
Appeal Decision

Site visit made on 5 September 2025

by **G Dring BA (Hons) MA MRTPI MAUDE**

an Inspector appointed by the Secretary of State

Decision date: 8 October 2025

Appeal Ref: APP/K3605/W/25/3359096

Land at Hunters Lodge, Horsley Road, Downside, Surrey KT11 3NY

- 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 Michael Collins, Goldcrest Custom Homes Limited against the decision of Elmbridge Borough Council.
 - The application Ref is 2024/0946.
 - The development proposed is outline planning application (some matters reserved) for the phased development of up to 4 serviced plots for self-build and custom housebuilding.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the site address above from the appeal form, although I have included the postcode provided on the planning application form, as it more clearly identifies the site location.
3. The appeal relates to an outline planning application with all matters reserved other than access. Consequently, matters relating to appearance, landscaping, layout and scale are reserved and any submitted information in these respects will be treated as illustrative.
4. The Council has confirmed that it no longer wishes to defend the third, fourth and fifth reasons for refusal, which relate to the lack of an affordable housing contribution, mitigation in relation to the Thames Basin Heath Special Protection Area and biodiversity net gain. Consequently, my decision will focus on the first two reasons for refusal. However, I will return to the other matters raised later in my decision.
5. It has been confirmed that the Council has withdrawn the submitted local plan from examination. The Council has confirmed that the development plan currently comprises the Elmbridge Core Strategy July 2011 (CS) and the Elmbridge Local Plan Development Management Plan April 2015 (DMP). I shall consider the policies as referred to in the development plan.

Main Issues

6. The main issues are:
 - whether or not the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework), and any relevant development plan policies;

- the effect of the proposal on the openness and the purposes of the Green Belt;
- the effect of the proposal on the character and appearance of the area; and
- if the proposal is inappropriate development, whether the 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

Whether the proposal would be inappropriate development

7. There is no dispute between the parties that the appeal site is within the Green Belt. Policy DM17 of the DMP states that inappropriate development will not be approved unless the applicant can demonstrate very special circumstances that will clearly outweigh the harm.
8. The Framework states at paragraph 153 that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraphs 154 and 155 of the Framework set out certain exceptions where development would not constitute inappropriate development in the Green Belt. The appellant asserts that the appeal proposal could fall under three different exceptions set out in the Framework, which I will now consider.

Limited infilling in villages

9. Whilst not included as a specific exception under Policy DM17 of the DMP, one exception identified under paragraph 154 e) of the Framework where development would not be considered inappropriate development in the Green Belt is where a development would constitute limited infilling in a village.
10. The appeal site does not fall within a defined settlement boundary set out in local planning policies, and it is outside of a sub-character area defined in the Elmbridge Local Plan Design and Character Supplementary Planning Document April 2012 (DCSPD). Furthermore, based on my site visit, I find that the main built up area of the settlement of Downside is the built form that is fairly tightly arranged around the triangular shaped common and along three short no-through roads accessed from Downside Common Road. This area of built form is fairly regimented and close knit in its layout and the facilities such as the infant school, nursery, public house, village hall, social club and church are all located within this main built up area of the settlement.
11. The appeal site has frontage onto Horsley Road and consists of two areas of land situated either side of an access that leads to existing residential development including Hunters Lodge and a barn conversion that houses two units. These dwellings are set back from the road with an area of woodland beyond to the east. I am also advised that a prior approval application has been granted for a barn conversion that would create a further two dwellings near to Hunters Lodge that has yet to be implemented.
12. This small group of buildings appears as sporadic development which is detached from Downside, mainly due to the setback from the road and the visual separation from the built form that comprises the main built up area of the settlement. I do not

find that the conversion of existing buildings alters the pattern of development significantly in this case. Rather than providing new built form, the conversion schemes utilise existing buildings which already form part of the existing pattern of sporadic development in this location.

13. Opposite the appeal site is open agricultural land. To the north and south of the appeal site are large detached dwellings set within spacious plots, named Oakfield and Rye Saltars. Both of these dwellings are seen as individual dwellings separated from Downside by intervening undeveloped grass fields and trees.
14. As you walk south along Horsley Road towards the appeal site, on passing the infant school building, there is a feeling that you have left the village, with views dominated by significant boundary hedgerows and trees and the more open and semi-rural character of the area. When heading towards Downside along Horsley Road, it does not appear that you have entered the village until you are in close proximity to the junction with Downside Common Road. As a result, I find that the development in the location immediately around the appeal site appears sporadic and semi-rural in character and more visually related to the countryside. Consequently, I do not find that the appeal site or this small group of buildings are in a village.
15. Even if I were to agree with the appellant that the proposal would represent limited infilling, as I have found that it would not be in a village the development could not represent limited infilling in a village as detailed in paragraph 154 e) of the Framework.

Limited infilling or the partial or complete redevelopment of previously developed land

16. Paragraph 154 g) is another exception where development would not be inappropriate development in the Green Belt if it constitutes limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
17. Criterion c. of Policy DM17 of the DMP also states that proposals for the limited infilling or the partial or complete redevelopment of previously developed sites will be considered in light of a number of considerations.
18. Annex 2 of the Framework defines previously developed land (PDL) as that which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land.
19. Whilst the submitted information describes the existing use of the appeal site as amenity land for Hunters Lodge, the appeal site does not appear as residential garden that serves Hunters Lodge, given its distance from it and due to there being a clearly defined garden surrounding Hunters Lodge demarcated by boundary treatments which appears to serve this purpose. There is no compelling evidence, such as a lawful development certificate or a planning permission before me to suggest that the appeal site forms part of the residential curtilage land of Hunters Lodge.

20. Consequently, based on the evidence before me, I do not find that it would accord with the definition of PDL set out in the Framework and therefore, regardless of whether it would result in substantial harm to the openness of the Green Belt, the exception set out under paragraph 154 g) would not be complied with in this case.

The development of homes in the Green Belt where certain criteria are met including that the development would utilise grey belt land

21. Under paragraph 155 of the Framework the development of homes in the Green Belt would not be inappropriate if four criteria are met.
22. Criterion c. under paragraph 155 is that the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework. Paragraph 110 encourages the management of patterns of growth to support the objectives of promoting sustainable transport and that significant development should be focused on locations which are or can be made sustainable. Paragraph 115 requires that in assessing sites, it should be ensured that sustainable transport modes are prioritised taking account of the type of development and its location amongst other things.
23. I agree with both parties that the proposal for four dwellings would not be considered significant, in relation to paragraph 110, nevertheless managing the patterns of growth to support the objectives of promoting sustainable transport is not referred to only in the case of significant development.
24. Although the distance from the appeal site into Downside, where there is a limited number of facilities, would not be excessive, access would be along an unlit road where there are no separate footpaths. Whilst only a snapshot in time, during my site visit, the road was busy with numerous vehicle movements travelling in both directions. The nature of this route would be likely to deter pedestrian and cycling access to the village, particularly in the evenings and during the winter months, or for those who are less mobile.
25. Downside does have some services and facilities, including an infant school, nursery, public house, village hall, social club and church. However, this range of services and facilities is limited and would not meet the day to day needs of the future occupants of the proposal. I am referred to the presence of a bus stop in fairly close proximity to the appeal site along with a list of bus services that could be accessed. The frequency of services however appears to be limited. I am advised that the nearest train station is approximately 2km away from the appeal site, which might be challenging for some to walk or cycle to, particularly given the nature of the road network in close proximity to the appeal site.
26. I recognise that the appeal proposal would be serviced by deliveries, nevertheless, some services and facilities would need to be accessed in person. I also note that an electric vehicle charging point would be provided at each dwelling and that the Framework includes the use of ultra-low and zero emission vehicles as a sustainable transport mode. However, there would be no way of ensuring that such vehicles would be used by future occupants of the site.
27. Whilst I recognise that the Framework identifies that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, this does not negate the requirement to actively manage patterns of growth in the interests of promoting sustainable transport. It also does not override the need for

sustainable transport modes to be prioritised. The fact there are existing dwellings which have similar levels of access to services and facilities is not a reason to find that the proposal would comply with the requirements of paragraph 155 c. of the Framework.

28. The appellant asserts that the Council has previously found the grounds of Hunters Lodge to be in a sustainable location through an assessment in a previous delegated report. Although, I only have a limited extract before me and not the full details of that case, it appears that this previous assessment was carried out prior to the revised Framework being published in December 2024. In any case, I must consider the appeal on its individual merits.
29. I am referred to an appeal decision at Hydon Farm where a development for one dwelling was considered by the Inspector to meet the requirements of paragraph 155 including that of criterion c. I accept that there is no suggestion by the Council that the appeal proposal before me now would lead to unacceptable highway safety impacts, a matter on which I agree. However, in the Hydon Farm case, the Inspector refers to a Transport Statement being submitted that highlights that the site is in close proximity to public footpaths that would encourage walking and cycling. That is not the case in the appeal before me. Based on the information before me, the appeal decision at Hydon Farm does not alter my view on this matter.
30. I therefore find that the proposed development would not be located where future occupiers would be able to rely on accessible local services and facilities to serve their everyday needs without having to travel and in all likelihood by car. As a result, the proposed dwellings would not be in a sustainable location and would not accord with paragraph 155 c. of the Framework.
31. Regardless of whether the appeal proposal would meet the other criteria under paragraph 155, I have found that the requirements of criterion c. would not be met. Therefore, the appeal proposal would not meet the requirements of paragraph 155 of the Framework.

Conclusion on whether the proposal would be inappropriate development

32. The proposal would not fall within any of the exceptions set out in the Framework where a development would not constitute inappropriate development in the Green Belt. Consequently, I find that the appeal proposal would be inappropriate development in the Green Belt. The proposal would therefore be contrary to Policy DM17 of the DMP, unless very special circumstances have been demonstrated, that would outweigh the harm.

Openness and purposes

33. Paragraph 142 of the Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. Openness has both spatial and visual considerations.
34. Whilst the proposal would be situated in between Oakfield and Rye Saltars and would provide frontage development along Horsley Road, meaning the effect would be relatively localised, it would still result in built development on land which is currently undeveloped. The open and rural character of the site would be

replaced by four dwellings, with the associated external features such as parking areas and residential paraphernalia that would inevitably accompany such a development. Whilst it is proposed to use the existing access, meaning that the roadside boundary treatment would be maintained, the development would be clearly visible above this, at least in part, in views from Horsley Road. The proposal would therefore have a harmful effect on both spatial and visual openness.

35. The appeal site is currently an open grassed area which is undeveloped. It appears and feels a part of the countryside. Whilst the appeal proposal would be seen alongside the existing dwellings to either side and with views of the small group of buildings to the rear also present, it would still result in encroachment of built development into the countryside, contrary to purpose c) set out under paragraph 143 of the Framework. I find that the conflict with purpose c) would be significant in this case, given the undeveloped nature of the appeal site.
36. The Council identify that there would be some conflict with purpose e) set out under paragraph 143, in that the proposal would not encourage the recycling of derelict and other urban land, albeit the conflict would be limited. I find that any conflict with this purpose would be very limited, due to the Council identifying that there is currently a shortage of land identified for housing within the urban area.
37. I therefore find that the proposal would erode the openness of the Green Belt. Given the loss of a currently undeveloped area of land that appears as countryside and that it would be visible in public views, I find the harm to openness would be significant in this case. The proposal would also result in encroachment into the countryside which would be significant in the local context. The conflict with purpose e) would be very limited.

Character and appearance

38. The appeal site comprises two areas of open land laid to grass that are situated either side of the existing access road. A boundary fence with hedgerow behind runs along the front boundary set behind a grass verge with a wall situated to either side of the access point. Hedgerows run along the side boundaries of each part of the appeal site. The appeal site occupies a prominent position alongside Horsley Road, located in between Oakfield and Rye Saltars. Whilst demarcated and screened by the fencing and hedgerow along the front boundary, the open and undeveloped character of the appeal site is still discernible and contributes positively to the rural character of the countryside that surrounds the settlement of Downside.
39. The development of the gap between Oakfield and Rye Saltars would urbanise the appeal site and as such, the rural character of the area located within the setting of Downside would be eroded. Whilst I agree with the conclusions of the submitted Landscape and Visual Appraisal (LVA) that the effects would be localised, I do not find that there would be little or no change to existing landscape elements on site.
40. In my view there would be a significant change to the make up of the site, with the introduction of four dwellings along with the domestic paraphernalia that would accompany the development. This change would be visible from those travelling along Horsley Road and from the occupants of the dwellings to the north, south and east. The proposal would result in the consolidation of built form and would result in a more developed frontage along Horsley Road, significantly altering the

more sporadic pattern of development that currently contributes to the rural character of the surrounding area.

41. Notwithstanding this, the indicative positioning of the four plots would respect the linear frontage development established by the presence of Oakfield and Rye Saltars along Horsley Road and the rear boundary line would not extend beyond the rear boundary line of these existing neighbouring properties. The appeal proposal would be seen alongside these existing dwellings and the existing development set back from the road to the rear. The existing access would be used, and the front boundary treatment would be retained which would provide a certain degree of screening. Nevertheless, these considerations would not outweigh the harm to the rural character and appearance of the area overall, which would be eroded significantly by the presence of the proposed development.
42. I therefore find that the proposal would result in significant harm to the character and appearance of the area. It would be contrary to Policies CS10 and CS17 of the CS and Policy DM2 of the DMP, which seek, amongst other things, that developments have an understanding of, integrate with, preserve and enhance local character. For the same reasons, the proposal would be contrary to the overarching aims of the DCSPD, which seeks the delivery of distinctive, high quality development that respects local character.
43. Whilst Policy CS10 of the CS states that 'there is scope for additional residential development across the area, primarily through redevelopment of previously developed land, although Downside has little if any potential', it does not state that Downside or the area around it has no potential at all. I therefore do not find specific conflict with this part of the policy in the context of the second reason for refusal.

Other considerations

44. The proposal would deliver four dwellings on a small site which could be built out fairly quickly. The Council has confirmed that it cannot demonstrate a sufficient housing land supply currently. The appellant has referred me to a recent appeal decision from June 2024 at St George's Gardens South, where it was found that the current housing land supply was somewhere between 2.4 years and 3.6 years. Further information provided at final comments stage suggests the situation has worsened, with a possible supply of 1.01 years. In light of the Council's housing land supply position the proposal would make a contribution towards addressing this shortfall as well as contributing towards the Government's objective of significantly boosting the supply of homes. Taking the worst case scenario into account regarding the Council's current housing land supply position, I attribute significant weight to the provision of dwellings as a benefit.
45. The appeal proposal would provide four SBCB dwellings, secured appropriately as such a development type by the submitted s106 legal agreement (the s106). It is confirmed that there are no local planning policies that relate specifically to SBCB dwellings and that the production of a new local plan is at an early stage. Paragraph 73 b) of the Framework specifically supports small sites coming forward for self-build housing.
46. The Self-build and Custom Housebuilding Act (2015) (as amended) and the Housing and Planning Act 2016 place a statutory duty on Councils to keep a register of the persons who are interested in acquiring a SBCB plot, and to grant

enough suitable development permissions for serviced plots to meet the demand. The appellant states that the Council currently has a shortfall in suitable permissions granted of 302 plots whereas the Council identify the shortfall at 260 plots, when considering the most recently completed base period. The appellant also identifies a significant shortfall continuing as time moves on. I agree with both parties that either of those figures represents a significant shortfall.

47. Given the Council's duty to give permission for suitable plots under the legislation set out above and the lack of a specific policy approach taken to resolve the significant shortfall, I find that the provision of SBCB plots can be considered as a separate benefit to the general housing land supply matter set out above, given it provides not only new homes, but those homes would be a very specific development type which there is a demonstrable need for.
48. Whilst I note the appellant has referred to an appeal decision at Corner Mead in this respect, I do not find this is relevant given the Inspector was considering whether paragraph 11 d) of the Framework would be triggered or not where the Council was able to demonstrate a sufficient housing land supply, but was not meeting its requirements in terms of granting suitable SBCB permissions. Nevertheless, I still find that the proposal would add to both requirements which are separate matters and therefore weight should be attributed to each of them.
49. As a result, taking the significant shortfall of SBCB permissions into account, even when utilising the Council's figure, I attribute substantial weight to the provision of SBCB dwellings as a benefit. This accords with the weight attached to the provision of SBCB dwellings identified in other appeal decisions for schemes of a similar scale to the one before me now, referred to me by the appellant.
50. There would be economic benefits during the construction phase. The appellant asserts that in the case of SBCB developments on small sites, the economic benefits are often greater, supporting the use of small and medium sized builders. I agree, based on the evidence before me, that there would be considerable benefit economically and this is consistent with the approach taken by the Inspector in the Langton Hall case.
51. The appeal proposal would result in future occupants supporting services and facilities within Downside and the local area. Nevertheless, given the scale of the development proposed, these benefits would attract limited weight.
52. Whilst the SBCB nature of the development would exempt the appeal proposal from the statutory Biodiversity Net Gain (BNG) requirement, the s106 would secure a BNG of 50%. Policy CS15 of the CS and Policy DM21 of the DMP both promote the enhancement of habitats and biodiversity features without setting out specific figures or measurements of enhancement. The BNG scheme identified and secured through the s106 would represent an enhancement to habitats and biodiversity features and as a result would represent an environmental benefit of the scheme that would comply with the policies noted above. I find that the BNG scheme, management and monitoring would be necessary, directly related to the development and fair and reasonable in kind. As such I attribute considerable weight to this as a benefit.
53. The appellant asserts that the appeal site is not at risk of flooding, nor would the proposal result in any issues relating to noise, highway safety, impacts on trees or

heritage. A lack of harm or policy compliance in these respects would be neutral considerations that would weigh neither for nor against the proposal.

Green Belt Balance

54. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Framework states 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 considerations.
55. The proposal would be inappropriate development in the Green Belt. It would lead to the loss of openness and would encroach on the countryside. I have also found that there would be harm to the character and appearance of the area and that this should be attributed significant weight.
56. The appeal proposal would provide four additional dwellings in an area where the Council are currently unable to demonstrate a sufficient housing land supply. I attribute significant weight to this benefit. The proposed dwellings would be secured as SBCB development, a matter which I attribute substantial weight to. The economic benefits secured through the SBCB nature of the development are also highlighted, and based on the evidence before me, this consideration attracts considerable weight as a benefit. Other economic benefits would attract only limited weight, given the scale of the proposal. Environmental benefits from securing a biodiversity net gain scheme would also provide considerable benefits.
57. Whilst I recognise there are a number of individual benefits, when considering the case as a whole, I find that the cumulative weight attributed to the benefits would not outweigh the substantial harm to the Green Belt in combination with the weight attributed to the harm to the character and appearance of the area. I therefore find that the very special circumstances needed to justify the proposal do not exist.

Other Matters

58. I am referred to an appeal decision at Land adjoining Pondview in a different Council area, where the proposal was also for four self-build plots. I recognise that in that case the Council also had a significant shortfall in SBCB plots in line with the situation before me now. There was also a lack of specific local planning policies for smaller windfall sites that could provide SBCB plots, with only a policy relating to developments of over 100 dwellings where a 5% requirement for SBCB plots was applied, in play in that case.
59. I also note that the Inspector found that the development would be inappropriate development in the Green Belt, would result in harm to openness and that it would offend purpose c) of the Green Belt, in terms of encroachment into the countryside, albeit in a limited manner.
60. In the case before me now I have found the encroachment into the countryside would be significant in the local context and not of a limited manner. I have also found harm to the character and appearance of the area, which is in addition to the Green Belt harm, which also weighs against the proposal. This additional harm did not form a separate main issue in this other case. Whilst I therefore accept that there are some similarities between the two cases, I do not find that they are

directly comparable and this example does not lead me to take a different decision in the case before me now.

61. I am referred to other appeal decisions that considered the provision of SBCB development and how the provision of such a development type was weighed in the planning balance. However, the examples provided at Land at Pear Tree Lane, Roundhouse Farm, Land east of Park Lane, Land off Hepworth Road, Land south of Burford Road, Land between Lodge Lane and Burtons Lane, Land South of (East of Griffin Place) Radwinter Road and Land at Duckmoor are all for larger sized schemes where the considerations relating to the provision of housing and in particular SBCB plots would be more significant. I therefore do not find them comparable to the scheme before me now.
62. The appellant provided an example appeal decision at Land off Chapel Lane, Great Barr, nevertheless this related to the construction of a temporary battery energy storage facility. Whilst the Green Belt and grey belt were issues in that case, given the type of development proposed I am not convinced that it is relevant in the consideration of the case before me now.
63. The Framework and Planning Practice Guidance states that planning obligations should only be sought where they meet all 3 tests, including that the obligation is necessary to make the development acceptable in planning terms.
64. Paragraph 65 of the Framework identifies that the provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas. Nevertheless, the Council has previously sought and secured affordable housing contributions on smaller sites under Policy CS21 of the CS which sets out the need for a financial contribution equivalent to the cost of 20% of the gross number of dwellings on sites of 1-4 dwellings.
65. Since the appeal was submitted the Council has considered different matters including the revisions to the Framework, case law, the effectiveness of Policy CS21 since its adoption in 2011 and the outcome of discussions relating to the draft Local Plan and has resolved, following a Council meeting in July 2025, to no longer pursue affordable housing contributions on small sites. The s106 submitted by the appellant prior to the change in approach identified by the Council would secure an affordable housing contribution.
66. As such, whilst the s106 would secure an off-site affordable housing contribution, to my mind there would not be sufficient justification for seeking such a contribution, particularly given the Council's stance set out above. I therefore find that whilst there would be a conflict with the requirements of Policy CS21 of the CS, such a planning obligation would not be necessary to make the development acceptable in planning terms and as such it would not meet the Framework tests. As such I attach no weight to the affordable housing contribution as a benefit. I also attach no weight to the lack of provision.
67. The appellant refers to the need for the Council to consider the release of Green Belt land for development. However, this would be a matter for the preparation of planning policies through a new local plan, rather than through decisions on individual applications.

68. A number of representations were received at the planning application stage. I note the letters of support, particularly in relation to the provision of family homes. Nevertheless, for the above reasons I have come to a different conclusion, taking into account all of the considerations before me.
69. The site is within the zone of influence of the Thames Basin Heaths Special Protection Area (SPA) which as a European site is afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended (the Regulations). The evidence before me identifies that the SPA is particularly sensitive to increased recreational impacts from visitors.
70. However, where a proposal is likely to have significant effects on European Sites, Regulation 63 of the Regulations requires the competent authority to carry out an Appropriate Assessment (AA). However, AA is only necessary where the competent authority is minded to grant consent for the proposal. Since I am dismissing the appeal due to identified harms in respect of the Green Belt and character and appearance an AA is not necessary. I have therefore not considered the mitigation in the form of a financial contribution to the Strategic Access Management and Monitoring (SAMM) scheme as set out in the submitted s106 any further in this case. This matter weighs neither for nor against the proposal.
71. In the cases of Land west of Suffolk House and Land north of Collett's Green Road, I note that due to the lack of supply of permissions for SBCB plots and given the lack of specific policies relating to the matter, the Inspectors in those cases identified that paragraph 11 d ii) was engaged, meaning that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, permission is granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. I also note that in the case of Land at Sutton Lane, it was found that material considerations including the SBCB provision outweighed the conflict with the development plan in that case.
72. Nevertheless, the Green Belt was not a main issue in any of those cases, which I have found would provide a strong reason for refusing development in the case before me, in line with paragraph 11 d i) of the Framework. As such paragraph 11 d ii) is not engaged in this case and therefore those other examples are not directly comparable.

Conclusion

73. The proposal would conflict with the development plan as a whole and there are no other considerations, including the Framework or other statutory requirements that would outweigh this conflict. Therefore, for the reasons given above the appeal is dismissed.

G Dring

INSPECTOR