



Appeal Decisions

Site visit made on 16 May 2023

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 July 2023

Appeal A Ref: APP/P3040/W/22/3312244

6 The Green, Ruddington, Nottinghamshire NG11 6DY

- 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 Mr M Reaston against the decision of Rushcliffe Borough Council.
 - The application Ref 22/00494/RELD, dated 9 March 2022, was refused by notice dated 6 June 2022.
 - The development proposed is described as: demolish existing garage and construct new dwelling along with rebuilding section of front boundary wall.
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Appeal B Ref: APP/P3040/W/22/3312241

6 The Green, Ruddington, Nottinghamshire NG11 6DY

- 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 Mr M Reaston against the decision of Rushcliffe Borough Council.
 - The application Ref 22/00485/FUL, dated 9 March 2022, was refused by notice dated 6 June 2022.
 - The development proposed is demolish existing garage and construct new dwelling along with rebuilding section of front boundary wall.
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

Appeals A and B

3. The Council Officer's Report in relation to both proposals states that although the site address provided is 6 The Green, historic maps suggest that it is possible some of the site within the red line historically relates to number 2 The Green and number 40 High Street. I have not been provided with comprehensive details regarding the historic boundaries of these dwellings. I have assessed the appeals based on the submitted site edged red, taking account of the other land and buildings within the ownership of the appellant.

Appeal A

4. The description of development provided on the planning application form for Appeal A is the same as that provided on the planning application form for

Appeal B. However, the appeal form for Appeal A provides the following description: *"demolish existing garage and section of boundary wall"*, and states that the description has not changed from that provided with the planning application (though it evidently has). The Council made its decision based on this description. Although I have no evidence before me that the appellant agreed to a change of description, the appeal form indicates that the appellant is agreeable to the alteration, and the evidence when viewed overall indicates that Appeal A relates only to demolishing the existing garage and section of boundary wall. I have therefore made my Decision on this basis.

Appeal B

5. The description of proposed development given on the planning application form and provided in the header above is *"demolish existing garage and construct new dwelling along with rebuilding section of front boundary wall."* The description given on the Council's decision notice is *"demolish existing garage and construct new dwelling, rebuild section of front boundary wall and erect new boundary fence from front to rear."* I have not been provided with any evidence that the appellant agreed to a change of description. However, the appellant repeats the description on the Council's decision notice on the appeal form, and states that it has not changed from that provided with the planning application (though it evidently has). Additionally, I note that the proposal evidently requires the demolition of a section of boundary wall at the front of number 6, as proposed in Appeal A. However, as noted in Appeal A, there is no mechanism before me linking the 2 proposals. I have therefore included demolition of the wall within the proposed development for Appeal B, similar to the appellant having included demolition of the garage in the description. Therefore, my Decision is based on the following description: demolish existing garage and section of front boundary wall; construct new dwelling, rebuild section of front boundary wall and erect new boundary fence from front to rear. I consider this more accurately and comprehensively describes the development proposed.

Main differences between the two proposals/appeals

6. In light of the above, the proposal in Appeal A relates only to the demolition of the garage and part of the boundary wall associated with number 6 The Green; and the proposal in Appeal B relates to the demolition of the garage and wall, the erection of a single dwelling and a boundary fence, and reconstruction of part of the boundary wall.

Appeal A

Main Issue

7. The main issue is whether the proposal would preserve or enhance the character or appearance of the Ruddington Conservation Area (the CA).

Reasons

Significance of the CA

8. The appeal site lies within the CA. I have a statutory duty to pay special attention to the desirability of preserving or enhancing its character or

appearance¹. The CA derives its significance primarily from its historic and architectural interests. Although the settlement of Ruddington dates to the Saxons, the main historic interest in the area stems from its rapid growth during the Industrial Revolution to become the largest frame knitters' village in Nottinghamshire south of the Trent. Such growth included the construction of housing to accommodate people involved in a range of subsidiary trades. The area has expanded over the years incorporating housing development at various stages.

9. There are 14 listed buildings within the CA, one of which is located just beyond the north-western corner of the site. Many buildings within the CA are considered to make a positive contribution to it, due to their historic and/or architectural aspects of interest, including numbers 6, 10 and 12 The Green.
10. 'The Green' is a grassed area of public open space located in front of the appeal site. It is one of the important open spaces within, and one which contributes positively to, the CA.
11. Walls and hedges are also features of special interest within the CA and contribute to its significance. They are present within all sections of the CA, from the dense urban central areas to the more rural areas at the CAs edges. Most of the walls and hedges tend to be relatively low level, up to around 1.2 m high, and usually perform the function of enclosing the gardens at the front of properties. As noted in the CA appraisal, they separate the private spaces from the public realm of roads and pavements, both physically and visually². The walls are most often constructed of red brick, some are constructed of stone, and a few are brick built and finished in render, as is the case at the appeal site.
12. Walls, railings, and hedges considered to be significant within the CA are marked on the townscape appraisal map and include several walls close to the appeal site. That is, brick walls extending from the front of number 10 The Green to number 16; stone walls outside the front of terraced properties located on the southern side of 'The Green', off Leys Road; brick walls outside the row of terraced houses numbered 26-38 High Street; walls between numbers 31-33 High Street, which includes a section that is rendered, and walls and hedges outside several properties along Elm Gardens. All these walls and hedges enclose garden areas, mainly at the front of the properties.
13. The appellant considers the CA appraisal to be dated and contends that the Local Planning Authority (LPA) is failing in its duty to review, maintain and up-date the document. I acknowledge that LPAs have a duty to periodically review CA designations. However, whether the LPA is failing in its duties in this respect is a matter beyond the scope of the appeal.
14. The appellant contends that the character of the CA has diminished since the appraisal was produced, and he suggests that the CA boundary should be reduced to remove areas he considers no longer warrant recognition, including the appeal site and the additional buildings and land within the ownership of the appellant. I observed during my visit that these properties have evidently been neglected. However, paragraph 196 of the National Planning Policy Framework (the Framework) advises that, "*where there is evidence of*

¹ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (The Act)

² Paragraph 4.4 of the Ruddington Conservation Area Appraisal and Management Plan, 2009 (the CA appraisal)

deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision." I have taken this into account in reaching my Decision.

The site and surroundings, the proposal, and its effect on the CA

15. The site comprises an area of land that forms part of the front, side, and rear garden of number 6 The Green. There is a single-storey garage sited towards the south-western corner of the site, which is constructed of cement and asbestos with timber doors. A dilapidated single-storey brick outbuilding is located along the rear boundary of the site. The Council has not raised any concerns regarding the demolition of the garage, and I have no reason to do so either. Removal of the garage would not harm the significance of the CA and its character and appearance would be preserved.
16. There is a brick-built wall finished in rough render, around 1 m high, positioned along the front boundary of number 6, with a pedestrian gate positioned around the centre of the wall providing access to the front door of number 6. At the time of my visit, the section of wall east of the pedestrian gate was partially demolished. The evidence indicates that this section of wall has been in this state for some time.
17. As with other boundary walls throughout the CA, the wall at the front of number 6 encloses the front garden and part of the side garden. The appellant does not place a high value of significance on the wall at the front of number 6, suggesting it is a plain, uninteresting rendered wall, and that removing a section of it would not have a material impact on the heritage interest of the CA. However, as outlined above, I consider walls such as that at the appeal site add to the significance of the CA. Regardless of the wall of concern being rendered, and I have noted above that there is another rendered wall within the vicinity of the site, it is similar in terms of style, height, and the function it performs, to many other walls, railings, and hedges within the CA.
18. I consider the removal of the extent of wall as proposed would detrimentally alter the relationship between number 6 The Green and the street scene in a manner that would be harmful to the significance and character and appearance of the CA. There would be a wide, open, unclosed area at the front and side of the property to provide access for, and parking of, cars in front of the dwelling proposed in Appeal B and number 6. The width of the section of wall that would remain/be rebuilt would be significantly less than the width of the access; as such it would not perform the function of enclosing the front garden of number 6 to the extent required to prevent harming the significance and character and appearance of the CA.
19. The fact that there is no wall at the front of number 2 The Green and that there is off-road parking at number 10 The Green does not alter my conclusion. The off-road parking at number 10 is to the side of the dwelling, like the existing arrangement with the appeal garage and number 6, and a wall and hedge encloses its front garden. The extent of the enclosure at number 10 is wider than the gap that allows access to the off-street parking, thereby retaining the feature and function of walls/hedges enclosing the garden area at the front of the property.
20. Notwithstanding my conclusion regarding demolition of the garage, the proposal, as a whole, would not preserve or enhance the character or

appearance of the CA, indeed it would erode such aspects. As such it would not satisfy the statutory duty set out in The Act. Additionally, the proposal, as a whole, does not accord with Policy 11(1) of the Rushcliffe Local Plan Part 1: Core Strategy, 2014, (the LP Part 1), or Policy 28 of the Rushcliffe Local Plan Part 2: Land and Planning Policies, 2019, (the LP Part 2). Collectively, and among other things, these policies require proposals related to the historic environment and affecting heritage assets to consider whether the proposal would be sympathetic to the character and appearance of the asset, and to conserve and/or enhance heritage assets and their settings.

Heritage Balance & Planning Balance

21. Regarding paragraph 202 of the Framework, I consider the proposal would result in less than substantial harm to the CA. In such circumstances, the Framework advises that the harm identified should be weighed against any public benefits resulting from the proposal. Nonetheless, as advised in paragraph 199 of the Framework, I am required to give considerable importance and weight to the conservation of designated heritage assets.
22. Although I am aware that the motivation for/purpose of the proposed development is to facilitate the construction of a dwelling, ie the dwelling proposed in Appeal B, there is no mechanism before me linking the 2 proposals. With regard to the proposal in Appeal A, the appellant has not proffered any public benefits that would arise from it, nor am I aware of any.
23. The appellant has also not proffered any other considerations to take account of in the planning balance. Again, nor am I aware of any. Consequently, there are no other considerations, including policies in the Framework, that would lead me to conclude other than in accordance with the development plan.

Other Matters

24. As noted, there is a listed building located close to the north-western corner of the site. Given the extent and nature of development and mature planting between the appeal site and the listed building, I am satisfied that the proposal would not harm its setting.

Conclusion

25. For the reasons outlined, I conclude that Appeal A is dismissed.

(Continued...)

Appeal B

Main Issues

26. The main issues are:

- whether the proposal would preserve or enhance the character or appearance of the CA,
- the effect of the proposal on the living conditions of occupiers/potential occupiers of existing neighbouring properties, specifically numbers 2, 6 and 10 The Green and 40 High Street; in particular, whether the proposal would be overbearing and/or reduce light, and/or affect privacy, and
- whether the proposal would provide satisfactory living conditions for future occupiers, with particular regard to private outdoor amenity space.

Reasons

Significance of the CA

27. An outline of the significance of the CA, with particular regard to demolition of the garage and wall, has been provided above in respect of Appeal A. It is not necessary for me to repeat those details here. Suffice to say that all the details, and the conclusions reached, apply to Appeal B. However, as Appeal B primarily relates to the construction of a dwelling, I shall add further comments of relevance to this appeal regarding the significance and character and appearance of the CA, the site and the proposal, and its effect on the CA.
28. As noted, the historic development of the CA has included areas of residential development being undertaken at various times. Consequently, the CA comprises of a mix of property types and architectural styles. There are detached, semi-detached and short rows of terraced dwellings. They are primarily two-storeys high, though there is variation in heights. Some have accommodation in the roof space, facilitated by the inclusion of dormer windows and/or roof lights.
29. They are designed mainly with dual-pitched roofs, which in numerous cases are hipped. Chimneys feature on a lot of the properties. Some are designed with gables at the front, and many have front bay windows. Fenestration openings are mainly of modest size, proportionate to the elevations within which they are inserted, and of traditional design. It is predominantly the case that if the property is not built up to/abutting the pavement edge, it will be set-back behind an area/garden at the front bounded by walls, railings and/or hedges.
30. The properties are mainly constructed of red brick; some are wholly rendered externally, and others have rendered sections. Roof coverings are predominantly grey slate, others have red or brown clay pan tiles. Arched brickwork and lintels are used around doors and windows.

The site and surroundings, the proposal, and its effect on the CA

31. The description of the site and surroundings, the proposal and its effect on the CA provided above in Appeal A all apply to Appeal B. For the avoidance of doubt, I conclude that removal of the garage would not harm the significance of the CA and its character and appearance would be preserved. Additionally, I conclude that the removal of the extent of wall as proposed would

detrimentally alter the relationship between number 6 The Green and the street scene in a manner that would be harmful to the significance and character and appearance of the CA.

32. Number 6 The Green is a two-storey, semi-detached dwelling designed with a dual-pitched roof that includes 2 chimneys. The fenestration openings are of a modest size, proportionate to the elevations within which they are sited, and of a traditional design. The property is finished in render and has a grey slate roof. The dwelling is set-back from the pavement behind gardens to the front, which are enclosed/bounded by a low-level wall with a rendered finish.
33. Number 2 The Green and number 40 High Street are two-storey dwellings designed with dual-pitched roofs, and both have chimneys. Their roof ridge heights are a little lower than number 6. The fenestration openings are of a modest size, proportionate and of a traditional design. Both properties are constructed of red brick under red pan tiled roofs. Both properties have limited associated outdoor space.
34. The semi-detached dwellings immediately west of the site, numbers 10 and 12, are two-storeys high. The eaves and ridge heights of these dwellings are higher than the eaves and ridge heights of number 6. Number 10 has accommodation in the roof space, evidenced by roof lights on the front roof slope and dormers on the rear. The fenestration openings are of a modest size, proportionate and of a traditional design. Both properties are set-back from the pavement edge behind gardens enclosed by walls and hedges.
35. All the dwellings around 'The Green' are two-storeys high, some with accommodation in the roof space. There is a mix of detached, semi-detached and terraced properties. All are designed with dual-pitched roofs, some of which are hipped. Most have chimneys. A mixed palette of external materials has been used on the properties, including red brick and rendered elevations and slate and pan tiled roofs. In all cases the fenestration openings are of a modest size, proportionate and of a traditional design.
36. The Council has raised concerns regarding the siting, scale, and design of the proposed dwelling. I acknowledge that paragraph 4.2.6 of the CA appraisal advises that new buildings should normally follow the established building line. I also acknowledge that the proposed dwelling would not follow the building line of number 6, which would be the closest property to it, and that number 6 is identified as being a property that makes a positive contribution to the CA.
37. However, the dwellings that are currently located on the northern side of the road between High Street and Leys Road, between which the proposed dwelling would be sited, collectively do not have a strong building line. Furthermore, the use of the word "*normally*" in the CA appraisal indicates the acceptance that new buildings do not always have to follow an established building line. The proposed dwelling would be set-back from the road and angled to it, just as number 6 is, and its front elevation would run parallel with the front elevations of numbers 6 and 2. I therefore consider that although the building line of the proposed dwelling would not follow the building line of number 6, in this instance this in itself would not harm the street scene.
38. The proposed dwelling would be two-storeys high with accommodation in the roof space. The main roof ridge heights would be around the same height as the main roof ridge heights of numbers 10 and 12; however, they would be

noticeably higher than the roof ridge heights of numbers 6 and 2. Although the depth of the proposed dwelling would be similar to the depth of number 10, it would be much deeper than the depth of number 6. The proposed dwelling would extend beyond the front and rear elevations of number 6 by around 2 m in both instances. Although the proposed dwelling would be of a similar size to numbers 10, 12 and 1 The Green, due to it being sited close to the side elevation of number 6, projecting around 2 m beyond both its front and rear elevations (though the rear projection would mainly be single-storey), and its roof ridge height being noticeably higher than number 6, I consider the scale and mass of the proposed dwelling would dominate number 6. Consequently, the proposal would harm the street scene.

39. As is clear from the above, the fenestration openings on dwellings within proximity of the site, and indeed across the CA, tend to be of modest sizes, proportionate to the elevations they sit within and of traditional designs. The large areas of glazing, particularly on the front elevation of the proposed dwelling, with a vertical emphasis, would contrast with the fenestration openings on surrounding properties and properties across the CA. Consequently, the proposed dwelling would not be in harmony with neighbouring properties, or most others within the CA, with regard to this design feature.
40. As regards external materials, I consider the mix of red brick and rendered elevations under a slate roof to be acceptable. However, I consider that dark grey windows, doors, and barge boards would be disharmonious in the street scene. Although the colour of windows, doors and barge boards could be secured by condition, it seems to me that the palette of materials as proposed form part of a cohesive concept overall. If I had not been dismissing the appeal for other reasons, I would have consulted parties on this matter.
41. For the above reasons I conclude that the siting, scale, design, and external materials of the proposed dwelling would be harmful to the significance and character and appearance of the CA.
42. I note that paragraph 4.2.1 of the CA appraisal advises that good contemporary design will be encouraged, where it respects the scale and character of its context. I have found that the proposal does not respect the scale and character of its context.
43. The appellant has drawn my attention to several cases where the Council has granted permission for development of new dwellings within the CA which have a contemporary design and use contemporary materials, and therefore have some similarities to the proposal before me.
44. Application ref 12/00399/FUL was for one dwelling. The Council accepted the contemporary design of the proposal and the use of a mix of materials. However, there are significant differences between the scheme and the one before me. Thus, the approved dwelling was set behind a front boundary wall and the size of the fenestration openings were modest and proportionate, and of a traditional design. Additionally, the context of the street differed to the context of the street before me. Furthermore, the permission was granted in August 2012, and therefore would have been appraised against different local and national planning policies.

45. Application ref 17/02939/FUL was for the demolition of existing buildings and construction of 4 dwellings. Again, the Council accepted aspects of contemporary design and materials. However, again I consider there are significant differences between the scheme and the one before me. First, the proposal was a row of 4 terraced properties to replace existing buildings. Second, the terrace abutted the pavement; and third, the street scene was very different to that of The Green.
46. Application 20/02806/FUL was also for demolition of commercial units and construction of 4 dwellings. The Council accepted aspects of contemporary design and materials in this scheme also. However, again I consider there are significant differences between the scheme and the one before me. Although I accept that the site is adjacent to the CA, it isn't in it. Second, the proposal was for 2 pairs of semi-detached dwellings to replace commercial buildings that existed on the site. Finally, the street scene was again very different to the context of the current proposal.
47. Bearing the above factors in mind, I consider that neither of the cases the appellant has drawn my attention to are directly comparable to the scheme before me. Consequently, I attach limited weight to them in support of the proposal.
48. I note that the 'Heritage Statement'³ includes some photographs of what are referred to as infill developments within the CA. However, I have no further details about the developments and therefore I am unable to make any meaningful comparisons between them and the proposal before me. I therefore attach little weight to them in support of the proposal.
49. Notwithstanding my conclusion regarding demolition of the garage, for the reasons outlined I conclude that the proposal, as a whole, would harm the significance of the CA and would not preserve or enhance its character or appearance. As such it would not satisfy the statutory duty set out in The Act. Additionally, the proposal does not accord with Policies 10 and 11 of the LP Part 1, Policies 1 and 28 of the LP Part 2, Policies 10 and 16 of the Ruddington Neighbourhood Plan, 2021-2028 (2021), (the RNP), or design and heritage policies in the Framework. Collectively, and among other things, these policies require proposals related to the historic environment and affecting heritage assets to consider whether the proposal would be sympathetic to the character and appearance of the asset, to conserve and/or enhance heritage assets and their settings and to adhere to guidance in the Management Plan of the CA appraisal. Additionally, proposals should be of high-quality design, reinforce valued local characteristics, and be sympathetic to local character, including aspects such as scale and materials.
50. Policy 4 of the RNP relates to custom and self-build housing. I have not been provided with any substantive evidence that the proposal is for a custom or self-build dwelling; nor have I been provided with any mechanism that would secure such an arrangement. I have therefore not assessed the proposal against this Policy.

³ Heritage Statement for the Demolition of an Asbestos Garage and the Erection of Single Detached Dwelling on Land At 6 The Green Ruddington

Living conditions – existing occupiers

51. I have concluded above that due to the siting and scale of the proposed dwelling, and its proximity to and relationship with number 6, that it would dominate this property. As the front and rear garden areas of number 6 would be substantially reduced, I consider that the dominance of the proposed dwelling in this context would have an unacceptably overbearing impact on the occupiers (or potential occupiers) of the existing dwelling number 6 The Green. Due to the way number 10 is oriented and how the proposed dwelling would be oriented, and the distance there would be between number 10 and the proposed dwelling, I consider that the proposal would not have an overbearing impact on number 10.
52. I consider the block plan⁴ submitted by the appellant which depicts the 45 deg angle from key windows on the rear elevations of numbers 6 and 10, clearly demonstrates that the proposed dwelling would not harm the outlook from these properties at the rear. Also, due to the orientation of the dwellings and what would be their relationship with each other and bearing in mind the direction of travel of the sun, I consider the proposed dwelling would not reduce light to numbers 6 or 10 to any significant degree. Additionally, taking account of the information shown on the block plan referred to, and my observations on site, I consider the proposed dwelling would not harm the outlook from windows on the front elevations of numbers 6 and 10, nor would it harm light levels in respect on windows at the front. I consider that there are no windows of concern on the side elevations of numbers 6 and 10.
53. I note the Council's concern with regard to privacy and the relationship between the proposed dwelling and number 40 High Street. The Council refer to the side elevation of number 40 and the upper floors of the proposed dwelling. However, I note that the western side elevation of number 40 High Street, the one that would be closest to the proposed dwelling, has an outbuilding attached to it. Hence, there are no windows on its western side elevation. Having considered the relationship between the proposed dwellings in respect of all windows during my site visit, I am satisfied that the proposal would not cause any harm to the privacy levels enjoyed by occupiers (or future occupiers) of any of the existing neighbouring dwellings.

Living conditions – future occupiers

54. The Council accepts, as do I, that the extent of private outdoor amenity space that would be provided for the new dwelling would be satisfactory. The Council has expressed concerns about the extent of outdoor amenity space that would remain for numbers 6 and 2 The Green and number 40 High Street. However, I note that the extent of existing outdoor space related to these 3 dwellings is already limited and compromised. Additionally, the appellant would have the option of removing the outbuilding attached to number 40 High Street to increase the extent of outdoor space available, should he so desire. I therefore consider that, although the proposed development would considerably reduce the extent of outdoor space associated with number 6, what would remain would be sufficient for number 6; and the situation regarding number 2 The Green and 40 High Street would be no worse than it is at present.

⁴ The block plan on drawing number 20/995/01 that references revisions A and B

55. Notwithstanding my conclusion regarding living conditions and future occupiers, I have concluded that the proposal would have an overbearing impact on the occupiers of the existing dwelling number 6 The Green. Consequently, the proposal, as a whole, does not accord with Policy 10 of the LP Part 1, Policy 1 of the LP Part 2, sub paragraph 130 f) of the Framework or guidance in the RNP with regard to the effect of new development on living conditions. These policies require, among other things, new development to take account of the impact on proposals on the living conditions of occupiers of existing properties, and not to adversely affect them.

Heritage Balance & Planning Balance

56. Regarding paragraph 202 of the Framework, I consider the proposal would result in less than substantial harm to the CA. In such circumstances, the Framework advises that the harm should be weighed against any public benefits resulting from the proposal. Nonetheless, as advised in paragraph 199 of the Framework, I am required to give considerable importance and weight to the conservation of designated heritage assets.
57. The proposal would provide an additional dwelling, which would be a social benefit. Although there is no evidence to suggest that the Council does not have a 5-year supply of housing land, having a 5-year supply is not a ceiling. The addition of one dwelling would contribute to the Government's objective of significantly boosting the supply of homes (paragraph 60 of the Framework). However, one dwelling in this context is only a very small contribution. As such I attach limited weight to this factor.
58. The proposal would provide economic benefits which would be of public benefit. The construction industry and related employees would benefit during the construction phase of development. Post development, future occupiers would contribute to the local economy and additional Council Tax would be generated. However, given the small-scale extent of the proposal, I attach limited weight to this aspect.
59. I have concluded that the proposal would harm the significance of the CA and would not preserve or enhance its character or appearance, and the Framework advises that conservation of designated heritage assets is to be afforded great importance and weight. Notwithstanding my conclusion regarding demolition of the garage, I consider the public benefits outlined to not outweigh the harms the proposal would cause to the CA.
60. The appellant has suggested there are other considerations, including the social and economic benefits outlined, which weigh in favour of the proposal in the planning balance.
61. Paragraph 69 of the Framework promotes the use of windfall sites, and advises, among other things, that great weight should be given to the benefits of using suitable sites in existing settlements. The appeal site is a windfall site in an existing settlement. However, as I have concluded that the proposal would result in harms to the CA and living conditions of occupiers of the existing dwelling number 6 The Green, I consider the site cannot be deemed to be "suitable". I therefore attach little weight to this matter.
62. I accept that the site would provide future occupiers with access to a range of services and facilities to meet day-to-day needs, as well as providing

opportunities for use of transport modes other than the private motor vehicle. I also accept that the proposal would not have any negative impact on biodiversity or cause any environmental health concerns. However, these are requirements of local and national policies. I therefore consider these matters to be neutral in the planning balance.

63. I have concluded that demolition of the garage would preserve the CA. However, The Act and local and national policies require development to achieve this. Again, I therefore attach a neutral weighting to this matter in the planning balance.
64. As noted, I have concluded that the proposal, as a whole, would harm the significance and character and appearance of the CA, and the living conditions of occupiers of the existing dwelling number 6 The Green. Great weight is attached to the harm to the CA, and I attach significant weight to the harm to living conditions. For these reasons the proposal does not accord, on the whole, with Policies 10 and 11 of the LP Part1, 1 and 28 of the LP Part 2, 10 and 16 of the RNP, sub paragraph 130 f) and design and heritage policies in the Framework. I therefore conclude that the other considerations outlined neither individually nor collectively outweigh these harms. As such, I conclude that there are no other considerations, including the Framework, which would lead me to conclude other than in accordance with the development plan.

Other Matters

65. As noted, there is a listed building located close to the north-western corner of the site. Given the extent and nature of development and mature planting between the appeal site and the listed building, I am satisfied that the proposal would not harm its setting.

Conclusion

66. For the reasons outlined, I conclude that Appeal B is dismissed.

J Williamson

INSPECTOR