss to the CA from the two farm buildings to be demolished. There would also be an adverse effect on the character and appearance of the CA and the group setting within and alongside the CA for the reasons described above. However, as a matter of planning judgement, I find the extent of this harm would be less than substantial in the context of Paragraph 196 of the Framework. Nevertheless, less than substantial harm does not equate to a less than substantial planning objection and the harm identified attracts significant weight.
46. Paragraph 196 states that such harm should be weighed against the public benefits of the proposals, including securing optimal viable use. The PPG advises that harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised².
47. The appellant describes the threshing barn as a non-designated heritage asset. Although I am not directed to any formal assessment in this respect, the Council did not contest that the building was worthy of that description.

¹ Bedford Borough Council v SSCLG & Nuon UK Ltd [2012] EWHC 4344 (Admin)

² Reference ID: 18a-015-20190723

Paragraph 197 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application.

48. The threshing barn is a building of some age and displays various attributes of a varied history that, amongst other things, reflects moves from arable dominated farming practices to pastoral farming in upland areas. It is the oldest and largest building within the group and displays numerous traditional features of north Derbyshire farm buildings. Alongside the other stone buildings, it achieves the group value which contributes to the CA.
49. There is no dispute that securing a use to facilitate its conversion and prevent its deterioration would be a benefit of the scheme. The removal of the timber and eastern extensions would better reveal its linear form and main elevations. Furthermore, its conversion could be achieved without significant intervention to the building's character and appearance. The insertion of two additional openings and the removal of a single truss would cause some loss of its own significance, however, in securing a use that would preserve the building in the long term, any harm therein would be outweighed. This would be a benefit to the non-designated heritage asset.
50. Additionally, the securing of uses for the other buildings in the group and repairing the stone stable buildings with lofts would doubtlessly extend their longevity. Although some buildings have been maintained, as a proposal to secure the optimal viable use of the individual buildings, the scheme would be beneficial to their preservation and group value.
51. The conservation of most of the individual buildings making up the group would sustain an important element of the CA. This would be a benefit of the scheme which is entitled to considerable weight. However, for the reasons given above this would be at considerable cost to the character and appearance of this part of the CA. Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
52. In support of the development, the appellant highlighted that the condition of the threshing barn – particularly its roof, is at a point where the building's structural integrity is on a knife-edge. In the absence of its ongoing maintenance, which would be at considerable cost, it was suggested by the appellant that the building could rapidly deteriorate.
53. The appellant's evidence also included an assessment of the likely cost of the works necessary to convert the threshing barn to the desired standard as habitable accommodation. This indicates that the costs of the works were significant and, as part of a commercial scheme to deliver the proposed use, would require cross-funding from other development. The appellant's costings for the remainder of the proposals indicate that a minimum of two houses would be required to deliver the scheme, however, this would be elevated to four new units if it were to achieve an acceptable level of return (against risk) to make the project commercially attractive. Although I heard that the Council considered that there were some minor discrepancies in the appellant's approach whereby the number of units could possibly be reduced to 3 to deliver a fitting return, the disparity between the assessments was confirmed by the Council to be minor overall.

54. Notwithstanding the report's findings, there is little evidence to indicate that a less imposing scheme which would result in less overall harm to the CA, could not achieve the same aims. In this regard, I acknowledge that the appellant has considered other potential options for housing scheme arrangements on the site with the Council; however, there is little to suggest that alternative proposals, uses or market testing could not secure less intrusive outcomes. In conjunction with my own findings on the effects on the CA, whilst I give credence to the urgency arising from the threshing barn's condition, I am not persuaded that the design or scale of the development in the position chosen achieves the aim of minimising the harm to the designated heritage asset. It therefore falls short of the convincing justification required in Paragraph 194 of the Framework.
55. In addition to the public benefit of securing the desirable optimal viable uses to preserve the buildings, the appellant refers me to a number of other public benefits. The scheme would contribute to the delivery of quality housing in the borough utilising previously developed land within and adjoining the settlement area. This would give rise to a benefit of moderate weight.
56. The accessibility to services commensurate with other dwellings in the locality and the opportunity for prospective residents to maintain the vitality of the local community are positive aspects of the development also attracting moderate weight.
57. Drawing all of the above together, I find that the scheme would preserve the non-designated heritage asset and other buildings. However, as a non-designated heritage asset it does not attract the weight afforded to the designated CA³. Nevertheless, I also recognise that the barn and other buildings to be retained contribute positively to the CA. Their preservation is therefore a matter of considerable weight. However, when balanced against the extent of harm to the character and appearance of the CA and the significant effect on the group's setting, I find that the identified public benefits would fail to outweigh the harm. This would result in a net lasting loss to the significance of the CA.
58. For those reasons, the proposal would conflict with Policies GS1 and BE11 of the LP, Policy SDC5 of the ELP and the Framework as they seek to preserve or enhance the character or appearance of Conservation Areas.

Other Considerations

59. In addition to the benefits identified above, the appellant directs me to the fact that the new buildings and converted barn would provide high quality homes with a high standard of amenity for the appellant and residents whilst optimising the potential of the site. As benefits limited to private interests these are matters of limited weight in favour of the development.
60. The site could also be developed without risk of contamination, without adverse traffic or flooding impacts, and offer future occupants a safe environment. It could also deliver a scheme which respects the general amenity of residents. The appellant's ecological report identifies that sufficient provision could be made to mitigate and enhance effects on biodiversity including protected

³ Paragraph 193 of the Framework

species. As requirements of policies in the LP these are matters of neutral weight.

61. Concerns have been raised by third parties and others in relation to the amount of parking to be provided on the site, the safety of using the track for vehicular access purposes and the hazardous nature of the junction of Cartledge Lane with Millthorpe Lane.
62. As a site benefitting from planning permission for equine uses, there would be little to prevent the reinstatement of the former use. Given the cumulative sizes of the buildings constructed or converted to provide for the stabling of horses, the extent of equine associated activity at the site could be significant. This would be particularly so if used on a DIY livery basis. The comparative effect of traffic generated by the net increase of four new dwellings would not be significant in that context. It follows that any effect at the entrance to the site, along the internal access track, or at the junction of Cartledge Lane with Millthorpe Lane would be no greater than the established fallback position. I therefore find this a matter of neutral weight.
63. Regarding parking, I heard that local residents frequently experienced the adverse effects of parking along the metalled length of Cartledge Lane. This is of particular significance given its regular use by large scale agricultural traffic servicing the farm site to the east. The Council accept that there would be an under provision of allocated parking spaces for the semi-detached properties. It considered that the quiet location beyond the formal extent of the highway and the presence of the shared courtyard area would provide sufficient scope for the containment of the parking. The plans show that areas available for parking would enable the higher demand that would arise from the cumulative number of bedrooms proposed could be accommodated. However, this would potentially be at some cost to manoeuvrability within the area between the new buildings, particularly for larger vehicles.
64. As a consequence of the removal of any ability to turn in the open areas beyond the line of buildings, this could potentially lead to some reversing manoeuvres at the inclined turn in to the area of the new dwellings on to the public right of way. However, given the restriction to the width of this part of the track, those manoeuvres are likely to be at minimal vehicle speed such that the potential for conflict might be no greater than when in equine or agricultural use. I therefore find the effect on safety of users of the footpath would be negligible. Furthermore, given the distance to the made part of Cartledge Lane, it would be unlikely that out-spill parking serving the new units would materialise there. Accordingly, this is also a matter of neutral weight.
65. The definitive map of public right of way footpath 26 provided by the Council shows it passing through the threshing barn building. The proposal before me does not seek to divert the right of way. It is therefore a separate matter for the appellant to resolve if or when required. A grant of planning permission does not, of itself, authorise any obstruction of a right of way.

Planning Balance and Conclusion

66. In conclusion, I have found that the erection of the detached dwellings on the site would be inappropriate development in the Green Belt. This is on account of the adverse impact on the visual openness arising from their position and scale. The Framework states that inappropriate development is, by definition,

- harmful to the Green Belt and that substantial weight should be given to that and any other harm to it.
67. Despite securing viable uses for the traditional stone buildings on the site and repair works to the threshing barn and other structures, I have found that the benefits therein are outweighed by the balance of harm to the character and appearance of the Cartledge Conservation Area. Moreover, the harm identified would not be outweighed by the cumulative public benefits of the scheme. In recognising the harm to the CA, the proposal would also conflict with the LP requirement to respect the rural character of the locality in which it is situated.
68. The appellant indicates that, as the policies which are most important for determining the appeal are considered to be out of date/inconsistent with the wider objectives of the Framework, the 'tilted balance' in Paragraph 11 d) is engaged. However, Paragraph 11 d), in conjunction with Footnote 6, explains that where policies within the Framework which seek to protect areas or assets of particular importance provide a clear reason for refusing proposals, then the presumption afforded by Paragraph 11 does not apply. As I have found harm in regard to the effects of the development on the Green Belt and the Conservation Area, the presumption in favour of sustainable development does not apply.
69. I have considered the cumulative public and other benefits presented by the appellant. The considerations with regard to the delivery of housing, the benefits to prospective residents' safety and amenity, the optimisation of the site and the quality of the buildings and barn conversion, do not clearly outweigh the totality of the harm that I have identified. Consequently, the very special circumstances necessary to justify granting planning permission do not exist.
70. I have found that the proposal would cause harm to the Green Belt and the CA. It would also fail to reflect the character and appearance of the locality. This would conflict with the development plan taken as a whole. There are no material considerations, including the Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

R Hitchcock

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

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INTERESTED PERSONS:

Eric Telford

Telford Planning Associates representing Residents
Group for Holmesfield and locality

Maureen Greenland
Ashley Turner
Heather England
Andrew Millson

Local resident
Local resident
Local resident
Local resident