



Appeal Decision

Site visit made on 10 December 2024

by J Bowyer BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th January 2025

Appeal Ref: APP/P4605/W/24/3348311

Land at Mary Vale Road and Franklin Way, Bournville, Birmingham B30 2HP

- 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 Bournville Land Ltd against the decision of Birmingham City Council.
 - The application Ref is 2023/08252/PA.
 - The development proposed was originally described as 'removal of existing structures/fencing and 1no. tree (within a Conservation Area) and redevelopment of site with 74no. apartments with associated amenity space, parking, and landscaping'.
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Decision

1. The appeal is dismissed.

Application for Costs

2. An application for costs was made by Birmingham City Council against Bournville Land Limited. This application is the subject of a separate Decision.

Preliminary Matters

3. The description of development in the banner heading above is taken from the application form which referred to 74no apartments. However, the scheme was amended prior to the Council's decision, including a reduction in the number of proposed apartments. The amended plans that were submitted to the Council showed 73 apartments, but an error in labelling meant they were numbered up to 72 and the decision notice gave a revised description of 'redevelopment of the site with 72 no. apartments with associated amenity space and parking'.
4. As part of the appeal, the appellant provided amended plans to correct the labelling error. These plans do not otherwise alter the development from that which was before the Council and interested parties at the time of the Council's decision and do not result in a fundamental change to the application. The Council's appeal statement has considered the proposal as a scheme for 73 apartments. Given also that there would still be a reduction in the number of apartments from the development which interested parties were consulted on, I am satisfied that my acceptance of these amended plans would not cause procedural unfairness to any party. I have therefore taken the amended plans into account and have considered the appeal on the basis that 73 apartments are proposed.
5. The appellant's appeal evidence included additional illustrative computer generated images, section details of Flats 12, 13 and 14, a Financial Viability Assessment report and a Daylight Study. Further illustrative computer

generated images as well as model extracts and comparison plans were included as part of the appellant's final comments. The Procedural Guide: Planning Appeals – England advises that statements should not normally include new evidence or additional technical data not previously seen by the local planning authority or interested parties at the application stage. Nevertheless, the submitted material involves no physical alterations to the development and the nature of the additional reports considering daylight and viability within the development would not concern effects on nearby occupiers. The Council has been able to comment on the additional material as part of the appeal process and has done so. Given these points, I consider that my having regard to the additional material would not prejudice the interest of any party, and I have taken it into account in determining the appeal.

6. The appellant's response to the Council's representations on its final comments included a further comparison view from Cadbury Park. Noting that this does not alter the development that is proposed and reflects detail already shown in other ways through the material previously submitted, I am similarly satisfied that my consideration of it would not prejudice the interest of any party and I have taken it into account.
7. The Council's third and fourth reasons for refusal concerned a failure to contribute towards open space provision and affordable housing. In response to the appellant's evidence on viability, the Council confirmed that these reasons for refusal were withdrawn and I have considered the appeal on that basis.
8. In December 2024, the Government published a revised version of the National Planning Policy Framework ('the Framework') and the Housing Delivery Test: 2023 measurement ('the HDT'). The main parties were given the opportunity to comment on any implications for the appeal of these publications. At the same time, they were invited to make comments on the relationship of flat 14 with a walkway access from Mary Vale Road which had not been addressed in the evidence already submitted. I have determined the appeal having regard to the comments submitted and in light of the Framework and HDT.
9. Finally, in considering the appeal, I note that the Council has previously granted planning permission on the site for development described as 'removal of existing structures/fencing and 3 trees (within a Conservation Area) and redevelopment of site with 52 no. apartments with associated amenity space and parking'¹, and a subsequent variation² ('the Permission Schemes'). I have had regard to the Permission Schemes as a material consideration, although I have determined the appeal having regard to the individual merits of the development that is now before me.

Main Issues

10. The main issues are:

- i) the effect of the proposal on the character and the appearance of the area, including the Bournville Village Conservation Area, and whether or not it would comprise suitably high quality design; and
- ii) whether or not living conditions for occupiers of flats 12, 13 and 14 would be acceptable in respect of the provision of natural light and outlook.

¹ Application ref 2017/07528/PA

² Application ref 2020/07384/PA

Reasons

Design, Character and Appearance

11. The appeal site is located at the corner of Franklin Way and Mary Vale Road within, but on the edge of, the Bournville Village Conservation Area ('the CA'). In accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have therefore paid special attention to the desirability of preserving or enhancing the character or appearance of the CA.
12. Bournville was established in the late 19th century by George Cadbury in line with Quaker philanthropy and ideals for social reform to provide healthy living and working conditions for employees of his cocoa factory. Most development occurred in the late 19th and early 20th centuries and is broadly centred on a village green, around which are shops, schools and places of worship. The CA includes some of the large buildings which are part of the Cadbury factory works, but much of the rest of the area is residential comprising dwellings of varying designs but with similarities in their scale and detailing, including common features of steeply pitched roofs and front gables and materials of red brick or tile hanging. This provides for a harmonious sense of coherence which is further reinforced by the generally regular arrangement of the buildings in informal groups while generous gardens and areas of open space add to the area's spaciousness and village quality.
13. The groups of buildings in the CA include semi-detached dwellings along the north side of Mary Vale Road closest to the appeal site which are of alternating simplified arts and crafts style designs with features and materials that are typical of the CA. The Franklin which is adjacent to the appeal site on Franklin Way is a former office building which has been converted to flats. Its five-storey height, detailing and materials including grey brick contrast with other residential development in the CA. Overall though, the CA is distinguished by the architectural quality and detailing of the many historic buildings and the intentional pattern of development and mix of uses which reflect Cadbury's ideals for social reform and community. These aspects provide for an attractive and distinctive character and appearance from which the CA derives much of its significance. Indeed, the Bournville Village Conservation Area Design Guide 1997 notes that Bournville is one of the best planned arts and crafts villages in the country and an excellent example of the English Garden City movement.
14. Development on the southern side of Mary Vale Road opposite the appeal site is not part of the CA, but the red brick finishes, decorative detailing and regular arrangement of fenestration to the Victorian two-storey terraces which line much of the street complement the characteristic features of the CA.
15. The appeal site itself was most recently used as a car park, but at the time of my visit it was disused. There were hoardings along the boundaries with Mary Vale Road and Franklin Way and the appellant refers to occasional fly-tipping and other anti-social activities on the site. In its current condition, it does not make any meaningful contribution to the significance of the CA. Rather, it detracts from the initial impression of the CA on entering and I agree with the main parties that the site represents a strong opportunity for enhancement.
16. The appeal proposes a five-storey over basement building with a broadly 'U-shaped' footprint around a central courtyard. The development would be of

substantially greater height, bulk and mass than nearby two-storey dwellings on Mary Vale Road and within the wider CA. However, this would also be the case with the Permission Schemes which I note would have a greater maximum height above ground level than the development now proposed. I acknowledge that the total top to bottom height of the building would be greater than the Permission Schemes and that the inclusion of the lower-ground floor level means that it would present as a five-storey building rather than the permitted four-storey over basement development. Nevertheless, views of the lower-ground floor level would be likely to be restricted to the immediate locality of the site from where the set back of the roof level means it would generally be less visible. Clear views of the entire five-storey height and mass of the building would therefore be limited.

17. Even where the overall scale of the building would be perceived, it would be lower than The Franklin. Whether or not The Franklin is an anomaly in the wider area, it is evident in views from around the appeal site, including from Mary Vale Road, as are large multi-storey buildings on the Mondelez site at Bournville Lane, and a large surface level car park to the opposite side of Franklin Way. The car park and some of the Mondelez buildings are outside of the CA but are still part of the context of the site and while the building would be clearly different to two-storey neighbours on Mary Vale Road, it would be appreciated in this wider context which already displays variation in the scale of development. Moreover, the development would be set apart from the neighbouring dwelling at 150 Mary Vale Road by an adjacent car park and access. It would also be set back from the Mary Vale Road frontage with the highway providing further separation to buildings opposite. The resulting separation would help to soften the visual impact of the contrast in the scale of the building against these neighbours.
18. City Note LW-7 of the Healthy Living and Working Places City Manual 2022 ('the City Manual') indicates that the form, mass and scale of buildings should generally have been informed by the character of the surrounding area and appropriate adjacent buildings. Here, the height, mass and scale of the building would be unusual. Taking the above factors together however, I am satisfied that the scale of the building envelope and fact that it would be five-storey would not necessarily appear unacceptably jarring or discordant in this location.
19. Be that as it may, the windows and the individual storeys to the building would be of comparatively modest height when seen against The Franklin and other buildings within the CA which tend to have generous floor-to-ceiling heights and tall windows. This would give an unusual horizontal emphasis and somewhat squat appearance to the building which would accentuate its impression of bulk and draw attention to its scale at odds with the characteristic proportions of development nearby.
20. In addition, the top floor level would extend over much of the full depth and width of the rear wing of the building. This wing would be lower than The Franklin, but its comparable height to the main part of the host building means that there would be no clear sense of subservience and the lack of defined hierarchy to the building would be at odds with the traditional pattern of subordinate rear projections seen in the CA.
21. Similarly, the appellant refers to the design of the roof as more of a mansard style than a continuation of the floors below, but from my observations, this

would not be a characteristic arrangement in the CA. The cladding indicated to the roof level would be in stark variance to the rest of the building beneath. Apart from the elevation facing The Franklin, fenestration to the roof level would also be both of contrasting proportions and notably out of alignment with the ordered facades below. I acknowledge that the set back of the roof would be likely to restrict views of it from the street frontages around the building. Nevertheless, it seems to me that it would still be clearly visible in longer range views towards the site including from points further along Mary Vale Road, on the approach from Franklin Road and from the recreation ground to the rear. I cannot therefore agree with the appellant that it would be largely screened from public viewpoints. Even if I were to accept the appellant's suggestion that a planning condition could secure alternative materials, the mismatched fenestration arrangements would be appreciable in these longer range views. This would be awkwardly at odds with the CA's regular patterns of development and fenestration to buildings and would cause the roof level to appear as a disparate element, giving the building an incoherent and disjointed appearance.

22. To the main part of the building, a projecting bay feature is proposed to the Mary Vale Road/Franklin Way corner. However, this would project only very modestly from the elevations and would include fenestration of comparable design and proportions to the rest of the building. Although cladding would offer some contrast with the brickwork of the main elevations, it would contrast with the traditional materials that are characteristic within the CA. In my view, the corner bay would lack impact as a distinguishing architectural feature and would be an incongruous element that would do little to appropriately mark the corner of the building which sits prominently at the edge of the CA.
23. Detailing to the side and rear elevations would be more limited. In principle and irrespective of public views including from the recreation ground, I consider that a simpler approach to reflect the position of these elevations within the hierarchy of the building could be appropriate. However, the quality of detailing and how this relates to the specific local context would still be important.
24. Here, the composition of the side elevation facing 150 Mary Vale Road would include a very large expanse of brickwork to the rear section which would lack fenestration or other elements that might provide visual relief. This would be apparent given the adjacent spacing, and the limited detailing to the rest of the elevation would add little visual interest. There would similarly be large expanses of brickwork to the rear of the rear wing and to the side elevation facing The Franklin with minimal other variation or detailing. The result would be poorly proportioned and bland elevations which would not sit well against the usual quality of buildings in the CA and which would further emphasise the large bulk and mass of the development. Closest to No 150, this would notably exacerbate the impression of contrast in its scale against the predominant two-storey development in the CA.
25. The Permission Schemes would also have fairly large sections of brickwork to the side of the building facing No 150, but the windows were shown with deeper reveals adding greater relief, and other elevations had improved solid-to-void ratios. The appeal proposal would not therefore offer an improvement overall.
26. Aside from the use of brick and inclusion of square bays, the architecture to all elevations of the building appears to me to show little regard to the local

context. The cladding to the bays and the top floor would be atypical materials for the area, and the scant articulation and variation indicated to many of the elevations would be markedly at odds with the distinctive quality of buildings usually found within the CA.

27. In addition, the proposal includes a walkway access to the main ground floor entrance and three sets of steps to lower ground floor level flats along Mary Vale Road. Other frontages along the street are mixed and given that the accesses would be interspersed with wider areas of soft landscaping and that they would occupy a relatively modest proportion of the whole frontage, I am satisfied that the degree of hard landscaping would not in itself be unduly stark or dominant within the frontage. However, the relatively steeply sloping banks and height of the steps down to the lower ground floor level would be uncharacteristic and would appear as somewhat contrived features in the street scene.
28. The influence of many of the above facets of the design would be limited in isolation. In combination however, they would result in a development that would appear somewhat nondescript, and that would lack a meaningful visual connection to the distinctive character and appearance of its surroundings. Moreover, aspects of the design would exacerbate the building's impression of bulk and mass, drawing attention to the contrast with surrounding two-storey development and causing its unusual height and scale to appear discordant within the CA.
29. Accordingly, the proposal would fail to respond appropriately to its specific surroundings. It would not therefore amount to good design and would stand out as an awkward and obtrusive feature on a prominent corner, detracting significantly from the character and appearance of the area with detriment to the significance of the CA, even against the baseline of the existing vacant site.
30. In reaching this view, I acknowledge that The Franklin is also atypical of the wider CA in its scale, materials, and appearance. However, this development resulted from conversion of a former office building and it does not in my view offer a compelling justification to allow further development that would detract from the character, appearance and significance of the area.
31. I have also considered the appellant's suggestions that planning conditions could be used to secure further details of materials, detailing and fenestration style. To my mind however, these aspects would be integral to the success or otherwise of the overall design and would be material to assessment of whether or not the proposal would preserve or enhance the CA. Given the sensitivity of the location, I am concerned that it would not be appropriate to defer such assessment to conditions stage. Furthermore, I am not satisfied that it would be possible for conditions to secure changes to the position, scale or proportions of windows which could result in prejudice to the interests of neighbours who would not be consulted on conditions. Planning conditions would not therefore offer a mechanism to mitigate my concerns with the design.
32. Overall then, I appreciate objectives in the Framework and at Policy PG3 of the Birmingham Development Plan 2017 ('the BDP') highlighting the need to make efficient use of land. For the reasons set out above however, I conclude that while the height and general scale of the development could be acceptable, the proposal would fail to deliver suitably high quality design that responds

positively to its context and there would be significant harm to the character and the appearance of the area, including the Bournville Village CA. As a result, there would be conflict with Policy PG3 of the BDP insofar as it includes requirements for design that responds to site conditions and the local area context including heritage assets and development that reinforces or creates a positive sense of place and local distinctiveness. The proposal would also be contrary to Design Principle 14 of the Birmingham Design Guide Principles Document 2022 insofar as it sets out that development must deliver site-specific, coherent architecture that positively responds to the site and enhances its surroundings.

33. The effect of the proposal would be fairly localised and I consider that the harm to the significance of the CA as a whole would be less than substantial. In accordance with the Framework, this harm should be weighed against the public benefits of the proposal and I return to this matter in my planning balance below.

Living Conditions

34. Flats 12, 13 and 14 would be single-aspect dwellings facing towards Mary Vale Road within the lower ground floor level of the building. They would be largely below the adjacent street level, and the boundary treatment along Mary Vale Road would project to a similar or greater height as the top of their windows. However, a level patio area would provide for some separation between the windows and a retaining wall to a sloping landscaped bank. For the most part, the retaining wall would be of fairly modest height and the bank would slope up relatively gently towards the street level and the site boundary treatment which both main parties indicate would be at least 8m from the windows.
35. Although the street and site boundary would be higher than the windows, these factors would typically ensure that the resulting relationship would not be oppressive or cause an undue impression of enclosure. There would be opportunities for open, albeit generally upward, views which would provide occupiers with some connection to their surroundings and I am satisfied that occupiers of flats 12 and 13 would enjoy a reasonable standard of outlook.
36. However, the window to the double bedroom to flat 14 would sit beneath the walkway to the building's main pedestrian entrance on the ground-floor level. The 'Flat 14 View from Living Room into Garden' image within the appellant's final comments further suggests that the section of retaining wall adjacent to the access would be of much greater height than the rest of the length along the bank to Mary Vale Road. The walkway and high retaining wall would be highly imposing and overbearing features in views from the bedroom window and would substantially curtail any meaningful outlook for occupiers of the room resulting in an oppressive degree of enclosure. Given their height and close proximity, they would also be likely to have a marked and dominant presence in views from the window to the adjacent bedroom. Consequently, outlook for the bedrooms would be unacceptably poor and while the main living space would be less directly affected, this would not compensate for the inadequate provision for the bedrooms.
37. In addition, it became clear during the course of the appeal that the spatial daylight autonomy test within the appellant's 'BRE Compliant Daylight Study' ('the Study') had not been conducted accounting for the walkway. With this feature, light to the double bedroom would be significantly below guideline

levels outlined in the Building Research Establishment ('BRE') Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice 2022. The lack of natural light would result in an unduly dark and gloomy space.

38. Contrary to the appellant's comments, the application has not been made in outline. There would not therefore be an opportunity to remove the second bedroom from flat 14 at reserved matters stage. I have noted a suggestion that the walkway could use a glass flooring system, but this would contrast with the typical materials of the locality and given the sensitive location of the site within the CA I am not persuaded that this could appropriately be deferred to a planning condition. I have also noted a suggestion that the window could be moved to the left but I have no assessment to show this would result in adequate standards of daylight. In any event, outlook would still be likely to be affected, and even if I were satisfied that glass flooring would be acceptable reducing the visual impact of the walkway structure itself, there would still be likely to be a perception of people walking over it which would be intrusive.
39. Moreover, the Study indicated that target levels of illuminance are 150 lux for living rooms and 200 lux for kitchens which should be achieved across at least 50% of the working plane for at least half of the possible daylight hours. The main living spaces to each of flats 12, 13 and 14 (labelled R1, R4 and R6 in the Study) is provided as open plan living/kitchen/dining rooms. The assessment of daylight to these rooms was made against the 150 lux target for living rooms but the Study does not explain why this was used rather than the 200 lux target that would apply for kitchens which are part of the rooms assessed. Whether or not the Study was carried out by a leading consultant in the field, it is not therefore clear to me that the selection of this target is justified. From the information presented, it appears that R1, R4 and R6 as a whole are unlikely to meet the guideline target for daylight to kitchens, with levels of daylight lowest to the parts of the rooms where the kitchens are proposed. I acknowledge that artificial lighting could be provided, but City Note LW-12 of the City Manual highlights the importance of natural light and irrespective of the appellant's experience as a housebuilder, the evidence before me does not demonstrate that there would be adequate natural light to flats 12, 13 or 14.
40. Drawing these matters together, I find that there would be reasonable outlook for occupiers of flats 12 and 13. However, outlook for flat 14 would be inadequate and it has not been demonstrated that flats 12, 13 or 14 would receive adequate standards of natural light, including to their main living space and kitchen, where the BRE guidance suggests natural light is most beneficial and standards should be met. As a result, I am not persuaded that these flats would be of suitable quality to provide acceptable living standards. Furthermore, and noting the Permissions Scheme, it is unclear that making efficient use of the site would be precluded by guidance on daylight such that the Framework would support a more flexible approach to standards.
41. I therefore conclude that living conditions for future occupiers of each of flats 12, 13 and 14 would be unacceptable. The number of flats affected would be small in the context of the development as a whole, but there would nevertheless be conflict with Policy PG3 of the BDP and Policies DM2 and DM10 of the Development Management in Birmingham Development Plan Document 2021 ('the DMB') insofar as they include requirements broadly seeking high design quality and acceptable standards of amenity including in respect of adequate outlook and daylight to dwellings. Prospective buyers or renters of

the flats could exercise personal choice, but I do not consider this a compelling justification to support development offering unacceptable living conditions in conflict with the development plan.

Planning Balance

42. I have found that the proposal would fail to deliver suitably high quality design and that it would cause harm to the character and the appearance of the area and to the significance of the Bournville Village CA. Further, occupiers of flats 12, 13 and 14 would not have suitable living conditions.

Heritage Balance

43. The Framework advises that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification and that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. The harm to the CA would be less than substantial, but nevertheless attracts considerable importance and weight.
44. Against this harm, the proposal would make effective use of a previously developed site within the built-up area to provide 73 dwellings towards the supply of housing locally. The Framework advises that substantial weight should be given to the value of using suitable brownfield land within settlements for homes, proposals for which should be approved unless substantial harm would be caused. In addition, the Framework highlights the Government's objective to significantly boost the supply of housing. It identifies that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and that windfalls should be supported with great weight given to the benefit of using suitable sites within settlements for homes.
45. The Council indicates that it is able to demonstrate a 5.61 year supply of deliverable housing sites, but the exceedance of the required 5 year supply is not a ceiling on development and the appellant suggests increased housing needs across the wider region. In this context, the provision of housing on the site is an important factor and public benefit of the proposal.
46. That said, it is unclear from the information before me that development of the form previously approved under the Permission Schemes which would not result in comparable harm to the CA could not come forward. The proposal would offer a relatively modest uplift of only 21 dwellings over and above the Permission Schemes development which would also make use of brownfield land within a settlement for homes, limiting the extent of these benefits. Moreover, the proposal would increase the number of dwellings on the site, but the Framework refers to optimising the potential of sites rather than maximising and I have little firm reason to conclude that the Permission Schemes would fail to make efficient use of land; indeed, it would seem to be of much higher density than much of its surroundings. The Framework further identifies support for development that makes efficient use of land taking into account factors including the identified need for different types of housing and the availability of land.
47. In this context and given the housing supply which indicates that current requirements would be addressed, I am not persuaded that the Framework

offers a compelling justification to increase density on the site at the expense of high quality design and the character and the appearance of the CA.

48. There would be economic and social benefits associated with the proposal, including employment and spending during construction as well as spending and support for local services by future occupiers and through Community Infrastructure Levy ('CIL') payments. Apart from CIL liability, these benefits have not been quantified in the evidence before me and would be likely to be relatively modest on account of the scale of the development. Employment opportunities would further be largely, albeit not exclusively, temporary during construction. Both main parties suggest limited weight to the social and economic benefits of the proposal and I consider this would be reasonable.
49. The site is in an accessible location within reasonable walking distance of some local services and public transport links so that occupiers would not need to rely on private vehicles. The proposal also includes new planting and potential for habitat enhancements on the site to provide a biodiversity net gain as well as use of energy and resource efficiency measures and renewable energy technologies but the scale of the resulting environmental benefits would be fairly limited given the development scale and I afford them moderate weight.
50. In my judgement, the public benefits of the proposal, even when taken together, are insufficient to outweigh the harm that would be caused to the CA which attracts considerable importance and weight and there is not a clear and convincing justification for the harm that would be caused to the significance of this designated heritage asset.
51. The development would therefore conflict with the aims of the Framework as it would fail to sustain the significance of the CA and public benefits would not outweigh the harm. It would also be contrary to Policies PG3 and TP12 of the BDP insofar as they seek design that responds to the local area context including heritage assets, and set out that the historic environment will be valued, protected, enhanced and managed for its contribution to character, local distinctiveness and sustainability.

Overall Balance

52. The proposal offers a number of benefits, with the provision of housing on an accessible and previously developed site particularly important among them. However, these benefits would be achieved at the expense of a development that would not be well designed and that would not respond appropriately to its context causing detriment of the character and appearance of the area and the significance of the Bournville Village CA. In addition, occupiers of flats 12, 13 and 14 would not be provided with suitable living conditions, with living conditions for occupiers of flat 14 being particularly poor.
53. The number of flats affected would be very small but these matters when taken together and in light of the special attention that is to be paid to the desirability of preserving or enhancing the CA would cause substantial harm and would attract significant weight. There would further be conflict with policies PG3 and TP12 of the BDP and Policies DM2 and DM10 of the DMB. Having regard to the range and importance of the matters raised, I consider that the proposal would conflict with the development plan when it is read as a whole. The proposal would also be contrary to the Framework insofar as it includes requirements seeking developments that will add to the overall quality of the area, that are

visually attractive as a result of good architecture and that are sympathetic to local character and history; and a high standard of amenity.

54. Moreover, I have no firm reason to conclude that a reasonable proportion of the benefits could not be delivered by development of the form approved under the Permission Schemes which would not suffer comparable shortcomings.
55. Against this context, I find that the benefits of the proposal would not be sufficient to outweigh the harm that I have identified. Neither do I find that there are material considerations sufficient to justify a decision otherwise than in accordance with the development plan.

Conclusion

56. For the reasons given above, I find that the proposal would conflict with the development plan when it is read as a whole, and material considerations including the Framework do not indicate that a decision contrary to the development plan should be reached. I therefore conclude that the appeal should be dismissed.

J Bowyer

INSPECTOR