



Appeal Decisions

Site visit made on 11 February 2016

by **Diane Lewis BA(Hons) MCD MA LLM MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 March 2016

Land at 1 Hilltop Cottages, Treadaway Road, Flackwell Heath, Buckinghamshire HP10 9PE

Appeal A Ref: APP/K0425/C/15/3005246

Appeal B Ref: APP/K0425/C/15/3005247

- The appeals are made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
 - The appeals are made by Mr Nico Ekendahl and Mrs Helen Ekendahl against an enforcement notice issued by Wycombe District Council.
 - The Council's reference is ENF 3172.
 - The notice was issued on 12 January 2015.
 - The breach of planning control as alleged in the notice is: Without planning permission, the erection on the Land of a timber sleeper wall and close boarded fence, the construction of a raised timber decking area and the siting of a storage shed.
 - The requirements of the notice are: Remove from the Land the unauthorised sleeper wall and close boarded fence (shown edged blue on the attached plan).
 - ~~The period for compliance with the requirements is three months.~~
 - Appeal A by Mr Nico Ekendahl is proceeding on the grounds set out in section 174(2)(d), (f) and (g) of the Town and Country Planning Act 1990 as amended.
 - Appeal B by Mrs Helen Ekendahl is proceeding on the grounds set out in section 174(2)(a), (d), (f) and (g) of the Town and Country Planning Act 1990 as amended.
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Appeal C Ref: APP/K0425/W/15/3004603

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mrs Helen Ekendahl against the decision of Wycombe District Council.
- The application Ref 14/05445/FUL, dated 17 February 2014, was refused by notice dated 20 November 2014.
- The development proposed is replace existing fence and hedges; lay decking at ground level.

Application for costs

- The applications for costs made by Mr Nico Ekendahl and Mrs Helen Ekendahl against Wycombe District Council are the subject of separate Decisions.
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DECISIONS

Appeal Refs: APP/K0425/C/15/3005246, 3005247

1. The appeals succeed on ground (g) only and it is directed that the enforcement notice is varied in paragraph 6 by the substitution of six months as the time for compliance.
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2. Subject to this variation the appeals are dismissed and the enforcement notice is upheld, and in respect of the appeal by Mrs Ekendahl (ref 3005247) planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Appeal Ref: APP/K0425/W/15/3004603

3. The appeal is dismissed.

REASONS

Appeal site

4. 1 Hilltop Cottages is the end property of a short terrace of three, two storey cottages. The site is a corner plot at the junction of Treadaway Road and North Links Road and is located within The Common, Flackwell Heath, Conservation Area.
5. Hilltop Cottages, together with the adjacent detached house, were built following a grant of planning permission in 2001. The approved development provided for small gardens to the front of the cottages, associated with a shared parking area, landscaping and a retained hedge along the Treadaway Road boundary. There was little space to the rear of the cottages. Subsequently in 2003 planning permission enabled gardens to be provided at the back of the cottages, forming a boundary adjacent to North Links Road. In respect of both permissions planning conditions remove permitted development rights under the Town and County Planning (General Permitted Development) Order 1995 (the GPDO) (or any Order revoking and re-enacting that Order).
6. The appellants purchased their home in May 2007. In August 2013 work was undertaken to lay an area of decking to the rear and side of the house and close boarded fencing was erected along the site boundaries. A wall of timber sleepers was created below the fencing along the Treadaway Road boundary. A small shed was erected on the decking in the back garden close to the boundary with number 2.

Appeals A and B against the enforcement notice

Ground (d)

7. The ground (d) appeals relate only to the fence along the North Links Road boundary, referred to as the back fence. The main issue is whether the erection of the back fence was substantially complete on or before 12 January 2011.
8. In the grounds of appeal, the appellants maintained that the back fence has been in place since at least 2007 when they bought the property. In the subsequent appeal statement further information was provided that identified two different and separate sets of work to the back fence, first in 2007 and then in 2013 as part of the project that included laying the decking and the erection of fencing along Treadaway Road. I agree with the Council that the later submissions introduced arguments more appropriate to a ground (c) case, that there has not been a breach of planning control. I will consider all the matters together.
9. The site layout plan for the 2003 permission indicates the planting of a traditional mixed species hedge, the location of picket gates and the retention

of an existing grass verge along the rear boundary of the three cottages. The probability is that a similar form of treatment was put in place because at the time of my visit 2 and 3 Hilltop Cottages have trimmed hedges and picket gates. Low chain link fencing is visible within the hedges, which would have been a typical type of fencing erected at the outset. The appellants stated that the rear fence in situ when they bought the property was permitted under the planning permission but this was not supported by documentary evidence. Therefore in the absence of such evidence I accept the Council's statement that no planning permission was granted for a fence in this location and no application was made for a lawful development certificate.

10. The appellants' case is that in 2007 they replaced the posts of an existing fence and inserted new panels between them, work which did not involve relocating the position of the then existing fence. When the fencing and associated works took place in August 2013 the panels of the back fence were replaced but retaining the same fence posts that were replaced in 2007. The works since 2007 were said to amount to maintenance and improvement of the rear fence which had the benefit of planning permission.
11. There is nothing that details the schedule or specification of works undertaken by the contractor in 2013 to support the appellants' description. This is significant because of the contrary evidence. A photograph submitted by the Council and dated to around 2008 shows that there was a low rear fence behind a hedge, although the copy of the photograph does not enable identification of the type of boards or panels. The appellants have not disputed the authenticity or date of the photograph. By comparison, the existing back fence is significantly higher than that shown in the Council's photograph. On the site visit it was possible to see that the posts are roughly equivalent in height to the new fence, a fact which is not consistent with retention of posts erected in 2007 for a much lower fence. Photographs taken by the Council of the work in 2013 indicate a consistent form of fence erected around the boundaries of the garden, again a feature that was clearly seen on the site visit. This evidence makes the appellants' version of events less than probable. The probability is that a new back fence was erected in August 2013.
12. Under Class A, Part 2 of Schedule 2 of the GPDO the erection, construction, maintenance, improvement or alteration of a gate, fence wall or other means of enclosure is permitted development. This is qualified by A.1 which sets out when development is not permitted by Class A. However, the key factor is condition 4 attached to the 2003 planning permission which removed permitted development rights for development falling within Class A of Part 2. Therefore permission from the local planning authority would be required for the back fence, whether newly erected or even if the work could be considered as maintenance or improvement of an existing fence. Consequently the only way the appellants could succeed on a legal ground of appeal is to demonstrate on the balance of probability that the back fence was substantially complete on or before 12 January 2011. On the appellants' own evidence this was not the case.
13. In conclusion, the appeals on ground (d) do not succeed.

Ground (a) (Appeal B only)

Main issue and policy context

14. The deemed planning application is derived directly from the description of the breach of planning control and is for the operational development that has been carried out.
15. The main issue is the effect of the close boarded fence and sleeper wall on the character and appearance of The Common, Flackwell Heath, Conservation Area.
16. The development plan for the area includes the Core Strategy Development Plan Document 2008 (the Core Strategy) and the Wycombe District Local Plan to 2011 (as saved, extended and partially replaced) (the Local Plan). The policies relied on in the reasons for serving the notice are policies HE6, G3, G10, G11 and H17 of the Local Plan and policies CS 17 and CS 19 of the Core Strategy. The Conservation Area Character Survey: The Common, Flackwell Heath is a consideration of significant weight and in accordance with policy HE6 the document is to be used in assessing proposals in the Conservation Area.
17. The National Planning Policy Framework (the Framework) post dates the Core Strategy and the Local Plan. The development plan policy requirements for a high standard of design are consistent with the Framework. In respect of historic heritage, the Framework requires an assessment of the amount of harm to the significance of a heritage asset and the weighing of the harm against public benefits.

Effect on Conservation Area

18. The Conservation Area Character Survey dates to around 1995 and continues to be a very relevant reference document in identifying the significance of the designated heritage asset. The Conservation Area is focused on the hamlet that grew up as a cluster of late 18th and earlier 19th century cottages on the east side of The Common. The later 19th century development saw small scale expansion on the west side of The Common, with later additions in the 20th century that filled out the built development. Architecturally interesting individual buildings and the way buildings front, define and enclose private spaces add to the quality and attractiveness of the area.
19. An essential characteristic is the triangular plan of the road pattern, allowing a small green to be formed at the widest point. The War Memorial was sited to occupy the green and provides a focal point in local views. Another significant view is from the northern extremity of the Conservation Area, south westwards along Treadaway Road. Hedges make a larger contribution than specimen trees to the area's character. The hedge along the boundary of Hilltop on the Treadaway Road frontage is identified as a significant hedge on the Character Survey Map, although the hedge is not shown extending all the way to the North Links Road corner.
20. The Hilltop Cottages development replaced a pre 1850 building in the north east corner of the Conservation Area. The planning permissions, the attached conditions and the approved plans indicate that care was taken to ensure the scheme was in keeping with the character and appearance of the Conservation Area. The scheme allowed for the existing hedge to remain along the Treadaway Road boundary and the importance of retaining the hedge was

emphasised by the landscaping condition attached to the planning permission. Nevertheless subsequently the hedge would not benefit from specific protection applying to trees in Conservation Areas.

21. The external works carried out in August 2013 led to the removal of the hedge and the erection of a close boarded fence and a sleeper wall on the Treadaway Road boundary. Near the corner with North Links Road the sleeper wall and fence is over 2 metres in height, stepping down in height towards the site entrance¹. As discussed above, close boarded fencing continues along the rear boundary of the property.
22. The site is on a prominent corner position within the Conservation Area, albeit it is a little way from the War Memorial. The Character Survey advises that special care must be taken to ensure that views looking into and out from the hamlet are not spoilt. Hedges will generally be preferred to walling and fencing as a boundary treatment.
23. The wall and fence along Treadaway Road provides a harsh feature within the streetscene and adversely impacts on the identified significant view along Treadaway Road. The visual harm is increased by reason of the height of the structure, the solid, close boarded form of the fence and its position on the back edge of a narrow footway. The sense of enclosure is oppressive and over dominant. The treatment is also a stark contrast to the typical means of enclosure on frontages in the Conservation Area, where hedges and low fences predominate.
24. The high, close boarded back fence is not so prominent in local views and the hedge provides some softening, more particularly when in leaf. However, the fence is visible and by reason of its height is out of keeping with the treatment to the neighbouring terrace houses. In the event the hedge was reduced in height, cut back or removed the fence would become a much more dominant feature and detract significantly from the soft edge to the development as a whole.
25. The appellant put forward planning conditions requiring an approved colour treatment for the fence and for details of screen planting or hedging to be approved. Whilst there may be a possibility of softening the appearance of the Treadaway Road boundary to a small degree, the position of the fence and the lack of space for planting are major constraints. An acceptable boundary treatment sympathetic to the Conservation Area would not be achieved. To require the retention of the boundary hedge along the North Links Road boundary as a permanent solution would be unreasonable and go beyond what is normally required through landscape conditions, where replacement planting is generally secured for a period of five years.
26. Turning to other considerations, the close boarded fence in an elevated position round the property at the junction of Swaine's Lane and Treadaway Road is outside the Conservation Area and is in a different, much less enclosed environment. The fence does not provide any justification for the development at 1 Hilltop Cottages.
27. With reference to Local Plan policy G8, the boundary fencing provides privacy to the garden of the property, especially the rear and side amenity space. A

¹ The Council say the total height of the enclosure rises from 1.3 m at the southern end to 2.43 m at its northern end.

benefit identified by the appellants is that it allows the rear garden to be useable amenity space. However, the use of close boarded fencing is unlikely to be the only way of safeguarding a reasonable level of privacy. A similar observation applies to security of the home. Therefore the privacy and security argument of the appellant has little weight.

28. In conclusion, the boundary treatment comprising the close boarded fence and the sleeper wall fails to achieve a high standard of design and reinforce locally distinctive qualities of place. Insufficient regard was given to local views and an existing significant hedgerow. For these reasons the development is contrary to criteria 1 and 2 of policy CS 19 of the Core Strategy and policy G3 of the Local Plan. The boundary treatment failed to take adequate account of retaining an existing hedgerow, which was an important element in the character and appearance of the site and wider area. There is conflict with policies G10 and G11 of the Local Plan. In addition the development adversely affects the appearance of the dwelling and the terrace known as Hilltop Cottages and the appearance of the surrounding area. Therefore it should not be permitted under policy H17(1) (a) and (b) of the Local Plan. In sum, the development fails to preserve or enhance the special character and appearance of the Conservation Area, contrary to policy HE6 of the Local Plan and policy CS 17(6) of the Core Strategy.
29. The boundary treatment results in less than substantial harm to the significance of the designated heritage asset. This harm has considerable weight because of the prominence of the site and the objectives for the Conservation Area. No public benefits have been identified from the development to weigh against the identified harm. Therefore the boundary treatment is not supported by national policy in the Framework to conserve and enhance the historic environment.

The decking and the shed

30. The deemed planning application is for all the matters included in the breach of planning control described by the enforcement notice. Neither the Council nor the appellants addressed the decking and the shed in any detail in their appeal representations. The reasons for issuing the notice do not refer specifically to them and in fact the Council has decided to under enforce these aspects of the unauthorised development².
31. The decking covers the entire back garden and extends round the side of the property, up to the short section of fencing on the line of the front elevation of the house. Steps have been formed where there is a change in level of the decking in the back garden.
32. The decking is within the private garden to the dwelling but I am not satisfied that it is able to be totally divorced from and has no implications for the boundary treatment. The decking is not in keeping with the soft landscaped garden setting to the Cottages and because the decking extends up to the boundary fencing it prevents any soft landscaping. It is not a type of surface material encouraged by the Character Survey, which seeks surfacing of an informal nature. In the absence of ground levels before and after development

² The enforcement report noted that the decking and storage shed were not referred to in the reasons for refusal of application 13/07037/FUL and the officer's report stated there was no objection to the retention of the decking and the shed. Taking account of the fact that the decking and shed are within the rear garden and therefore the private space of the dwelling, they were found to be acceptable and a decision was made to under enforce.

or any description of ground works it is not possible to assess exactly how the introduction of the decking has affected ground levels within the site. The site inspection indicated that the decking required the base of the fence to be set at a higher level, which in turn would increase the height of the fence as seen from the public domain. I also note in the appeal documentation that at one point it was envisaged that the decking would have to be set back about 1 m from the Treadaway Road boundary and reduced in height to allow for the planting of a hedge. In June 2014 the appellant proposed reducing the level of the decking and adjacent garden to help the stability of the bank. Therefore the decking extends over too large an area of the garden and the probability is that it adversely affects the height of the boundary fences.

33. In earlier correspondence on the planning application the decking was stated to have been installed for ease of movement of the appellant's father who relies on a wheelchair. Even so, this would not necessarily account for the extent of the decking or the choice of this particular type of hard surface treatment.
34. Weighing up all considerations I conclude that the decking is not of a high standard of design that reflects its local context and therefore it is contrary to policy G3. In addition the development adversely affects the character of the original property and is not supported by policy H17(1) (a) and (b) of the Local Plan. The decking probably has not resulted in the direct removal of the hedge but the work has not allowed for the incorporation of appropriate landscaping on the Treadaway Road boundary. There is not full compliance with policy G10. All matters considered the decking fails to preserve or enhance the character and appearance of the Conservation Area and the development is contrary to policy HE6.
35. The shed is a small structure in the rear corner of the back garden that rests on the decking. It has no effect on the character and appearance of the Conservation Area.

Conclusions

36. The timber sleeper wall and the close boarded fence along the western and rear boundary of the site are not in accordance with the development plan or the Framework, are unacceptable and should not be approved.
37. The construction of a raised timber decking area by reason of its coverage of all the rear and side garden probably has adversely affected the height of the boundary fences and I am not satisfied planning permission is justified. The siting of a storage shed is acceptable. In the circumstances the most appropriate course is not to grant planning permission for part of the development, taking account of the fact the Council decided to under enforce against the decking and the shed.
38. The appeal on ground (a) does not succeed.

Ground (f)

39. The issue is whether the steps required to be taken are excessive, taking into account the purpose of the notice.
40. The Council decided to under-enforce in respect of the decking and the shed and the side fence along the boundary with 2 Hilltop Cottages. The requirement is directed only at the sleeper wall and the close boarded fence

around the outer perimeter of the site. The Council explained that no modification of the existing means of enclosure was considered to overcome the identified harm and therefore the requirement was to remedy the breach of planning control by securing the removal of the boundary treatment.

41. The appellants put forward alternative steps that would result in:

- the removal of the sleeper wall and the close boarded fence along Treadaway Road;
- the relocation of the fence 0.8 m inwards along the boundary of the property;
- a reduction in the height of the relocated fence to a maximum of 1 m from ground level;
- a requirement to remove the relocated fence within 5 years of the notice taking effect.

42. The intention was to safeguard the privacy and security of the appellants and their family by allowing time for a newly planted hedge to become established. However, even allowing for the use of the same materials, the relocated fence would be a new fence that forms no part of the breach of planning control. I agree with the Council that the proposed steps would in effect be granting a temporary planning permission for an alternative form of development, an outcome that is outside the remit of an appeal on ground (f). Furthermore, the steps do not include the planting of a hedge and therefore there would be no control on this aspect of the proposal. The back fence is not addressed.

43. As considered further in the Costs application, the appellant was concerned the notice was not drafted to take account of the householder appeal (Appeal C). In view of the statutory framework on the content of enforcement notices and the provisions in relation to appeals, I am satisfied that it is not necessary to address the householder appeal in the requirements. In any event I intend to dismiss that appeal.

44. It seems to me that the only way forward in securing a new long term acceptable form of boundary treatment is through the submission of a new planning application and a grant of planning permission. The accommodation of this approach in the compliance period is a matter for consideration in the ground (g) appeals.

Ground (g)

45. The issue is whether the compliance period of three months is reasonable.

46. The side and rear boundaries require appropriate boundary treatment and to date an acceptable solution has not been proposed. Understandably the appellants are anxious to ensure their property is secure and their privacy is respected. However the property enjoys a location within a conservation area and full account must be taken of the public interest of protecting its character and appearance, a statutory duty with great weight.

47. The appellants' sought a period of 6 months primarily to allow for the householder appeal to run its course. No other justification was put forward for an extension to the period. In the event the enforcement and the householder appeals are being determined together. However, the appeals have not been

successful and it is reasonable to allow a period of six months for a new proposal to come forward and be considered by the Council. Accordingly the appeals on ground (g) succeed.

Appeal C

Proposal

48. The planning application was made with a view to remedying a breach of planning control. The application related to the close boarded fence and sleeper wall along the Treadaway Road boundary and did not include the rear fence. Initially, the proposal was to move the close boarded fence back 0.6 m from the edge of the property in order to incorporate a planting bed for a replacement hedge.
49. Subsequently the proposal was amended to remove the sleeper wall, to move the fence back a further 0.2 m, reduce the height of the fence at the front of the property to 1 m above ground level and to reduce the height of the fence to the rear and side of the property from 1.8 m to 1.7 m from the decking level. I will determine the appeal on the basis of the amended scheme, because that was the proposal before the Council when it made its decision.
50. The main issue is the effect of the proposal on the character and appearance of The Common, Flackwell Heath, Conservation Area, taking into account the security, privacy and amenity of the property.

Conservation Area

51. The essential characteristics of the Conservation Area are described in the Character Survey and are outlined above in respect of the deemed planning application. The designated area is tightly defined and covers a small compact area. The site at Hilltop is not immediately next to the principal grouping and architectural focus of the War Memorial but the property is prominently located and the Treadaway Road boundary helps to define an identified significant view. The hedgerow along that boundary was a positive contribution to local character and the soft edge provided suitable enclosure, individuality and a rural feel to the Conservation Area.
52. The redevelopment of Hilltop with the associated landscaping responded to the history and domestic architecture of the designated heritage asset. Hard surfacing within the curtilage was informal and confined to the parking court enabling small gardens to be provided to the front of the cottages. The gardens at the back were not part of the original scheme and the subsequent permission for the change of use reinforced the cottage style of the development.
53. The close boarded fence would be set back some 0.8 m from the edge of the footway. The highest length of the fence would be elevated and the Council has estimated that it would have a maximum height of 2.3 m above the footway at the north east end. The fence would be very visible in the early years and even with the successful establishment of a hedge the presence of the fence would be noticeable. No mechanism has been identified for ensuring the hedge is retained at a height to screen the fence.
54. A close boarded fence is not a form of boundary treatment that is in keeping with the character and appearance of the Conservation Area where generally

- boundaries to the frontages are hedges, low open types of fencing or low walls. I agree with the Council that close boarded fencing is a blank, characterless, solid, suburban type of fence and it is unsuited to the distinctiveness and special identity of the Conservation Area. The elevated position, the length of the boundary, the height of the fencing and the prominent location of the site are all factors that would result in the fence being particularly intrusive and harmful to the street scene.
55. The proposal allows for the planting of a new hedgerow in a bed some 0.8 m on the edge of the footway and in front of the fence. The amended plans include sections of the planting bed (plan WDC2A) and indicate that the soil is to be restrained by mesh and hedge planting. The appellant has proposed a planning condition stating the type and spacing of the plants. However, there is no specification of works, schedule of planting or programme of maintenance. Having inspected the boundary on the site visit, I have concern about the stability of the bank, especially after the removal of the sleeper wall, the ability to retain the soil and to create a planting bed of sufficient depth along the full length of the boundary. This is a case where the detail is critical to demonstrate the proposal would have a good chance of success but such detail is lacking.
56. In summary the proposed hedge in time may soften the appearance of the fence to some extent, although that is by no means certain for the reasons outlined above. More fundamentally the fencing by reason of its form, height, position and extent would not preserve the character and appearance of the Conservation Area. Even if the hedge became established, the harm would not be fully addressed and no reliability could be placed on its screening effect into the future.
57. Therefore the proposal does not incorporate appropriate landscaping, contrary to policy G10. The proposal fails to achieve a high standard of design that reflects the local context and reinforces locally distinctive qualities of place. For these reasons the development is contrary to criteria 1 and 2 of policy CS 19 of the Core Strategy and policy G3 of the Local Plan. The development within the residential curtilage would have an adverse effect on the character and appearance of the property and the surrounding area and fails to comply with policy H17. In sum, the proposal fails to preserve or enhance the special character and appearance of the Conservation Area, contrary to policy HE6 of the Local Plan and policy CS 17(6) of the Core Strategy.
58. The stated purpose of the proposal is to ensure that the amenity space is sufficiently private and secure. The retention of a fence is said to be particularly important to ensure children and dogs are safely contained in the rear garden and to prevent easy access for criminals at the rear.
59. Local Plan policy G8 aims to protect living conditions. A reasonable expectation is that privacy and security were taken into account when planning permissions were granted for the developments in 2000 and 2003. At the time a boundary hedge was considered adequate to provide the necessary safeguards to occupiers' amenity. There is no evidence that leads me to conclude a different solution is required now.
60. The removal of the boundary hedge by the current occupiers has brought about a change in circumstances. The solution for my consideration is the amended proposal. As noted in the ground (a) appeal it is unlikely to be the only

acceptable way of securing the privacy and safety of the property. To date no alternative forms of fencing or enclosure appear to have been investigated. Furthermore, in the ground (f) appeal a much reduced height of fencing was being proposed along the whole side boundary for a temporary basis.

61. In conclusion, there is no conflict with policy G8 but in the particular circumstances compliance with the policy does not weigh heavily in favour of the proposal.
62. The development would lead to less than substantial harm to the significance of the designated heritage asset. Even so, in the context of the distinctiveness and qualities of the Conservation Area, I consider this harm has considerable weight. The benefits that have been identified are primarily private benefits for the current occupiers of the property, not public benefits. Whilst the appellant has suggested that the proposal would be important for the amenity of future occupiers of the property, the evidence indicates that the changes to the outdoor space and the boundary treatments that were undertaken in 2013 may have been in response to particular family circumstances and needs of the appellant. Moreover, the appellant acquired the property some 6 years before. Also, as shown by the occupation prior to 2007, such a high degree of enclosure is not necessary to enjoyment of the property and there is no suggestion that it is justified to secure the residential use in the future.
63. Therefore the harm to the significance of the designated heritage asset is not outweighed by public benefits of the proposal. It follows that the proposal does not comply with policy in the Framework to conserve and enhance the historic environment.
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64. The Council raised no objection to the decking. Nevertheless, paragraphs 31 to 34 above explain why I consider the decking should not be granted planning permission and the same reasoning applies to this appeal.

Conclusion

65. For the reasons given above the proposal is not in accordance with the development plan and is not supported by policy in The Framework. Having taken account of all other matters raised I conclude that the appeal should be dismissed.

Diane Lewis

Inspector

