



Appeal Decision

Site visit made on 16 July 2024

by F Cullen BA(Hons) MSc DipTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 28 October 2024

Appeal Ref: APP/P2935/W/24/3337877

**Houghton Moor, Hexham Road From Houghton Moor To Blakeley Hill,
Heddon-On-The-Wall, Northumberland NE15 0EZ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Neelu Jassal, of Company Mrs Neelu Jassal and Mr Gaurav Kumar Jassal and Mr Rahul Kumar Jassal, against the decision of Northumberland County Council.
 - The application Ref is 23/02284/FUL.
 - The development proposed is extension, alteration and subdivision of existing single dwellinghouse to create two dwellinghouses.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the appellant's company name from the application form which differs slightly to that stated in the appeal form¹.
3. A revised version of the National Planning Policy Framework (the Framework) was published in December 2023 after the Council made its decision. Any policies in the Framework relevant to this appeal have not fundamentally changed. Additionally, the parties have had the opportunity to comment on the revised Framework as part of the appeal. I am therefore satisfied that their interests are not prejudiced by me taking the revised Framework into account in my decision.
4. In July 2024, the Government published for consultation, 'Proposed reforms to the Framework and other changes to the planning system' and the 'Framework: draft text for consultation', along with a Written Ministerial Statement 'Building the homes we need'. The parties were given the opportunity to comment on the consultation documents, and I have had regard to any responses received in my determination of the appeal.
5. The development proposed is as set out above. From the submitted evidence, the appellant advances their case in policy terms on both counts, that the proposal is, the extension and subdivision of the existing dwelling, but also the creation of a new dwelling. Whilst I note the Council's comments on this matter, it has assessed the application against policies contained within the Northumberland Local Plan 2016-2033, adopted March 2022 (the NLP) in relation to both of these aspects of the proposal and so, I have done the same.

¹ Mr & Mrs Neelu Jassal & Mr Gaurav Kumar Jassal & Mr Rahul Kumar Jassal.

Main Issues

6. The main issues are:

- Whether the proposal would be inappropriate development in the Green Belt, having regard to the Framework and any relevant development plan policies;
- Whether the proposal would provide a suitable location for development, having regard to the spatial strategy for the area;
- The effect of the proposal on local character and distinctiveness;
- The effect of the proposal on the Outstanding Universal Value of the Frontiers of the Roman Empire (Hadrian's Wall) World Heritage Site;
- The effect of the proposal on great crested newts;
- The effect of the proposal on highway matters; and
- Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Green Belt

7. The appeal site (the site) lies within the Green Belt. Paragraph 142 of the Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
8. Paragraph 152 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Policies STP 7 and STP 8 of the NLP set out the Council's strategic policy context in relation to development within the Green Belt in Northumberland, which reflect the Framework.
9. Paragraph 154 sets out that the construction of new buildings should be regarded as inappropriate development in the Green Belt, subject to a number of exceptions. It is not clear from the appellant's evidence which of the exception(s) they advance their case on, only stating that the proposals are 'not inappropriate development' by reason that they are, the extension and alteration of an existing family home, and that they form limited infilling of residential curtilage/previously developed land (PDL). The only exception cited by the appellant is (e)², but this is in the context of 'infilling' and, as the site is not located in a village, it is not applicable. On the basis of the above, I find exceptions (c) and (g) to be of most relevance and have assessed the proposal against them.
10. Exception (c) reads, 'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'³. This requires consideration of whether a proposal would,

² Limited infilling in villages.

³ The Framework Glossary defines 'original building' as, a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

when taken in combination with any previous additions to the original building, result in a disproportionate addition in terms of its size. That said, the Framework does not define what constitutes 'disproportionate'. In undertaking this exercise, it is reasonable to have regard to the overall size increase in terms of volume and external dimensions, as well as floorspace.

11. Neither party has provided any figures or calculations to assist this process in relation to the volume and/or floorspace of: the original building; any previous additions to the original building; or the proposal. Additionally, the planning history of the site and the submitted plans provide little insight on this matter.
12. The absence of any substantive information on the above, significantly limits a meaningful appraisal of the proposal against exception (c). Given the great importance attached to Green Belts and that inappropriate development is, by definition, harmful, I have no option but to take a precautionary approach. In these circumstances, I cannot be certain that the proposal would not be inappropriate development within the Green Belt in relation to exception (c).
13. Exception (g) reads, 'limited infilling or the partial or complete redevelopment of PDL, 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; or – not cause substantial harm to the openness of the Green Belt, where the development would re-use PDL and contribute to meeting an identified affordable housing need within the area of the local planning authority'.
14. The first part of this assessment is whether the site constitutes PDL. The Framework defines PDL as 'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape'.
15. The site is occupied by permanent structures, including the existing dwelling and garage, in a sizeable plot. In addition, having regard to the second main issue below, it can reasonably be concluded that the site is not located within a 'built-up area' and so not excluded from the definition of PDL. Consequently, in the context of the particular circumstances before me, I find that the site falls within the general definition of PDL.
16. The next part of this assessment is, whether the proposal would form limited infilling or the partial or complete redevelopment of PDL. The terms 'limited' and 'infilling' are not defined in the Framework. This is a question of fact and planning judgment for the decision maker, having regard to such things as the nature and size of the development proposed, the location of the site and its relationship to other, existing development adjoining and adjacent to it.
17. Given the sum of development proposed relative to the size of the site, I find that it could reasonably be concluded to be 'limited'. However, by reason that it

would not 'fill' a space or gap in relation to existing development, I find that it would not constitute 'infilling'. However, given the nature of the proposal and the conclusion that the land constitutes PDL, I conclude that it would amount to the 'partial redevelopment of PDL'.

18. Following this, exception (g) requires further tests to be applied to determine whether the proposal constitutes inappropriate development. The first being whether there would be a greater impact on the openness of the Green Belt than the existing development. Openness is an essential characteristic of Green Belts and has both spatial and visual aspects.
19. The plot is of a generous size and the presence of well-established vegetation around it provides some screening. Nonetheless, the proposal would notably increase both the footprint and the volume of development on site, introducing substantial and permanent built form onto land and into space where currently there is none. The existing vegetation would lessen the proposal's effect on the visual aspect of the Green Belt's openness to a degree, although the site's location in a slight dip in the land, combined with the extent of the proposal, would still result in it having an unduly conspicuous presence when observed in longer range views from the adjacent highway. Furthermore, by reason of its considerable size and scale, it would notably reduce the spatial aspect of the Green Belt's openness. In these respects, the proposal would have a greater impact on the openness of the Green Belt than the existing development.
20. With regard to the second test, there is nothing before me which demonstrates that, in the accepted re-use of PDL, the proposal would 'contribute to meeting an identified affordable housing need within the area of the local planning authority'. Consequently, the proposal would be inappropriate development in the Green Belt in relation to exception (g).
21. Drawing the above together, I find that the proposal would be inappropriate development in the Green Belt, having regard to the Framework and any relevant development plan policies. It would therefore conflict with the provisions within the Framework regarding development in the Green Belt and preservation of openness. It would also not accord with Policies STP 7 and STP 8 of the NLP referred to above.

Spatial strategy

22. Policy STP 1 Spatial Strategy (Strategic Policy) of the NLP is relevant. The Policy seeks to deliver sustainable development which enhances the vitality of communities across Northumberland, supports economic growth, and which conserves and enhances the County's unique environmental assets.
23. The site is located outside the boundary of any defined settlement, the closest settlements being Heddon-on-the-Wall and Wylam⁴, both approximately 2km away. Consequently, for the purposes of the NLP and my assessment under this main issue, the site is within the 'open countryside'. Therefore, Criteria (g), (h) and (i) of Policy STP 1 are relevant.
24. Criterion (g) lists circumstances under which development in the open countryside will be supported; (h) states that forms of development in the open countryside, other than those identified in criterion (g), will be permitted if they are supported in a made neighbourhood plan; and (i) sets out that

⁴ Both identified as Service Villages under STP 1.

- development in the open countryside should be sensitive to its surroundings, not have an unacceptable impact upon the local road network, and use previously developed land where opportunities exist.
25. There is nothing before me which confirms that the proposal would be supported in a made neighbourhood plan. Additionally, given my conclusions on other main issues, whilst the proposal would use PDL, it would not be sensitive to its surroundings and I am unable to conclude that it would not have an unacceptable impact upon the local road network. As such, the proposal is not supported under Criteria (h) or (i).
26. In relation to Criterion (g), the appellant has not explicitly referenced which circumstance they consider supports the proposed development. Given the nature of the proposal, I find the most relevant to be (iv), namely, provides for residential development in accordance with Policies HOU 7 or HOU 8 of the NLP.
27. Policy HOU 7 concerns Exception Sites. The appellant has not demonstrated how the proposal would meet any parts of this policy. The proposal is not within or adjacent to an existing settlement. Also, given its distance from the nearest defined settlements and restricted accessibility by methods other than a private car to obtain day to day services and facilities⁵, it is reasonable to conclude that it is not 'well-related' to an existing settlement. Moreover, there is no indication that the dwellings would meet the definition of affordable housing. I therefore find that the proposal is not supported under Policy HOU 7.
28. Policy HOU 8 concerns 'Isolated residential development in the open countryside', and sets out the circumstances in which it will be supported. I note the appellant's assertions that the house is not 'isolated' but instead is 'very well connected' and acknowledge the images/references to neighbouring cottages⁶.
29. However, although the nearest cottage is stated to be 50m away, on site, Houghton Moor is perceived as being on its own and one of only a few dwellings or farmsteads in dispersed locations situated along this section of the B6528. I also find that, for the reasons set out above, the site is not well-connected or well-related to the nearest settlements, but instead is physically isolated from them.
30. In any event, as part of their case, the appellant has advanced that the proposal is compliant with Criteria c), d) and e) of Paragraph 84 of the Framework. These align with Criteria (c), (d) and (e) of Policy HOU 8 and so I have considered the proposal against them.
31. I find that the proposed development is not supported by Criterion (c) of Policy HOU 8, as neither the existing dwelling nor garage could reasonably be described as being redundant or disused buildings; and given my conclusions on the next main issue, the proposal would not enhance the immediate setting of these structures.
32. In my judgement, the proposal is also not supported by Criterion (d) of Policy HOU 8, as the subdivision of the existing dwelling would only occur following the sizeable extension and conversion of the current dwelling and garage. As

⁵ Bus stop 250m away with hourly bus. Unlit routes. No formal footpaths for parts of the routes.

⁶ Blakeley Hill Cottage; Neighbouring Cottage; and Bluebell Cottages.

such, it would not constitute the appropriate sub-division of an existing residential dwelling (my emphasis).

33. Finally, no compelling information has been provided which demonstrates that the design of the scheme before me would be of exceptional quality in that it would be truly outstanding or innovative. Additionally, given my conclusions on the next main issue, the proposal would not enhance its immediate setting or be sensitive to the defining characteristics of the local area. The appellant highlights what they state to be a comparable scheme⁷. However, the article cites the Black Barn's design reference to a local typology and it possessing a strong narrative, which is not the case for this appeal scheme. Therefore, I find that the proposal is not supported by Criterion (e) of Policy HOU 8.
34. Accordingly, I conclude that the proposal would not provide a suitable location for development, having regard to the spatial strategy for the area. As such, it would conflict with Policies STP 1, HOU 7 and HOU 8 of the NLP and Paragraph 84 of the Framework referred to above.

Local character and distinctiveness

35. The site is a substantial, roughly triangular shaped plot, situated adjacent to the B6528. Set back from the highway within a well-established, verdant garden, is a large, detached, two storey dwelling (Houghton Moor), with a detached double garage behind. The buildings are constructed of coursed stone with slate roofs and brown uPVC doors and windows. Both possess a modest but robust form and design with a high solid to void ratio. Key features include strong gables, quoins, chimney stacks and water tabling. The site is accessed off the highway by a short, gated drive, and is bound by a combination of mature trees, stone walling, hedging and post and rail/wire fencing.
36. The wider surrounding area comprises a generally open and undulating agrarian landscape, punctuated by dwellings, farmsteads and a golf course. It is designated as having 'High Landscape Value'. Residential development in the locality is predominately characterised by detached, one or two storey dwellings of a traditional construction in natural stone and slate. Similar to the appeal property, common design traits include a high solid to void ratio, prominent gable features, quoins, chimney stacks and water tabling.
37. The use of natural stone and slate throughout the proposed development and incorporation of features such as quoins would respect and complement the predominate building palette within the site and the area. Additionally, the proposed extensions to the front of the existing building would be of a fairly modest size and scale that would not markedly disrupt nor detract from the existing building's form and design.
38. However, the proposed extensions and alterations/conversion of the garage at the rear would unduly jar with the form and design of the existing property, and be out of keeping with the positive qualities and local distinctiveness of residential built form in the wider area.
39. The substantial size and scale, along with the blended traditional/contemporary design approach, of the extended and converted detached garage, would cause it to compete with and detract from the existing dwelling. The low solid to void ratio of the voluminous converted garage and contrived single storey link, both

⁷ Article on Studio Bark's Black Barn Project.

incorporating large expanses of glazing, would run counter to the prevalent form and design of dwellings in the area. This, combined with the inclusion of an external staircase and balcony to access first floor bedrooms, very heavy eaves overhanging the 'bedroom gable', and the omission of traditional design elements, would cause the proposal to not sit comfortably within the site or assimilate well into the landscape.

40. Although the site is screened to an extent by well-established vegetation, as referenced above, its position in a slight dip in the land means that these harmful effects would still be perceptible in longer range views from the adjacent highway.
41. I note the appellant's comments that the building is not listed or within a conservation area. Nonetheless, this does not justify the acceptance of the proposal, as Policy QOP 1 of the NLP requires all development to make a positive contribution to local character and distinctiveness. Likewise, the Framework is clear at Paragraph 139 that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.
42. Also, mindful of the appellant's reference to the Black Barn Project, as set out above, no compelling evidence has been presented which demonstrates that the architecture and design of the scheme before me would be in any way outstanding or innovative.
43. Accordingly, the proposal would have a harmful effect on local character and distinctiveness. This would conflict with Policy QOP 1 of the NLP referred to above. It would also not comply with the Framework in so far as it seeks to achieve well-designed and beautiful places.

World Heritage Site

44. The site is located in the southern extent of the Hadrian's Wall Military buffer zone (the Buffer Zone) of the Frontiers of the Roman Empire (Hadrian's Wall) World Heritage Site (the WHS)⁸. World Heritage Sites are designated heritage assets of the highest significance. Paragraph 205 of the Framework states that in considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).
45. The Outstanding Universal Value (the OUV) of the WHS informs the asset's significance. The OUV and significance of the WHS are mainly derived from it being a striking example of the organization of a military zone and its illustration of the defensive techniques and geopolitical strategies of ancient Rome. The extant remains of Hadrian's Wall, as part of the WHS, constitutes a significant element of the Roman Frontiers present in Europe and has an extraordinarily high cultural value. It is also an outstanding example of Roman military architecture and building techniques and of their technological development.
46. Pertinent to the appeal, the WHS's OUV and significance also stem in part from its setting, incorporating the Buffer Zone. This land surrounding Hadrian's Wall allows the asset to be experienced and its heritage merit appreciated.

⁸ List Entry Number 1000098.

47. I note the Council's concerns regarding the proposal in relation to the Buffer Zone, Hadrian's Wall and the OUV and significance of the WHS. These focus on the potential for light spill to emanate from the large rooflights and extensive areas of glazing incorporated into the design of the proposed development.
48. However, I am mindful of the site's location at the southern extent of the Buffer Zone where the land dips slightly at Rudchester Burn; the undulating topography of the surrounding land and intervening man made and natural features, including the A69; and the limited amount of development proposed in relation to the extent of the Buffer Zone, Hadrian's Wall and the WHS.
49. In these regards, I am satisfied that any potential light spill from the proposal would not be sufficient to materially affect the authenticity of how the asset is experienced or diminish the ability to appreciate its OUV and significance. As such, I find that the proposal as development within the asset's setting/the Buffer Zone, would sustain the OUV and significance of the WHS.
50. Accordingly, I conclude that the proposal would sustain the OUV of the WHS. As such, it would not conflict with policy ENV 8 of the NLP which requires development proposals throughout the extent of the WHS, its setting, or defined Buffer Zone to, where possible, seek opportunities to sustain and better reveal the significance of its OUV. However, a lack of harm in this regard is a neutral consideration and weighs neither for nor against the appeal.

Great crested newts

51. The site falls within an area designated by Natural England as an 'amber zone' for great crested newts (GCN), namely, an area which has GCN populations, habitats, and dispersal routes.
52. A pond is located approximately 10m to the north of the site boundary and approximately 65m to the north of the land proposed to be developed. The Council advise that the land between the pond and the proposed development footprint, has the potential to be commuting/foraging habitat for GCN, increasing the likelihood of GCN being present within the site⁹. Having regard to Natural England's standing advice cited by the Council that GCN will commonly use terrestrial habitat within 250m of a suitable pond, I have no reason to dispute this assertion.
53. GCN are a European Protected Species and The Conservation of Habitats and Species Regulations 2017 (as amended) (the Regulations) impose a duty on me as the Competent Authority to consider whether GCNs would be affected by the development and whether any associated mitigation measures would be effective.
54. No survey of the pond to assess the actual or potential use of it by GCN has been undertaken; and no mitigation measures have been submitted. Additionally, there is nothing before me which indicates that the appellant has entered into the GCN District Level Licensing Scheme in Northumberland, where developers proposing to develop land that may support GCN, can pay to join the scheme, avoiding the need to do their own surveys or plan and carry out mitigation work.

⁹ Ecologist Consultee Comments: Dated 24 Aug 2023 and 16 Feb 2024.

55. The appellant submits that, due to the proposed development footprint being adjoining or adjacent to the existing dwelling, in conjunction with its distance from the pond, a survey is unnecessary, as there is 'very little chance that GCN would be impacted upon'. However, without a recommended presence/absence survey and a more substantiated understanding of the situation, I am unable to carry out my regulatory duty to consider how GCNs may be affected by the proposal. Also, I cannot be certain whether any mitigation measures would be effective in addressing any harm that may be caused.
56. Whilst I note the appellant's comments that this matter could be controlled via a standard 'working measures' condition, this approach would not allow me to carry out a proper assessment as required under the Regulations. Moreover, such a condition would be contrary to advice at Paragraph 99 of the Officer of the Deputy Prime Minister Circular 06/2005. This states 'it is essential that the presence or otherwise of protected species, and the extent they may be affected by a proposal, is established before planning permission is granted otherwise all relevant material considerations may not have been addressed in making the decision'.
57. Accordingly, for the above reasons, I find insufficient information has been provided to demonstrate the effect of the proposal on GCNs. Also, there is doubt as to whether any harmful effects in this respect could be appropriately addressed through mitigation measures. In these regards, the proposal fails to meet the requirements of the Regulations. It would also be contrary to Policy ENV2 of the NLP in so far as it seeks to conserve biodiversity, and would conflict with the provisions within the Framework which seek to conserve and enhance the natural environment.

Highway matters

58. The site is located just off the B6528 at a slight dip in the road/land. The road is an unlit, single carriage, highway with a 60 mile per hour speed limit. Grass verges and set back hedges line both sides of the road in the vicinity of the site. Access into the site is via a narrow gated driveway off the road.
59. The consultation response on this matter¹⁰ sets out that, in assessing the application, the Highway Authority checks that the proposal will not result in an adverse impact on the safety of all users of the highway, the highway network or highway assets. It was concluded that the information provided was insufficient to make a suitable and substantive response, and listed the information required.
60. I acknowledge the generous size of the existing dwelling and site, as well as the current uncontrolled nature of the vehicular and pedestrian movements to and from the property. Nonetheless, it is reasonable to conclude that the creation of another dwelling within the site and its accommodation by extended family members would lead to increased activity in terms of comings and goings from the property, be they pedestrian or vehicular. Consequently, I have no reason to dispute the need for additional information to enable an informed judgement in relation to these important matters.
61. The information requested has not been submitted by the appellant. As such, the impact of the proposal in relation to highway matters cannot be

¹⁰ Dated 16 August 2023.

determined. Whilst the test at Paragraph 115 of the Framework is: Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, without the information requested this cannot be established.

62. Accordingly, for the above reasons, I conclude insufficient information has been provided to demonstrate the effect of the proposal on highway matters. In these regards, the proposal would conflict with Policies TRA 1, TRA 2 and TRA 4 of the NLP concerning sustainable connections, effects on the transport network and parking provision. It would also not comply with the provisions within the Framework which seek to promote sustainable transport.

Other Considerations/Very Special Circumstances

63. The Framework is clear that substantial weight should be given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations¹¹.
64. The appellant has highlighted the full permitted development rights for the existing property as set out within the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Those cited include the addition of another level to the property, and the erection of incidental outbuildings on up to 50% of the curtilage area. In this context, they submit that the scheme proposed is acceptable.
65. I acknowledge the extensive permitted development rights open to the appellant. However, in the absence of any details on this matter, I am not persuaded that what could be constructed without the need for planning permission would be a realistic alternative to the appeal proposal, part of which would be the creation of a new dwelling. Consequently, I cannot be certain that there would be any greater than a theoretical possibility that such development might take place. In addition, whilst the appellant declares that the implementation of such rights would have a much larger impact on the Green Belt, given the deficiency of details of any such permitted development, I am unable to evaluate any effects in comparison to the appeal proposal. In any event, I consider it unlikely that it would be appreciably more harmful than the scheme before me to justify allowing the appeal. As such, I attach little weight to this fallback position as an other consideration.
66. The personal circumstances of the appellant concerning 'different cultural ways' of living has been advanced as a consideration in support of the proposal. Although they consider that the proposal would not be inappropriate development in the Green Belt, they submit that this amounts to very special circumstances in the assessment of the proposal and determination of the appeal. I acknowledge that the proposal would allow the appellant and their extended family to live together on one site. Therefore, in my determination I have had due regard to the Public Sector Equality Duty contained in section 149 of the Equality Act 2010 (the PSED). This sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it.

¹¹ Paragraph 153.

67. The proposal would deliver economic and social benefits through the construction phase and the potential for the additional occupants within the site to support local services and facilities. Nevertheless, given the extent of the development proposed, these would be fairly modest and so carry little weight.
68. The proposal could be said to make more effective and efficient use of PDL. However, the Framework is clear that the effective use of land should also safeguard and improve the environment, which I find that the proposal would not do in respect of the Green Belt, the open countryside and local character and distinctiveness. As such, this carries very little weight.
69. I have had regard to the Government's support for boosting the housing supply and 'building the homes we need', which is reinforced by the recent consultation documents and highlighted by the appellant. I also note the appellant's comments that housing targets are merely minimums, not ceilings. However, I am mindful that the quantum in this case would be the addition of one unit, and it therefore carries little weight.
70. The appellant highlights the 'test' in the Framework that, 'permission should be granted unless...any adverse impacts of doing so would significantly and demonstrably outweigh the benefits'. However, this test is only applicable where Paragraph 11(d) of the Framework is engaged, and there is no evidence to suggest that this is the case in this instance.
71. The appellant cites compliance of the proposal with other policies of the NLP and paragraphs of the Framework. However, I find that the proposal would either not accord with part or all of those cited; or that the nature of the proposal is such that they are not directly relevant.

Overall Planning Balance and Conclusion

72. In summary, I find that the proposal would be inappropriate development in the Green Belt, which is harmful by definition. I also find that the proposal would not provide a suitable location for development and would harm local character and distinctiveness. Furthermore, I am unable to conclude that the proposal would not have a harmful effect on GCNs and highway matters. The Green Belt harm and 'other harms' carry substantial weight against the appeal. Whilst I have concluded no harmful effects to the OUV of the WHS, this weighs neutrally.
73. I have had regard to the other considerations cited in support of the proposal, including giving due regard to the PSED in relation to the personal circumstances of the appellant and his family. However, I find that, either individually or collectively, they do not clearly outweigh the substantial weight which must be given to Green Belt harm and any other harm. As a result, the very special circumstances necessary to justify the development do not exist and I conclude that it is proportionate and necessary to dismiss the appeal.
74. The proposal would conflict with the development plan when taken as a whole. Material considerations do not indicate that the decision should be taken otherwise than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

F Cullen INSPECTOR