

APPEAL BY NUTFIELD PARK DEVELOPMENTS LTD
FORMER LAPORTE WORKS SITE, NUTFIELD, RH1 4HG

PINS APPEAL REF NO.
APP/M3645/W/25/3374913

CLOSING SUBMISSIONS BY
TANDRIDGE DISTRICT COUNCIL

INTRODUCTION

1. These are the closing submissions by Tandridge District Council (“the Council”) in response to the appeal brought by Nutfield Park Developments Ltd (“the Appellant”) under section 78 of the Town and Country Planning Act 1990 (“TCPA 1990”) against the refusal of the Council to grant outline planning permission at land referred to as the Former Laporte Works Site (“the Appeal Site”) for the following development:

“the development of the site for new homes (Use Class C3) and Integrated Retirement Community (Use Classes C2, E(e), F2), creation of new access, landscaping and associated works to facilitate the development, in phases which are severable (Outline with all matters reserved, except for Access).”

THE MAIN ISSUES IN DISPUTE

2. The main issues in dispute are relatively few. The main issues are essentially as follows:
 - a. Whether the proposed development would constitute inappropriate development in the Green Belt in terms of whether it would fail to comply with the requirements set out in NPPF paragraphs 155 & 156, specifically whether it would fundamentally undermine the purposes (taken together) of the remaining Green Belt across Tandridge, whether it would be in a sustainable location or one which could be made sustainable and whether or not there are the necessary improvements to local infrastructure.

- b. If the appeal proposal is inappropriate development, whether or not very special circumstances exist, namely whether or not the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- c. The extent of the development's (and specifically the Integrated Retirement Community's) 'less than substantial harm' on the setting and consequently overall significance of the Grade II* St Peter & St Paul's Church and the Grade II Folly at Redwood as expressed on the customary scale for such, and whether such harm would be outweighed by the scheme's benefits.
- d. Any other harms and the weight to be attached to its benefits.

MAIN ISSUE (1): DOES THE APPEAL PROPOSAL CONSTITUTE INAPPROPRIATE DEVELOPMENT?

- 3. Since it is common ground that the appeal proposal is located on Grey Belt land, the three of the most critical sub-issues in this appeal turn on the question as to whether or not the proposal would “*fundamentally undermine the purposes of the remaining Green Belt across the area of the plan*” (“the paragraph 155(a) issue”) and whether or not the proposal would be in a sustainable location (“the sustainability issue”) and third, whether or not the proposal meets the Golden Rules requirements (specifically, whether or not there are necessary improvements to local infrastructure (“the infrastructure requirement”). For the appeal proposal not to be inappropriate development, all three requirements have to be met. The Council maintains that none of them are.

Paragraph 155(a)

- 4. The test is whether or not the proposal would fundamentally undermine the purposes of the remaining Green Belt across the area of the plan. It is common ground that this is a high bar, but the test is not, as seemed to be suggested to Mr Lee in XX, whether or not the proposal would prevent those purposes being served at all. That is not the language used in paragraph 155(a). This was accepted by Mr Henley.
- 5. As to what is material to considering the 155(a) question, Mr Holliday in his written evidence and oral evidence agreed that the question is not answered simply by a quantitative

analysis, but is also approached by having regard to what can be perceived in the remaining Green Belt area.

6. It is ultimately a matter of planning judgment for this inquiry to determine if the degree to what that sense of encroachment onto the wider area of the Green Belt to the north of the site results in a fundamental undermining of the purposes of the wider Green Belt, and in particular purpose (c). The Council maintains that it does.

7. It is common ground that the visual impact of the appeal proposal is relatively contained, but Mr Holliday accepted that the sense of encroachment would be perceived in a wider area than merely the appeal proposal itself. That is evident from his evidence, which shows a number of footpaths stretching to the north of the site where there would be “very filtered” views of the appeal proposal, albeit views that Mr Holliday considered those would be very limited.¹ This is precisely why Mr Lee referred to his written evidence to the wider parcel of land and concluded that the proposal would “*serious affect the ability of the remaining Green this area (particularly to the north) to prevent encroachment by reducing and weakening the role of the Green Belt in preventing encroachment in this area*”.² Relevant in that regard is also the fact that significant “*landforming*” (Mr Holliday’s words), i.e bunds, up to 3m in height would also be constructed in the area north of the existing woodline near to FP622.³ Therefore encroachment will result not simply from just the built form but also from those engineering works.

8. Therefore the Council considers that a merely quantitative analysis based purely on where they would be built form (i.e that only 0.03% of the Green Belt would have “built form” on it) is not the whole story, and that once one takes account of how the development will actually be perceived in the Green Belt north of the site, a much wider sense of encroachment will be experienced. All of this means that there would be a fundamentally undermining of that wider Green Belt across the plan area.

The sustainability issue

¹ See the plan at Holliday PoE Appendices CD11.10, Appendix 4 “(Visual Effects – Path Users)”. See also Figure 31 in the LVA Figures at Figure 31 CD1.30

² Lee PoE para. 8.17

³ See CD11.10 Appendix 3.

9. The test under 155(c) is whether or not the proposal is in a sustainable location, with particular reference to paragraph 110 and 115 of the NPPF.
10. Paragraph 110 of the NPPF refers to “*Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes*”.
11. Paragraph 110 therefore entails three key questions: first., is the development already sustainable, secondly, if not can it be made sustainable, through (a) limiting the need to travel and (b) offering a genuine choice of travel modes. Both of those tests – limiting the need to travel and the offer of a genuine choice of travel modes – have to be sufficiently addressed to lead to a conclusion that a proposal that is not sustainable can be made sustainable. The Council’s concern is primarily with the former – i.e the proposal does not sufficiently limit the need to travel.
12. Paragraph 115 also refers to the need to ensure that “*sustainable transport notes are prioritised taking account of the vision for the site, the type of development and its location*”.
13. A factor in assessing whether or not a proposal is sustainable (and sufficiently limits the needs to travel) or whether walking – the most sustainable transport mode of them all – is prioritised is by having regard to whether or not sufficient day to day services are or will be within walking distance of an appeal proposal. Mr Bird fairly did not deny that this was a relevant consideration, albeit he considered that the question of sustainability is not answered solely by reference to that question. The Council maintains that this is a key question and that regardless of the transport improvements offered by the Appellant, those cannot change the fact that to access day to day services (in particular a convenience retail store and primary school) there will still be an over-reliance on the private car.

Is the development’s location already sustainable?

14. The answer to this, based on the written and oral evidence heard at this inquiry, is clearly no, for at least the following reasons.
15. First, it is evident from having regard to level of existing facilities and services in Nutfield within a reasonable walking distance that it currently lacks a number of day to day facilities.

16. Mr Lee and Mr Bird differed over what was a reasonable walking distance. Mr Lee, reasonably, drew on the latest Chartered Institute of Highways Technology (CIHT) guidance which dates from 2015 which suggested 800m is a reasonable distance to assume people will walk to access day to day services.⁴ He wasn't challenged on that. Mr Bird relied on much earlier guidance from the CIHT to suggest 2km is a reasonable distance. His explanation as to why the latest CIHT Guidance which suggests 800m is not directly relevant because it is a "design" standard was unconvincing. The Council considers that 800m is a reasonable distance to apply, and is consistent with the appeal decision cited in Mr Lee's evidence and the draft "Design and Place Making Planning Practice Guidance published on 21 January 2026".⁵
17. If one were to apply that 800m distance set out in the CIHT publication, all the facilities (such as do exist in Nutfield itself) bar the pub are not within a reasonable walking distance. That is clear from Table 3 in Mr Bird's proof of evidence. The provision of a DDRT is not going to change that, because people are unlikely to wait for and pay for an on demand bus service just to access day to day services such a daily grocery shop or to take their infant children to primary school.
18. Even if one were to assume that people might walk further, as Mr Lee explained, it is unrealistic to expect that the majority of those needing to access the primary school and retail store (Holborns) in South Nutfield will do so by foot, because of the quality of the route. On any analysis, even if not actually unsafe, it is an unattractive route to access by day involving crossing Mid Street and then Sandy Lane, and with a significant gradient. It would be even less attractive by light, even with the intermittent lighting that currently exists. It is not a realistic alternative to travel by car.
19. Second, the Council in 2015 identified in its Review of Settlements, i.e the Settlement Hierarchy Document,⁶ when preparing its evidence base for the withdraw local plan, that Nutfield is a Tier 4 settlement, i.e one which is one of the least sustainable in the District. Mr Henley's attempt to reduce the weight to be attached to that when asked about this in

⁴ CD.5.25 paragraph 6.3

⁵ See Appendix 4 to Mr Lee PoE (cited at Lee PoE para. 8.31) and CD 5.22.

⁶ CD 6.55

XX was unconvincing – he did not explain how or why the actual analysis in that document was wrong such as to reduce its weight as a piece of evidence as to what is or is not sustainable.

20. Third, that is precisely the view of Surrey County Council, which identified the lack of local amenities in its original objection in February 2024 and its updated objection in October 2024. Whilst it may have been satisfied that adequate transport improvements have been provided, those do not and cannot address that fundamental lack of day to day services within reasonable walking distance of the appeal proposal. It continued to acknowledge this when withdrawing its objection after the £4m offer, in its reference to the proposal not being in “an ideal location”.

21. Mr Henley stated in oral evidence that he agreed with the position of the Surrey County Council, yet that is inconsistent with his continued position that the proposal was already sustainable. His evidence – that the proposal was already sustainable – is also directly contrary to his agreeing with the views expressed by the District Council in the Regulation 122 CIL Compliance Statement. The Reg 122 statement states, for example, the £4m bus service contributions was “*offered by the Applicant to deliver mitigation and make the development acceptable in sustainable terms*”⁷. Mr Henley fairly accepted that there was and is no policy requirement to make a location already sustainable “even more” sustainable.⁸ The Appellant cannot have its cake and eat it – it cannot advance that a £4m contribution to bus improvements is necessary and meets the Reg 122 tests, and rely on that sizeable contribution as a benefit of the scheme, yet maintain that the appeal location already is in a sustainable location.

Will the appeal proposal render the location sustainable?

22. The Appellant’s case has focussed on whether or not the appeal proposal and the transport improvements will offer a genuine choice of transport modes. It is accepted that there would be a genuine choice of transport modes to access services and facilities in Redhill and beyond. But what is also relevant is whether or not the proposal does sufficiently “limit the need to travel” by car to access day to day local services. The “limit the need to travel” limb of the policy was expressly and curiously not emphasised in Mr Bird’s written

⁷ CIL Compliance Statement, Page 14

⁸ Henley XX, 18 March AM session.

evidence but Mr Bird rightly accepted in XX that the accessibility on foot to local day to day amenities is a relevant consideration. And it is in this regard that the appeal proposal remains seriously deficient, despite all of the transport improvements that the Appellant has advanced (whether the improvements to National Cycleway 21 into Redhill, the improvements to the walkways on the A25, or the provision of the DDRT). None of those improvements will limit the need to travel by car to access a daily convenience store or local primary school, particularly given the following:

- a. Mr Lee's unchallenged evidence was that South Nutfield Primary School is already nearly at capacity with no scope to expand.
- b. There is no guarantee that a retail operator will take up the 280m² retail floorspace that is to be provided prior to first occupation by the developers. No weight at all should be placed on Mr Henley's evidence that "discussions" had taken place with such operators, and he fairly accepted that there was no evidence before the Inspector of interest from retail operators. This is in stark contrast to the level of interest and support from care home and health services providers provided in his Appendices to his Main PoE.

23. In short, the proposal, despite the extensive transport improvements offered by way of planning obligation, will not sufficiently limit the need to travel, nor does it prioritise sustainable transport modes. Nor will it render what is clearly an unsustainable location in the first place into a sustainable location. The requirement in paragraph 155(c) is clearly not met.

Are necessary contributions to local infrastructure being made?

24. As to the local infrastructure requirement specified at 156(b) NPPF, the Council acknowledges the local walking, cycling and public transport improvements offered by the applicant. However, it was expressly made clear in opening submissions under this heading that "*one of the issues the Council had was whether or not the additional facilities proposed in the appeal proposal would actually come forward*". That picked up on what was set out in Mr Lee's proof of evidence and in the Officer Report.

25. Paragraph 156 clearly envisages that contributions should be made – so it is clearly material to whether or not 156(b) test is met to consider if those contributions will actually be delivered. The Council considers that there is real doubt that the necessary improvements will be delivered, because the scheme relies on a local retail facility actually being occupied. It is worth noting the following:
- a. Mr Henley rightly accepted that the retail provision referred to in the draft section 106 agreement would fall within a community use (alongside the other care and health facilities being proposed).
 - b. Those other community facilities are presented by the Appellant as infrastructure, and there is no reason therefore why a community retail store in principle should also not be regarded as local infrastructure.
 - c. For the reasons already set out above in relation to the lack of day to day amenities at this location, there is no guarantee that this facility will actually come forward. To criticise Mr Lee for not suggesting any further improvements in XX entirely misses the point: the Council is not suggesting any further local infrastructure and the Council accepts that there is nothing more than the Appellant could reasonably do via a planning obligation to ensure a retail facility remains in operation for the lifetime of the scheme (it would not meet the CIL tests for example to tie the future on-going residential occupation of the scheme to the ongoing operation of a store). The point made by the Council in terms of 156(b) is a more fundamental point directly linked to the locational unsustainability of the scheme. In this particular case, it is simply not possible for the Appellant to provide all the necessary improvements to local infrastructure, because that includes a local retail store and the provision of that is entirely reliant on adequate demand and a third party operator coming forward. And there is no evidence that this will actually occur.
26. For the reasons set out above therefore, the appeal proposal, despite being on grey belt land, does not meet all the requirements set out in the NPPF and remains inappropriate development. The very special circumstances test under paragraph 153 NPPF is therefore engaged. That is considered further below under the planning balance section.

MAIN ISSUE (2) HERITAGE HARM

27. As to the degree of heritage impact, Ms Gardner explained in the RTD why she considers that the harm to the designated heritage assets in question – i.e the Grade II* Church of St Peter and St Paul and the Grade 2 Folly - is at the low to moderate end of the less than substantial, slightly higher than the harm identified by Mr Joseph which is at the low end.
28. Nothing much turns on that difference other than the weight to be attached to the heritage harm in the overall planning balance.
29. Whether or not the historic setting to either of the two designated assets contained woodland (and there is some evidence of a wooded shaw in the setting of the Church as Ms Gardner pointed out), one of the important features of the setting of the Folly was its openness and lack of built form, looking out as it did over the open landscape to the north. That last feature of its historic setting will be removed. This is one of the key reasons why Ms Gardner sought to ascribe more weight than Mr Joseph to the impact on that particular part of its setting, and she was justified in doing so.
30. Likewise, with the Church, as is evident in the AVR taken from the path leading down from the churchyard,⁹ built development will be seen from the churchyard, and the rural setting to that Church, which Ms Gardner explained does provide an important contribution to its historic significance, will be eroded.
31. The consequences of the less than substantial harm to heritage assets that is common ground will result from the appeal proposal in terms of compliance with the development plan policies and NPPF policies applying to heritage is set out below.

Conflict with DP20

32. Policy DP20 states that “*there will be a presumption in favour of development proposals which seek to protect, preserve and wherever possible enhance the historic interest, cultural value, architectural character, visual appearance and setting of the District’s heritage assets and historic environment*”. The proposal would conflict with this policy because it does not protect, preserve and wherever possible enhance the historic interest of the heritage assets, as explained in Mr Lee’s PoE.¹⁰

⁹ See CD1.30, Figure 32 (also in CD11.10, Appendix 2)

¹⁰ Lee PoE, para. 10.6

33. The policy also states that “*accordingly, where the public benefits of a proposal significantly outweigh the harm to, or loss of a designated heritage asset or its setting, will exceptional planning consent be granted*”.
34. The word “significantly” does not appear in paragraph 215 of the NPPF. However, Council does not accept that this means DP20 is inconsistent with the NPPF. This is a matter of interpretation of this policy and therefore of law and not planning judgment. Inclusion of the word “significantly” was not intended to add a further, higher test than was already contained in the NPPF at the time, and is merely reflective of the fact that significant benefits would have to be advanced to meet the paragraph 215 test. Likewise, the word “exceptional” also does not import any additional test of exceptionality, but merely describes the outcome of the balance in paragraph DP20.1 – i.e that it is likely to be in exceptional circumstances where that balance is met. Properly construed therefore, full weight should be attached to DP20.
35. Whilst it is not advanced by the Council as sufficient in its own right to lead to a refusal of planning permission (i.e in the event that the scheme is not inappropriate development), the conflict with DP20 identified by Mr Lee is nonetheless relevant to the question of overall compliance with the development plan in the balance.

NPPF policies applying to heritage

36. As an initial point, Mr Lee rightly accepted in XX (and consistent with his analysis in the Officer Report) that harm to heritage assets did not constitute a strong reason for refusal for the purposes of NPPF paragraph 11(d)(i). However, that conclusion does not mean that the section 215 heritage balance inevitably falls in favour of the appeal proposal, and Mr Lee’s admission that it did in XX was clearly mistaken (the same confusion over the interactions of these two tests was also evident in Mr Henley’s cross-examination).
37. Mr Lee agreed when taken in re-examination on this point about the reason for including the word “strong” means that you look at the degree of harm. That is a reflection of the fact that the inclusion of the word “strong” in paragraph 11(d)(i) was clearly for a reason, and that something more than mere conflict with the footnote 7 policies (which include heritage policies) is required for the tilted balance to be disengaged. Put another way, if it were the case that every time the paragraph 215 balance tilted against development, then that would be sufficient in and of itself to disengage the tilted balance, then that is what the

NPPF would have said. It does not say that, and the Appellant's proposition – if still pursued – is clearly premised on a flawed reading of paragraph 11(d)(i) NPPF.

38. In summary, it is entirely open to this inquiry to conclude that, even if it does not constitute a strong reason for refusal, nonetheless the harm to heritage assets is not outweighed by the benefits of the scheme, and that the outcome of that paragraph 215 NPPF exercise is a material consideration weighing against the scheme in the overall balance.
39. Finally on heritage matters, pursuant to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, decision makers are required to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. The parties are agreed that great weight should be attached to the harm that both parties agree will occur.

(3) OTHER HARMS

40. Mr Lee has set out in his evidence the key harms that he and the Council consider that the proposal would cause.¹¹
41. In terms of visual harm and harm to the character of the area, the main differences between the parties turn on the question of harm to the village character of Nutfield by the extension and spread of development, the loss of woodland and the visual and landscape harm that this gives rise to, and the visual harm to users of the footpaths.

Harm to the character of Nutfield

42. In terms of harm to the village character of Nutfield, part of that character is its linear form. The introduction of in-depth development, particularly in the western part of the proposed development referred to as Green Park West where the extension of built form will extend back around 290 metres to the north, will detract from its character for the reasons set out in Mr Lee's evidence¹². That is significantly greater than any of the current C.20th cul de sac developments along the A25, where glimpses of woodland backdrop can still be perceived from the A25.

¹¹ Lee PoE, para.11.3

¹² Lee PoE paras. 9.3 – 9.7

43. Relevant to that assessment of impact on character is the District Landscape Character Assessment (“LCA”) which sets out as guidance for this area (UE9) the following: “*protect and enhance the landscape setting to adjacent settings and urban areas*”.¹³ The field to the west does provide that setting and assists in the experience of Nutfield’s sporadic and linear form. This particular guideline was not referenced in Mr Holliday’s evidence.
44. Coupled with the significant loss of trees referred to in Mr Lee’s evidence, which as he explained in his evidence also form part of the character of the area,¹⁴ there would be some landscape harm.

Visual harm

45. It is common ground that there will be some visual harm, albeit it is agreed that this is very limited. This is particularly so for the users of the existing footpaths 568, 171 and 192 which will now be dissected by the development.¹⁵ Footpath users 192 in particular will experience the complete loss of currently an attractive view into an open field, and it is hard to see how even with planting that harm will be significantly mitigated.
46. For these reasons there would be conflict, albeit limited, with Policies DP7 and CSP18. Policy DP7 refers to “*development should integrate effectively with its surrounding, reinforcing local distinctiveness and landscape character*”, and also refers to proposals which would “*respect and contribute to the distinctive character, appearance and amenity of the area*”. CSP18 also refers to new development needing to “*reflect and respect character, setting and local context*”. For the reasons set out above, the proposal would not. It was agreed by Mr Henley that there was no reason not to attribute full weight to those policies.

Green Belt Harm

47. In terms of substantive harm to the Green Belt, there will be a loss of openness in both the visual and spatial sense. In terms of visual loss of openness, it will be readily apparent to the users of the PROWs, particularly FP 192, that there will be a loss of openness, even if that loss of openness will be experienced in the context of development already present along the eastern edge of FP192.

¹³ CD.1.31, Appendix F

¹⁴ Lee PoE para.9.8,

¹⁵ Lee PoE para. 9.9

(4) BENEFITS

48. As to the benefits of the scheme, the Council does not dispute any of the technical data in the evidence as to affordable housing provision, care provision and custom and self-build rates set out in the Appellant's proofs of evidence. As is evident on the topic specific statements of common ground on those issues, the only issue between the parties is the weight to be attached to some of those benefits. What weight to be attached to those benefits is clearly a matter of judgment for this inquiry. In particular, the appeal decisions relied on by the Appellant, in particular those recent decisions in Tandridge District Council (see for example those set out at RH PoE Appendix 2)¹⁶, do not demonstrate that in every case an inspector has ascribed the highest level of weighting possible to the provision of housing in particular.
49. In terms of the benefits advanced by Mr Henley in his evidence at Table 3 where there is a dispute as to the weighting, the Council relies on the following reasons to why this inquiry should not apply the highest degree of weight to those benefits:
- a. Market housing. The Council acknowledges the acute need for housing in this area. However, as Mr Henley fairly acknowledged, this is not a site so sizeable that it could be described as a strategic site. It will not result in the difference between the Council meeting its housing target for this year or not. Furthermore, the Council is taking steps to address its housing shortfall even in the absence of an adopted plan via the Interim Policy Statement for Housing Delivery ("IPSHD")¹⁷. It accepts limited weight should be ascribed to that in line with the Inspector's decision, but the existence of that document is a material consideration.
 - b. Affordable housing. The Council acknowledges the acute shortfall in affordable housing area in the District and agrees that significant weight should be attached to the delivery of affordable housing that this proposal would entail. However, this is not a scheme where 100% affordable housing is to be provided, and the plethora of appeal decisions cited by Mr Stacey in his evidence do not indicate that in all cases previous Inspectors have only attached "top drawer" weight to the provision of affordable housing in Tandridge.

¹⁶ CD11.4, Appendix 2, pages 19 - 21

¹⁷ CD6.7

- c. Golden Rules compliance. Whether or not to ascribe any weight to this entirely depends on whether or not the Golden Rules (particularly that set out at paragraph 156(b)) is met. The Council does not consider that it is so no weight should be attached to that.

(5) PLANNING BALANCE

50. In the circumstances of this appeal, in terms of the various balances that pursuant to the NPPF are engaged (the paragraph 215 heritage balance, the VSC test under paragraph 153, and the paragraph 11d(ii) test), the most critical is the VSC balance under paragraph 153 of the NPPF. This is primarily for three reasons:
 - a. As clarified by Mr Lee in XX, the Council does not dispute that if the appeal proposal were to be considered appropriate development for the purposes of national green belt policy in the NPPF, then the paragraph 11(d)(ii) test is met;
 - b. The Council accepts that if the VSC balance falls in favour of development (i.e the harm to the GB and any other harm, is clearly outweighed by other considerations), then the heritage balance becomes moot (and Mr Lee confirmed that in circumstances where the only harm left is heritage harm that would not justify refusal of permission in its own right); and
 - c. The Appellant's planning witness Mr Henley fairly agreed that if the VSC test is not met, then that would count as a strong reason for refusal pursuant to paragraph 11(d)(i) NPPF.
51. In terms of that critical VSC test, the Council does not consider that the harms identified above are clearly outweighed by the other considerations advanced by the Appellant, i.e the benefits advanced by Mr Henley in his evidence. The Council's position remains that they do not significantly outweigh the harm by reason of inappropriateness, the substantive harm to Green Belt openness, the heritage harm, visual and harm to the character of the area, that the proposal would cause.
52. Finally, turning to the overall balance under section 38(6) PCPA 2004, there are clear conflicts with the development plan, in particular Policy DP10 and DP13 (on Green Belt) and DP20 (on heritage). The proposal also conflicts with Policy DP 7 and CSP 18 (on visual harm and harm to the character to the area). Significant weight should be attached

to those conflicts. Together with the conflict with CSP 1 and DP1 (which is common ground only attract limited weight), the proposal clearly conflicts with the development plan as a whole. There are no material considerations of sufficient weight to outweigh that conflict, and for this reason the Council maintains that its reasons for refusal were justified, that permission should be refused and that the appeal should be dismissed.

JAMES NEILL

Landmark Chambers

20 March 2026