



Appeal Decision

Hearing held on 5-6 March 2024

Site visit made on 6 March 2024

by R Catchpole BSc (hons) PhD MCIEEM IHBC

an Inspector appointed by the Secretary of State

Decision date: 10th May 2024

Appeal Ref: APP/P2935/W/23/3335041

Land West of Furrow Grove, Station Road, Stannington NE61 6FB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr Fleming (Altoria Development Ltd) against the decision of Northumberland County Council.
 - The application (Ref: 22/00566/OUT) was refused on 22 September 2023.
 - The development proposed is the construction of up to 30 no. bungalows for over 55s (Use Class C3).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline, with only access to be considered at this stage. This is the basis upon which this appeal has been determined.
3. On the 19 December 2023, the Government published a revised National Planning Policy Framework (the Framework) which was further updated on the 20 December 2023. This is a material consideration that took effect from the day of publication which applies to all subsequent decision-making. The main parties confirmed that they are satisfied that there has been sufficient opportunity to address any related matters.
4. For reasons of clarity, I have shortened the description of development to remove unnecessary wording for the purposes of this appeal.
5. The appellant accepts that the proposal would be inappropriate development in the Green Belt and confirmed at the Hearing that no reliance is being placed on any of the exceptions set out in paragraph 154 of the Framework.
6. During the course of the Hearing and following the submission of a completed planning obligation, the Council withdrew all related reasons for refusal (8-12). One of these was associated with a financial contribution to mitigate potential adverse effects on the integrity of the Northumberland Coast SPA. As I am dismissing for other reasons, I do not consider any related Habitat Regulations Assessment matters further.

Main Issues

7. As the appeal site is in the Green Belt (GB) the main issues are:

- whether the proposal would be inappropriate development in the GB and its effect on the openness of the GB and its purposes;
- whether or not there is any 'other harm' that would result from the appeal proposal with particular regard to the character and appearance of the local area; flood risk to the site and adjacent areas; and potential archaeological remains;
- whether the proposal would be in a sustainable location;
- whether the proposal would meet a justified local housing need; and
- whether or not any harm to the GB by reason of inappropriateness, and any 'other harm' identified as arising, would be clearly outweighed by 'other considerations', so as to amount to very special circumstances.

Reasons

8. The appeal site comprises a parcel of land near the periphery of Stannington Station which is a dispersed settlement situated along Stannington Station Road. The rear gardens of the houses fronting onto this road adjoin the northern site boundary and a more recent development, at Furrow Grove, is situated along its eastern boundary. The main access to the appeal site would be via Furrow Grove, with a spur having already been constructed to meet the necessary highway standards. A petrol filling station car park is situated along the western boundary. An established hedgerow, that would be retained, demarcates the southern boundary of the appeal site, beyond which lies open arable land.
9. The existing land comprises horse grazing paddocks with two temporary wooden structures, some hardstanding and a menage, as well as an area of unmanaged ground formerly associated with a residential property. This area contains excavated material from the Furrow Grove development and a hardstanding that has since been colonised by semi-natural vegetation. The boundary between this area and the grazing paddocks is characterised by intermittent trees and shrubby vegetation. Notwithstanding the excavated material, the appeal site is relatively flat and covers a broadly rectangular area of approximately 1.4 hectares.
10. The proposed development of up to 30 new bungalows would include a mix of two and three bedroom, detached and semi-detached properties with driveway parking, gardens and landscaping according to the indicative plans. All of the proposed bungalows would be adaptable homes built to M4(2) standards. This requires reasonable provision for most people to access the dwelling and incorporates features to make it suitable for a wide range of occupants, including older people, those with reduced mobility and some wheelchair users. An ability to incorporate common, future adaptations is also a feature of this standard.

Green Belt Considerations

Effect on Openness

11. The Planning Practice Guide (PPG) explains that an assessment of openness is capable of having both spatial and visual aspects. The spatial aspect is usually concerned with the quantum of development proposed in relation to what is already present. The visual aspect is usually concerned with how openness is experienced before and after a development is constructed. Its disposition and arrangement can be relevant in gauging the effect on openness as well as the duration of the development and the degree of activity that would result.
12. The appellant maintains that there would be no impact on openness because it would be 'entirely contained' by existing development and would extend no further southwards than the built extent of the flanking development to the east and west. The containment of the site by an established hedgerow along its southern boundary is also seen as important because the appellant maintains that 'true countryside' lies beyond this feature which forms a 'defensible barrier' despite being an impermanent feature that could be lost or removed at any time.
13. However, the quantum of development is such that there would be a fundamental change to the predominantly open aspect of the site. The replacement of paddocks and unkempt area of land adjacent to Furrow Grove could not do anything other than reduce openness and undermine the permanence of the GB.
14. Whilst the land use is different to the adjacent fields, it is nevertheless read as part of the wider rural location rather than as part of the settlement. The development would lead to the extensive urbanisation of the site which would also have a detrimental effect on the visual aspect of openness. This would be particularly apparent in views from the petrol station car park and Moor Lane, given the deciduous nature of the hedgerow.
15. Considering the spatial and visual dimensions of openness, it is apparent that the proposal would have a much greater and permanent urbanising impact on the openness of the GB than the structures that are currently present. Overall, the level of harm to openness would be of a significant magnitude bearing in mind the density of the proposed development. This would undermine the fundamental aim of the GB. The appeal scheme would therefore be at odds with paragraph 142 of the Framework which seeks to keep GB permanently open.

Effect on Purposes

16. The appellant maintains that the site performs poorly against the five purposes of the GB because it had previously been included within the inset boundary of the settlement in a withdrawn local plan. The Council explained that the site had previously been considered for inclusion within the context of a different housing growth strategy. It maintains that its exclusion from the adopted development plan and the purposes it serves have been the subject of a robust examination. I note that it is also not for a Hearing to replicate any such examination.
17. The appellant suggests that the fact that the site could have been included in the withdrawn plan reduces the weight to be attributable to the GB harm

that would arise from the proposed development. I do not find this to be the case because planning law¹ requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Furthermore, this view is based on a defunct evidence base within a wholly different housing growth context.

18. At the Hearing, the Council clarified that the main purposes it serves at this location are to safeguard the countryside from encroachment and to assist in urban regeneration. The appellant suggests that there would be no encroachment because of the development already present on three sides of the appeal site and the stronger countryside character of the arable land beyond the hedgerow.
19. Whilst the land use differs, the site currently has a predominantly rural character that would be fundamentally altered by the proposed development. Although the detail of the proposal is a reserved matter, it is clear that the density of development would lead to cumulative urban sprawl that would be clearly visible from the locations I have already identified. In particular, I note that it would add to the existing visual intrusion of the Furrow Grove development when viewed from Moor Lane. As such, the countryside would not be safeguarded and this purpose would clearly be compromised.
20. Turning to the other identified purpose, while it may be that every dwelling built in the countryside provides a housing opportunity that might otherwise be met in a higher order settlement, no evidence of harm to urban regeneration is before me. Consequently, I find this point to be unsubstantiated.
21. Given the above, I conclude that the proposal would lead to inappropriate development which is harmful by definition. It would also cause a significant level of harm to the openness of the GB and the purposes of including it, bearing in mind the urban sprawl that would result. Paragraph 153 of the Framework indicates that these harms attract substantial weight against proposals which should not be approved except in very special circumstances. This would be contrary to policy STP 8 of the Northumberland Local Plan 2016-2036 (2022) (the LP) which seeks to control development in the GB, in accordance with the aims of the Framework.

Other Harms

Character and Appearance

22. Given the visual effect of the proposal, there is some overlap between this issue and my assessment of the effects on openness. Nonetheless, this is a different exercise. The Council's second reason for refusal refers to the effect of the proposal on the rural, dispersed and open character of the site and its surroundings. I shall now only consider how the proposal would affect the dispersed, rural character of the settlement having already dealt with openness.
23. The appellant suggests that the inset boundary does not define the settlement limit and that this is a matter of planning judgement. However, I note that the glossary of the LP clearly states that land beyond inset boundaries is defined as open countryside. Whilst the settlement limit is not strictly defined, open

¹ Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 (as amended)

countryside is clearly not part of the settlement and therefore serves to define its extent in this particular instance. I find this a matter of fact rather than subjective opinion although I accept that the site is influenced by the proximity of nearby development.

24. The appellant notes that development on either side of the appeal site reflects or retains the linear character of the village which the Council highlights as being important. The appellant maintains that the proposal would align with the southernmost extent of the flanking development and that this would not contradict or undermine the established built form at the western end of the village.
25. However, I observed that the density of development notably declines towards the western periphery of the settlement with significant gaps providing expansive views of the wider countryside. This includes the gap immediately to the east of the Furrow Grove development and another on the north side of Station Road, facing Nos. 14-26.
26. This contrasts with the context of the Moor Farm Estate appeal² where the Inspector found that the specific section of the road, on which that appeal site was located, was characterised by gaps associated with dwellings on larger plots. I observed that the context of these dwellings is more urbanised and that this character becomes more pronounced moving east, towards the railway line. This contrasts with the western end of the settlement which retains a more open, rural quality.
27. Bearing this in mind, as well as the fact that the scheme was for just four dwellings and not in the GB, I do not find it the same in all respects. The appellant also acknowledges that the parts of the decision that were highlighted went to matters of planning judgement that could go both ways.
28. Although the proposal would be largely screened by the modest dwellings on the south side of Stannington Station Road, open countryside can nevertheless be glimpsed in the gaps between these dwellings from multiple viewpoints along the road. Noting the more recent development elsewhere in the village, it is clear that the cumulative density of the settlement has significantly increased in recent years. Whilst currently characterised by sporadic ribbon development, that partly retains a rural context, further development would lead to a much denser, suburban grain at odds with its wider countryside setting.
29. The appellant has suggested that I could condition a lower number of dwellings. However, a reduction in density would not ameliorate the general urbanisation of the plot given the associated infrastructure and domestic paraphernalia that would still be present. Furthermore, such a change would amount to a non-material amendment which should be the subject of a new application where such changes can be scrutinised in greater detail and consulted upon.
30. Given the above, I find that harm would be caused to the character and appearance of the settlement which would be contrary to policy QOP1 of the LP that seeks, among other things, to make a positive contribution to local character and distinctiveness, contribute to a positive relationship between

² APP/P2935/W/23/3323159

built and natural features and respect and enhance landscape settings. It would also be contrary to policy 10 of the Stannington Parish Neighbourhood Plan 2017-2031 that was made in 2018. This expects development proposals to, among other things, respect the context of development sites and their surroundings, as well as rural character.

Flood Risk

31. The application site is located within Flood Zone 1, which is the lowest risk for fluvial and coastal flooding. However, the Council suggests that the scale of the development poses a significant risk in terms of surface water flooding. This is because the Environment Agency (EA) long-term flood risk map shows the site to be at high surface water flood risk. This matter is not disputed and I observed that the site was partially flooded at the time of my visit. Given this well-established risk, the Council requires a detailed assessment to verify how it would be mitigated before granting outline permission and maintains that insufficient information has been submitted.
32. The appellant has submitted a Flood Risk and Drainage Strategy but states that a more detailed assessment cannot be finalised until the reserved matters stage because this can only be designed once the layout of the proposal has been finalised. The appellant has proposed the use of underground attenuation tanks and has secured approval from Northumberland Water for an allowable discharge rate of 5 l/s at a nearby sewer outfall. The approved rate of discharge from the indicative hardstanding areas would be equivalent to the current greenfield run off rate for the site. The appellant also proposes that the finished floor levels in the part of the site that is prone to flooding would be 450 mm above the existing ground levels which would be 150 mm above the 1-in-100 year maximum flood depth. The appellant suggests that the mitigation measures outlined in the strategy are sufficient, subject to the approval of further details at the reserved matters stage.
33. During the Hearing, the Council agreed that the approved outflow connection would be sufficient provided that the right level of attenuation could be achieved in relation to the capacity of the underground tanks. The parties also agreed that a plan area storage of 691 m² would be needed. However, the Council continued to highlight uncertainty over whether there would be enough space in the final layout to accommodate the necessary volume under the indicative roads and parking areas. When questioned about this uncertainty, the appellant suggested that rear and front gardens could also be utilised, as well as driveways and any greenspace. The Council pointed out that any installation under private land could pose problems with access for maintenance and I agree.
34. The Council also highlighted potential displacement of existing flows by the proposed development. When questioned, the appellant indicated that he was confident that a combination of swales and the attenuation system would ensure that there would be no flooding of surrounding land. However, the Council points out that the EA flood map shows a 'bowl effect' on the site and that a more detailed hydrological assessment, which includes the location of any swales, would be needed in order to determine whether or not the proposed measures would be sufficient. The appellant acknowledged that the strategy did not consider such effects and that this issue only emerged when the scheme was refused. As no further evidence concerning this matter was

submitted, I find the effectiveness of any swales or French drains around the periphery of the site to be unsubstantiated.

35. Whilst I appreciate that a fully detailed drainage strategy should ideally be a subject for reserved matters, the surface water flood risk associated with this particular site, as well as the proximity of existing residential dwellings, are such that there needs to be greater certainty that such risks can be effectively mitigated at the outline stage. Whilst the strategy provides a starting point for potential mitigation, I do not find it sufficient in this particular instance as there needs to be greater certainty concerning the accommodation and accessibility of the underground storage tanks as well as the displacement of potential flows through the site.
36. Given the above, I find that potential harm could result from surface water flooding, contrary to policies WAT 3 and WAT 4 of the LP. Together these seek to ensure, among other things, that all development proposals minimise and control surface water runoff through the use of sustainable drainage systems and demonstrate how they will minimise flood risk to people, property and infrastructure from all potential sources.

Archaeology

37. The Council notes that the appeal site is located within a landscape known to retain evidence of human occupation and exploitation spanning the prehistoric to modern periods. It observes that previous programmes of archaeological work in the vicinity of Stannington Station Road have identified 'an usually high concentration' of enclosed settlements or farmsteads dating from the Iron Age and Romano-British periods. On this basis, the Council considers that there is a high potential for comparable archaeological remains to survive within the appeal site.
38. The Council maintained the associated reason for refusal at the close of the Hearing because the appeal was not supported by an appropriately detailed archaeological assessment. Whilst the Council accepts that an appropriate archaeological field evaluation, which includes an indicative trenching plan has been set out, it is of the opinion that this should be implemented prior to the grant of outline permission.
39. The appellant states that the required archaeological investigation works would be carried out should outline permission be granted and that this can be secured through the imposition of a suitably worded condition in the event that the appeal is allowed. The appellant notes that the requirement would otherwise lead to unreasonable costs of around £20-£25K which he considers to be prohibitive at the outline stage.
40. The Hearing established that there is no evidence of archaeological remains on the appeal site nor any recorded finds and that anything that might be present on the appeal site is unlikely to be of national significance. The Council also confirmed that there were no scheduled monuments in the wider area and that the nearest archaeological remains are around 70 m away. The Council noted that the proximity of this non-designated heritage asset, as well as the wider density of remains, is the sole basis for its concerns over the risk that may be present on the appeal site.

41. The appellant did not undertake a desk-based survey due to the fact that the Council indicated that other studies contained the necessary information provided trenching was undertaken to confirm that there were no significant archaeological remains on the site. The Council noted that none of the trenching that has previously been done along Stannington Station Road had led to significant finds or prevented development. This begs the question of whether the requirement to undertake a field evaluation prior to outline permission being granted is necessary, reasonable or proportionate in this particular instance.
42. Paragraph 200 of the Framework requires the submission of an appropriate desk-based survey and, where necessary, a field evaluation. I note that policy ENV 7(3) of the LP also mirrors this wording. However, it does not impose an absolute requirement to undertake a field assessment and only requires one where necessary.
43. The PPG advises that conditions can enable development to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development. When asked why a field assessment could not be conditioned, the Council indicated that conditions requiring post permission trenching and assessment are 'not defensible' in its opinion and are consequently no longer in use.
44. I can find no support for this approach in the PPG. This states that decision-making regarding archaeological non-designated heritage assets that are not of national importance requires a proportionate response by local planning authorities. It goes on to state that following the desk-based initial assessment of archaeological interest, only a small proportion (around 3%) of all planning applications justify the requirement for a more detailed assessment³.
45. Given the above, I find that any harm is likely to be adequately controlled by a suitably worded condition bearing in mind the likely level of potential importance of the site within the context of other, nearby field investigations and the consequent likelihood of features being present that would justify the refusal of the proposal at outline stage. The proposal would therefore not conflict with paragraph 200 of the Framework or policy ENV 7(3) of the LP.

Sustainability of Location

46. Despite approving other development in the village, the Council considers that the location is not suitable for new housing given the sparse facilities and poor public transport links that are present. It notes that the bus service to Morpeth and neighbouring settlements is irregular and that future occupants would be reliant on the use of private motor vehicles. It suggests that whilst the farm shop provides fresh produce, this is not sufficient to meet the daily needs of future occupiers and that there is a general lack of retail, health and leisure facilities that could lead to social isolation.
47. The appellant notes that the petrol station includes a convenience store selling day-to-day items such as bread, milk, cereals, fresh produce and frozen items. Moorhouse Farm Shop is also identified as selling a range of fresh produce and incorporating a butchers, a bakery and a café that serves hot meals. The appellant also highlights a restaurant next to the filling station and a number of

³ Paragraph: 041 Reference ID: 18a-041-20190723

individual retailers in and around the settlement that offer a 'variety of goods and services'. The appellant notes that the settlement is served by a bus service (no. 436) which provides access to the centre of Morpeth six times a day and that the nearest bus stop is located around 200 m from the appeal site, on Stannington Station Road.

48. A number of local residents were present during the Hearing and only 3 out of 9 agreed that the fresh food outlets offer value for money when I asked whether this was the case. The appellant suggested that supermarket deliveries are now more widely accessible. Four out of nine individuals indicated that they had food delivered and nobody indicated that they used the local food outlets for a weekly shop. The appellant subsequently conceded that the outlets were only suitable for essential items rather than for regular shopping. Turning to the other services, the Hearing established that most of them would not be relevant to the day-to-day life of future occupants save for a dog walking service. Whilst the appellant also identified a log merchant and garden furniture retailer in this respect, these would only provide occasional services.
49. Mr Eaton, a local resident, noted that the No. 436 bus does not provide a service to the nearest town of Bedlington and is fully subsidised by the Council. Although funding is present for the next three years, Mr Eaton suggested that the service could be vulnerable to cuts in local authority budgets. This concern was also expressed by Mr Hall who represented Stannington Parish Council. Mr Eaton observed that the nearest alternative bus service (No. 43) at the eastern end of the village is a 25-minute walk from the appeal site. The appellant accepted that this service would not be suited to future occupants but maintained that the No. 436 nevertheless provides an alternative form of transport.
50. I accept that this would be the case and that it would be accessible to future occupants. I note the concerns over the potential loss of this service but find this to be speculative and unsubstantiated opinion. However, I have little doubt that there would be a reliance on private motor vehicles at this location given the limited scope of local services and facilities. Whilst some could be accessed through the existing bus service, the low frequency and practicality of using it for all activities, such as a weekly shop, would incline individuals to use their vehicles most of the time.
51. Given the above, I find that the proposal would not be in a sustainable location and would be contrary to policies HOU 11, STP 4, STP 5 and TRA 1 that require, among other things, that development is situated in places that are in accessible and sustainable central locations that are well-served by local health, leisure, education and transport facilities; locations that maximise the use of sustainable modes of transport; and ones that reduce the need to travel for both people and goods. I find no conflict with the two other policies in the associated reason for refusal, STP 3 and TRA 2, because the site is accessible, albeit infrequently, via public transport and because there would be no significant impact on the local transport network, as is clear from the lack of any objection from the Highway authority or a reason for refusal relating to this matter.

Local Housing Need

52. The Council maintains that the proposal is not supported by an adequate housing needs assessment. It acknowledges that there would be a greater level of accessibility and adaptability in comparison to standard housing but that this benefit would be limited due to the lack any on-site care to extend occupancy in the longer term. It observes that there is no analysis of local housing need, either in Stannington Parish or the wider village area, to justify this type of accommodation. Additionally, it maintains that there is no evidence of demand for specialist housing schemes for older persons over the age of 55. The Council notes that the proposal is not supported by any evidence that alternative sites in larger settlements would be unable to meet the needs of this age group. In this respect it highlights, larger planned housing allocations and permissions in Morpeth and Cramlington that it maintains will have significant scope to meet the demand, with better access to services and facilities as well as a wider choice of property types with level access, such as flats and bungalows.
53. The appellant maintains that existing consents and allocations during the plan period will fail to adequately meet the housing needs of older people in the Central Delivery Area as well as the County as a whole. It observes that bungalows have been identified as being the preferred housing choice for older people when choosing affordable housing and homeowners that are simply looking to downsize. The appellant maintains that there is a shortfall within the plan area and observes that the increasing demand for accommodation suitable for older individuals has been highlighted by a House of Lords Built Environment Committee. The appellant relies upon a detailed assessment⁴ to support this assertion which seeks to analyse the demand and supply position for older persons housing in the Central Delivery Area.
54. This assessment was considered at the Hearing which established the following points. The demand and supply discrepancy of 23:1 is based on the bids made to a letting system known as "Homefinder" which is accessible to individuals outside Northumberland. The Council indicated that a large number of the bids were typically evaluated as being associated with individuals "not in housing need". It also observed that a single individual could bid for multiple properties. The appellant conceded that the analysis did not exclude inward migration from outside the County and the aspirations of individuals simply wishing to relocate.
55. The appellant acknowledged that the extra care and supporting needs housing figures, upon which the assessment was based, were not disaggregated by delivery area and that no use had been made of any other sources of independent data. The appellant also confirmed that an assumption was made that there is a fixed ratio of 'age exclusive units' in each delivery area and that the demand for 65+ accommodation can simply be divided equally between those areas.
56. Whether or not factors, such as better access healthcare and other services in higher order settlements, leads to greater demand in some delivery areas rather than others was not explored. The appellant confirmed that this could potentially be the case and that there was no basis for assuming an even distribution of need across each delivery area.

⁴ Demand and Supply Assessment of Older Persons Housing

57. Turning to the distribution of existing older households, the appellant confirmed that the assessment did not consider where such households were currently located. When I asked whether or not this might be determinative of local need, given the potential desire to maintain existing social networks and remain in the same neighbourhoods, the appellant acknowledged that this might be a factor. This further emphasises the lack of consideration that was given to any potential aggregation of need across the County.
58. It is clear that the shortfall that has been identified for the Central Delivery Area is based on unreliable evidence given the lack of disaggregated data and the untested assumptions that were made regarding the distribution of need. Moreover, whether or not the identified demand is potentially being driven by aspirational, inward migration rather than genuine local need is another confounding factor in the assessment that has been undertaken. This last point applies to the Altoria Development customer enquiry list which has also been relied upon to justify the proposal. Whilst I accept that a lack of provision has been identified nationally⁵, the case for it being present in Stannington Parish or even the wider Central Delivery Area is equivocal and remains unproven.
59. I am also mindful of the comments made by Mrs Henaghan who highlighted the fact that the occupants of two of the properties at Furrow Grove were planning to move in order to meet extra care needs. Although the proposed development would be adaptable to meet changing needs, it would not be capable of meeting extra care needs and long-term occupancy would be limited as a result.
60. The Council also pointed out that it is difficult to recruit care staff to work remotely and that it can be more difficult to co-ordinate care in remote locations as co-morbidities increase. It is clear that the plan led approach, as set out in policy HOU 11, seeks to manage this by ensuring that new adaptable homes are located in accessible and sustainable central locations rather than in remote settlements. It also stresses the need to deliver a range of housing options. This not only includes bungalows but also level-access flats and sheltered 'extra care' accommodation within intergenerational communities.
61. Given the above, I find that the proposal would not meet a justified local housing need and that it would also undermine a plan led approach. This would be contrary to policies HOU 11, HOU 5 and STP 3. The last two policies seek, among other things, to ensure a housing mix that includes supported specialist housing for older people as well as homes that meet an identified local housing need.

Other Considerations

62. The appellant has drawn my attention to the benefit of constructing adaptable homes that enables an extended period of occupation. Whilst I accept that this partly addresses the needs of an aging population, this is only one of a broader range of measures that are necessary to ensure that individuals are able to stay in a given location in the longer term. Consequently, I give this matter moderate weight in favour of the development.

⁵ Meeting Housing Demand (2022), House of Lords

63. The appellant has suggested that the construction phase would benefit the local economy through the supply of materials and direct employment. This would be a temporary benefit of limited scope bearing in mind the scale of the proposed development. Consequently, I give this matter limited weight in favour of the development.
64. The appellant is of the opinion that future occupants would benefit the local economy through increased expenditure. As the Hearing established, this would be limited to essential items and the narrow range of services that are locally available. Consequently, I give this matter limited weight in favour of the development.
65. The appellant highlights a benefit arising from increased support and the consequent preservation of the local bus service. The location would lead to a reliance on private motor vehicles and the extent to which future occupants might use the service is equivocal. Consequently, I give this matter negligible weight in favour of the development.
66. The appellant contends that the proposal would lead to the resolution of flooding issues on the site. The lack of a fully detailed assessment and the effectiveness of mitigation measures remains unproven. Consequently, I give this matter no weight in favour of the development.

Other Matters

67. Various additional concerns have been raised by interested parties including the loss of curtilage, parking capacity, increased traffic flow and impact of construction traffic which I have noted. Given the above findings, it has not been necessary for me to address these matters further as the appeal has failed on the main issues.
68. The appellant has referred to two additional appeal decisions⁶. I have had regard to these where relevant. However, they relate to other schemes in different local authority areas under significantly different circumstances where matters of weight and judgment are case specific. In response to my questioning on these issues, the appellant accepted that there were differences and that they were only intended to indicate national trends. Neither these nor any other appeal decision set legal precedent and I have come to my own conclusions for the reasons given, based on the individual merits of this case.

Very Special Circumstances

69. The Framework states that inappropriate development should not be approved except in very special circumstances. These will not exist unless the potential harm to the GB by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Substantial weight must be given to the harm to the GB due to the inappropriate nature of the proposed development and the harm that this would cause to openness.
70. Other harm would be caused to the character and appearance of the local area and potentially lead to surface water flooding. Bearing in mind the flanking development and the serious consequences of flooding, I give these harms limited and significant weight respectively. I have also found that the proposal would not be in a sustainable location and that it would not meet a justified,

⁶ APP/H2265/W/18/3202040 and APP/A0665/W/18/3203413

local housing need. I give these matters significant weight because this undermines a plan-led approach. All the above matters weigh against the proposal in addition to the harm that would be caused to the GB.

71. On the other hand, the proposal would provide benefits attracting moderate weight in relation to the provision of adaptable homes and limited weight in relation to the economic benefits associated with construction phase and increased local expenditure once occupied. A further benefit attracting negligible weight would be associated with a potential increase in the use of the local bus service. On balance, I consider that the factors that weigh in favour of the proposal do not clearly outweigh the harm that would be caused to the GB and the other harms that would result.

Conclusion

72. For the reasons given above and considering all other matters raised, the appeal should be dismissed.

R Catchpole

INSPECTOR

APPEARANCES

For the Appellant

Mr Ketley BA (hons) DipTP
Miss Wood BA (hons) DipTP
Mr Fleming
Mrs Fleming

For the Council

Mr Laughton BA (hons) Dip
Mr Robson BA (hons) MA
Mrs Wood BA (hons) DipTP
Mrs Parkin BSc (hons)
Mr Dawson BSc (hons)
Miss King BA (hons) DipTP MTP MRTPI
Mr Best BA (hons) MLitt ACIFA

Interested Parties

Mr Hall	Parish Council
Mr Eaton	Local Resident Representative
Mr T Hall	Local Resident
Mrs Henaghan	Local Resident
Mrs Oliver-Trotter	Local Resident
Mr Foster	Local Resident
Mr Thompson	Local Resident
Mr Jackson	Local Resident

DOCUMENTS SUBMITTED

- HD1 Signed Planning Obligation
- HD2 Statement Transcript – Mr Eaton
- HD3 Statement Transcript – Mrs Heneghan
- HD4 Statement Transcript – Mr T Hall
- HD5 Green Belt Review Addendum (2018) - Council
- HD6 Habitat Regulations Assessment – Council
- HD7 Closing Statement Transcript - Appellant