



Appeal Decision

Site visit made on 4 July 2017

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 26 September 2017

Appeal Ref: APP/Z4718/W/17/3173312

F. Lockwood & Son, Fenay Lane Nursery, Fenay Bridge, Almonbury, Huddersfield HD8 0AR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr A Shepherd against the decision of Kirklees Metropolitan Borough Council.
 - The application Ref 2016/60/93230/W, dated 25 September 2016, was refused by notice dated 6 January 2017.
 - The development proposed is demolition of existing buildings and outline application (with all matters reserved) for residential development (maximum 5no. dwellings).
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application is made in outline with all matters reserved for subsequent consideration. An indicative site layout plan has been submitted showing how five dwellings could be accommodated within the site. Reference has also been made to the dwellings being two storeys in height. As all matters are reserved for future consideration, and as I am satisfied that the Council have considered these matters as indicative, I shall do likewise.
3. Although not relied upon in the Council's refusal reason, reference is made to the emerging Local Plan (LP) in the Council's report to the Strategic Planning Committee. I note that the emerging LP was published for consultation in November 2016 but I have not been advised of any further progress regarding the LP or that it has been subject to an Examination in Public. Mindful of paragraph 216 of the National Planning Policy Framework (the Framework), and the Council's acknowledgement that the LP's policies have limited weight, I too afford the provisions of the emerging LP limited weight.

Main Issues

4. The main issues are:-
 - Whether 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 setting of the grade II listed High Green House; and

- If the proposal is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether inappropriate development

5. The site is within the Green Belt. Paragraph 89 of the Framework states that the construction of new buildings in the Green Belt should be regarded as inappropriate. It goes on to identify a range of exceptions which includes proposals for the partial or complete redevelopment of previously developed sites, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development.
6. The appeal site comprises a former plant nursery with an element of retail sales. The site, accessed via a steeply sloping drive, is located on something of a plateau. There are a small number of buildings within the site, clustered towards the north-eastern corner of the site, with the remainder of the site comprised either of areas concrete hardstanding or varying combinations of blockwork dwarf walls, timber and metal poly-tunnel frames and the occasional, covered, poly-tunnel.
7. It remains a matter of dispute between the parties as to whether the site may be considered to be wholly or partially previously developed land. Within the bounds of that dispute, I have noted the Council's efforts to clarify and correct what they describe as an error in the description of the site set out in the Rejected Site Options Report (RSOR) (November 2016) regarding the appeal site. Regardless, it is clear to me that the Council considered the proposal against one of the exceptions set out in paragraph 89 of the Framework; specifically that relating to previously developed sites.
8. It is not disputed that there are two permanent buildings located towards the northeast of the site, or that there are poly-tunnels (and the remains thereof) elsewhere within the site. Nor do the Council dispute the appellant's conclusions regarding the extent of the site's curtilage or its extent as a single planning unit, and I have not been presented with any compelling evidence that would lead me to reach a different conclusion.
9. However, notwithstanding the classification (or otherwise) of the land as previously development land, paragraph 89 also states that development in this respect should not have a greater impact on the openness of the Green Belt than the existing development. The proposal is for the development of a maximum of five dwellings of no more than two storeys. Although all matters are reserved for subsequent consideration, including particularly their scale, layout and appearance, the appellant's contention that the combined internal floor area would amount to no more than 970 square metres has not been challenged. Whilst that figure appears to be drawn from limitations on the sales element of a nursery use previously permitted on the site¹, I consider it unlikely that dwellings within those broad parameters would not have a

¹ 2014/93595

- materially greater effect on the openness of the Green Belt than the existing permanent buildings.
10. Although indicative in layout, the quantum of development proposed together with generously sized plots would have a greater, and more permanent impact on openness than the cluster of permanent buildings and the more transient nature of the poly-tunnels. This would be particularly evident within the site where the distinct terraced levels and planting beds give the site a sense of openness that would be lost with the development of dwelling. Whilst the site is not particularly evident from Fenay Lane at present, it is far more evident from elevated positions on the opposite side of the valley. From these aspects, the introduction of dwellings onto the site would in my judgement have a greater visual impact than existing.
 11. As a fundamental aim of Green Belt policy, as set out in paragraph 79 of the Framework, is to prevent urban sprawl by keeping land permanently open, I find that the proposal would be incompatible with the Framework in this respect. The coming and going of covers on poly-tunnels tends to be transient and seasonally changing. The presence of dwellings of not more than two storeys would be permanent, and would have a significant and harmful impact on openness of the Green Belt. This would, I find, be particularly evident in the case of the appeal site as it lies in a prominent valley-side location clearly visible from the opposite side of the valley. The permanence of the proposed dwellings, and the residential curtilages and paraphernalia that would inevitably follow, would be a clearly sprawling presence up the valley side and one which would reduce openness between Penistone Road in the valley floor and built development further west along Fenay Lane.
 12. Moreover, the steeply sloping embankment to Fenay Lane presents a significant, but pleasant, verdant side to the site, reflective of the area of woodland on the opposite side of the road. The proposed access would require a significant engineered arrangement involving retaining walls and sweeping road layout to cope with the gradient to access the top of the site. In both visual and objective terms, this would significantly harm the sense of openness (in the Green Belt sense) experienced along this heavily wooded stretch of Fenay Lane. I have noted that the Council previously considered¹ that the extent of engineering operations required to create access to the site from Fenay Lane would have had a significant visual impact on the embankment in the short term. Whilst landscaping may well soften this, as the Council concluded then, in my judgement the substantial and visually incongruous nature of the works required to secure access to the upper levels of the site would harmfully affect openness and would be felt locally from Fenay Lane. Together with the residential development, the proposal as a whole would both materially and harmfully reduce openness and result in additional sprawl up the valley side, when viewed from the opposite side of the valley.
 13. Thus, I conclude that the proposed development would fail to fall within any of the exceptions set out in paragraph 89 of the Framework. The proposal would therefore be inappropriate development in the Green Belt. As this is, by definition, harmful I give this substantial weight.

Setting of Listed Building

14. High Green House, located to the northeast of the site, is a grade II listed building. I am advised that in rejecting the site as a proposed housing

allocation, the RSOR identified amongst other things, that there would be serious impact on an historic asset. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 special regard shall be had to the desirability of preserved a listed building, its setting or any features of special architectural or historic interest

15. The appeal site is situated at a much higher level than High Green House and due to the extensive vegetation within, and beyond, the appeal site, would be seen in very different contexts. The Council conclude that for these reasons there would be no harm caused to the setting of the listed building. From all that I have seen and read, I can see no reason to reach a different conclusion to that of the Council. Thus, I conclude that the proposal would not cause harm, and thereby preserve, the setting of the grade II listed building.

Other Considerations

16. The proposed development would add five dwellings to the supply of housing within the Borough at a time when the Council are unable to demonstrate a deliverable five year supply of housing land. Whilst the Council have not challenged this I have not been given any indication of the extent of any shortfall. However, the provision of five additional dwellings would only represent a modest contribution to housing supply and I therefore give this matter moderate weight.
17. The appellant contends that the proposal would provide a boost to housing supply in the context of the Council being unable to demonstrate a five year supply of deliverable housing sites. The Council have not challenged this assertion, but nor have I been presented with any evidence to demonstrate whether this is indeed the case. Nonetheless, an additional five dwellings would provide a modest boost to housing supply. Important though such considerations are however, the benefits arising from this would be significantly outweighed by the harm to the Green Belt and the substantial weight that carries.
18. I note that the Council concluded that the proposal would not cause harm to the living conditions of occupiers of neighbouring properties. I note too that with appropriate conditions the principle of the new vehicular access could be supported in highways terms and matters relating to drainage could be adequately resolved. These though are neutral effects and I ascribe weight accordingly.

Overall balance and Conclusion

19. I have concluded that the proposal would be inappropriate development within the Green Belt. By definition, this would be harmful to the Green Belt, and the Framework sets out that substantial weight should be given to any harm. The proposal would also have a greater impact on openness than the existing use, with openness recognised by the Framework as being one of the essential characteristics of the Green Belt. Consequently the very special circumstances necessary to justify the development do not exist.
20. For the reasons set about, and having considered all other matters, I conclude that the appeal should be dismissed.

Graeme Robbie INSPECTOR



Appeal Decisions

Hearing Held on 16 August 2017

Site visit made on 16 August 2017

by Roger Catchpole DipHort BSc(hons) PhD MCIEEM

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

Decision date: 29th September 2017.

Appeal A: APP/Z4718/W/17/3169043

Washpit Mills, Choppards Lane, Cartworth Moor, Holmfirth HD9 2RD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Mr Rob Cooke (Prospect Estates) against Kirklees Metropolitan Borough Council.
 - The application Ref: 2016/93428, is dated 7 October 2016.
 - The development proposed is the mixed use redevelopment of Washpit Mills.
-

Appeal B: APP/Z4718/Y/17/3174173

Washpit Mills, Choppards Lane, Cartworth Moor, Holmfirth HD9 2RD

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by Mr Rob Cooke (Prospect Estates) against Kirklees Metropolitan Borough Council.
 - The application Ref: 2016/93429 is dated 7 October 2016.
 - The works proposed are associated with the mixed use redevelopment of Washpit Mills.
-

Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed and listed building consent is refused for the mixed use redevelopment of Washpit Mills.

Preliminary Matters

3. As the proposal relates to a listed building I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. The Council has an emerging plan that is yet to be adopted. Consequently, these appeals will be determined in accordance with the extant development plan having regard to the emerging policies, insofar as they may be relevant, and the National Planning Policy Framework 2012 (the Framework).

5. The proposal was amended following its submission to the Council. The changes are reflected in the following plans beginning with the suffix 3068 (0-): 200 Rev H, 201, 202, 203 Rev A, 204 Rev B, 205 Rev B, 206 Rev A, 207 Rev A, 208 Rev B, 209 Rev A, 210 Rev A, 211 Rev A, 212, 213 Rev B, 215, 214 Rev A, 216, 217 Rev A, 218 Rev B, 219 Rev A, 220 Rev A, 221 Rev A, 222, 223, 224 Rev A, 225 Rev A, 226 Rev A, 227, 228 Rev A, 229, 230, 231, 232 and 233 Rev B. It was confirmed at the Hearing that all interested parties had been made aware of these amendments through the publication of the revised plans on the Council website. It was also confirmed at the Hearing that the function room and restaurant associated with Block E, as shown in drawing 3068 (0-) 200 Rev G, are no longer part of the proposed scheme. As a result, I am satisfied that these changes would not prejudice any interested parties and this is the basis upon which these appeals have been determined.
6. Whilst I considered changes to the description of the scheme, as set out in the Statement of Common Ground, I am satisfied that the original description adequately reflects the nature of the proposal. Consequently, I have relied upon the description, as set out in the original application forms, for the purposes of these appeals.
7. A certificate of lawfulness (Ref: 2017/CL/92061/W) has been issued that establishes a general industrial use (Class B2) and a storage/distribution use (Class B8) for the majority of the floorspace in one of the retained industrial buildings (Ref: 3068 (0-) 200 Rev G Block E). The remaining buildings, whilst vacant, also benefit from an established general industrial use (Class B2). This is the basis upon which these appeals have been determined.
8. The appellant has highlighted two appeal decisions¹. Whilst I have paid careful attention to these decisions the circumstances are not similar in all respects because they do not deal with the specific configuration of the road network around the appeal site. Consequently, these appeals has been determined on its individual merits and the evidence before me.

Main Issues

9. The Council failed to give notice within the statutory time period but has set out its putative reasons for refusal in its statement of case. Consequently, I find the main issues to be:
 - the effect of the proposal on the safe and efficient operation of the highway;
 - the availability of alternative modes of transport; and
 - whether the proposal would preserve a Grade II listed building, Wash Pit Mill (Ref: 1134754), and any of the features of special architectural or historic interest that it possesses.

Reasons

10. The appeal site is situated in a steep-sided valley in the open countryside. It lies approximately 1.5 km to the south of Holmfirth. It covers an area of approximately 3.5 ha and comprises a former textile mill which ceased operating in December 2015. A culverted section of the River Ribble runs

¹ APP/Z4718/A/08/2071373, APP/Z4718/A/14/2219016

through the centre of the site which is characterised by significant differences in ground level. The site comprises a range of industrial buildings, areas of hardstanding and a mill pond to the southwest. The buildings include a Grade II listed building with ancillary buildings of varying age. The site is bounded by Green Lane to the north and Choppards Lane to the south. The eastern boundary abuts open pasture that rises towards Choppards Bank Road. The western boundary abuts a narrow area of open land that rises towards the curtilages of a number of properties situated along Lamma Well Road. The site currently benefits from two vehicular access points from Green Lane and Choppards Lane.

11. The proposal is seeking to regenerate the site through a mixed use development comprising residential dwellings, a hotel, workshop, ancillary offices, a café and a classic car storage facility. More specifically, the amended scheme would create 45 dwellings that would replace existing buildings and a further 16 dwellings within one of the retained mill buildings. The hotel would be located in the listed building. It would comprise 23 bedrooms and contain a small health spa. A link would be created to a nearby, retained mill building which would be converted for ancillary office use. Another mill building would also be retained and converted to provide a mixed use development for an established business known as the Carding Shed. This use would comprise a classic car restoration/maintenance workshop, car storage area, café and ancillary shops selling vintage clothing and memorabilia. The first two uses have already been established through the certificate of lawfulness, as defined in paragraph 7 of my decision.

Highway safety

12. Saved policy T10 of the Kirklees Unitary Development Plan 1999 (UDP) seeks, among other things, to limit development when it would lead to highway safety issues either through new or cumulative impacts. It also seeks to restrict development that would not be adequately served by the existing highway network and public transport where there is potential to attract or generate a significant number of journeys. The TRICS database predicted a revised daily movement of 496 vehicles with a peak daily flow of 73 vehicles in the morning and 82 vehicles in the evening. The model incorporated comparator data for industrial units, privately owned houses, hotels and restaurants. In order to determine likely impacts on the wider road network, the predicted journeys for the proposed mixed use were compared to a scenario where a single industrial use for the site was assumed. As this indicated a significant reduction in traffic flow, no further analysis of the predicted impact on the wider road network was undertaken by the appellant.
13. The predicted reduction in traffic flow has been widely disputed by local residents and elected members who maintain that the actual movements associated with the mill have been significantly less for some considerable time even when the mill was still in active industrial use. It is a widely held view that the modelling approach has consequently been used to provide a misleading evaluation of the potential impact of the development on the wider road network. This view is supported by the daily traffic flow that was observed along Washpit New Road which amounted to an average of 232 movements over five days. This is less than half the predicted movements for the proposed uses. As the appellant accepts that the majority of traffic would use this route I find it reasonable to assume that there would be at least a

- doubling in traffic volume, notwithstanding a full industrial use, along this road with resultant impacts on the wider road network.
14. The degree to which this increase in movement would lead to a severe, cumulative impact on the wider road network is equivocal at the current time. This because there has been no direct quantification of the effect of the predicted movements on existing road conditions at key locations where congestion occurs. To this end, I note the already high traffic flow along Dunford Road with a daily movement of 5,331 vehicles and congestion in Holmfirth which I observed on more than one occasion during my visits to the appeal site. I therefore find that insufficient information has been provided to enable a realistic evaluation of how the proposal would affect the wider road network and whether or not a severe, cumulative impact would result.
 15. I accept that the B2 use of the site is lawfully available and that the condition of the buildings would readily support a recommissioned industrial use with a higher flow. However, I do not have any substantiated evidence before me regarding the availability of potential occupants of the wider site beyond the operator of the Carding Shed business. Whilst I accept that recommissioning could lead to greater impacts on the wider highway network, I do not find this likely given the absence of any alternative proposals, additional occupants or ready access to the wider motorway network. Furthermore, the Council indicated the presence of alternative sites which have been allocated in the development plan. Given the above, I find that the fallback position only consequently carries limited weight.
 16. I have considered the potential routes to local schools and the high accident rate that has been highlighted by local residents. Turning to the first matter, I am satisfied that appropriate routes could be brought to the attention of new residents by the appointed Travel Plan Coordinator to minimise highway impacts and avoid potential congestion around local schools. I also accept that additional activities at the start and end of the school day often mean that not all children are necessarily collected or dropped off at the same time. Turning to the second matter, I note that the appellant has used a widely accepted database that records all road accidents that are reported to the police. I accept that not all incidents will be reported but in the absence of substantiated, robust evidence to the contrary, this represents the best available road safety evidence concerning accidents involving people rather than buildings and other fixed structures.
 17. Given the above, I conclude that the appellant has submitted insufficient information and has therefore failed to demonstrate that the proposal would not cause significant harm to the safe and efficient operation of the highway network, contrary to saved policy T10 of the UDP and the advice in paragraph 32 of the Framework. As a result, the proposal would not be in accordance with the development plan.

Sustainable travel

18. Saved policy T16 of the UDP requires, among other things, adequate provision for safe, convenient and pleasant pedestrian routes for all new development that ensures attractive links between homes, places of employment, community facilities and public transport. This is explicitly linked to the crime prevention measures outlined in saved policy BE23 of the UDP. This requires, among other things, the visibility of any walkways to be maintained from

existing highways to ensure pedestrian safety. Furthermore, saved policy T1(ii) of the UDP stresses that priority will be given to proposals that promote a transport network on which it is safe to travel.

19. I observe from my site visit and the Framework Travel Plan (FTP) that there are a number of bus stops within walking distance of the site that have the potential to provide alternative modes of transport to able-bodied individuals. I observed that there is a regular service between Hepworth and Huddersfield that is available before 06:00 in the morning and after 18:00 in the evening with an interval of 30 mins during the daytime. This would not only allow future occupants access to a full range of services but would also support longer onward journeys and regular commuting for employment purposes. However, whilst they are within walking distance I am not satisfied that their use would be likely given the nature of the intervening roads and footpaths.
20. Three bus stops are situated at the crossroads of Dunford Road, Cross Gate Road and Rich Gate. The latter is the most direct route from the appeal site and is within what might be loosely considered a 'walkable neighbourhood' as set out in the Manual for Streets (MfS). However, this guidance stresses that such neighbourhoods should have a range of facilities, rather than just bus stops, within in a comfortable walking distance taking not more than 10 min. Whilst I accept that the site is within a 2 km walking distance of the centre of Holmfirth, this carries no weight because Planning Policy Statement 13 has been superseded by the Framework. In any event, the use of a simple geographical buffer, that ignores significant changes in topography and the suitability of specific routes, lacks credibility because it fails to provide a realistic reflection of local circumstances.
21. This is not only illustrated by the available routes into Holmfirth but also the most direct route to the nearest bus stops, via Rich Gate. This is a narrow road that rises steeply, lacks a pedestrian walkway and has limited forward visibility. Consequently, I find it would be neither a safe nor a comfortable pedestrian route. Even if additional bus stops to the north along Dunford Road are considered, the available pedestrian routes to these bus stops would be far from ideal. These comprise Washpit New Road and a footpath/track leading onto Dover Lane. Whilst I was able to walk the latter and arrive at a bus stop in about 10 mins, the initial part of the route was not suitable for use in all seasons and did not have a level surface that would permit the use of pushchairs or the passage of less able individuals. Furthermore, no lighting was present nor was it adequately drained. This was indicated by my own observations and evidence submitted at the Hearing. As the current width of the footpath is not adequate to accommodate lighting poles and the flanking land is not in the control of the appellant, the opportunities to upgrade this route are highly constrained at the current time.
22. The appellant suggested that access could be improved along Washpit New Road in conjunction with some works that were under consideration by the Council but not 'shovel ready'. The suggested improvements would comprise the extension of the metalled surface into the soft verges with French drains on either side. A continuous white line would run parallel to one of the flanking, stone boundary walls to provide a defined pedestrian area with the capacity for overrun by larger passing vehicles. Hazard signs would also be used to alert motorists of potential pedestrians. It was confirmed at the Hearing that the road width was insufficient to accommodate a raised walkway that would meet

the necessary standards, as set out in the MfS. I acknowledge that continuous white lining has been used elsewhere and that visibility along Washpit New Road is reasonable. However, the fact remains that there would be no refugia for pedestrians because there would be no physical structure, such as a kerbstone, to stop vehicles crossing into the pedestrian zone. Young families with pushchairs and small children would be particularly vulnerable in these circumstances. The width of the road is such that little additional space would be present at some locations when larger private motor vehicles or commercial vehicles are passing each other. Whilst local residents and future occupants would anticipate pedestrians at these pinch points, this would not be the case for the customers of the Carding Shed. As it attracts a significant number of customers at its current location and I find it reasonable to assume that this would remain the case.

23. Given the above, I find that the actual and perceived risk of conflict between pedestrians and vehicles along this route would pose a significant disincentive to regular pedestrian use. Future occupants would be heavily reliant on the use of private motor vehicles as a consequence. Whilst I am satisfied that the suggested improvements would enable use by cyclists, any realistic pedestrian access to sustainable travel options would not be present. This would not be overcome by the FTP because of the fundamental limitations posed by local infrastructure. I therefore conclude that the proposal would be contrary to saved policies T1(ii) and T16 of the UDP and therefore not in accordance with the development plan. I do not, however, find any conflict with saved policy BE23 of the UDP due to the fact that the defined pedestrian zone would be overlooked by passing cars.

Listed building

24. Wash Pit Mill was listed in 1991 and constructed around 1840 on the site of an earlier mill building. It is constructed from hammer-dressed stone with a stone slate roof. It has a rectangular plan form and an unornamented appearance with flush-dressed lintels and cills. The gables have square kneelers with the outer windows on the top floor having distinctive, angled lintels that follow the roof pitch. None of the window fittings are original and comprise large, six pane casements. The central bay of each gable apex has an arch-headed window. The original building has been subject to extensive alteration with the introduction of an internal steel frame that has reduced the number of floors from five to two. The roof has also been lowered, giving the appearance of a three storey building. Various original windows and doorways have also been blocked when the building was modernised. Given the above, I find that the special interest of the listed building, insofar as it relates to this appeal, to be primarily associated with its industrial vernacular form and historic legibility of its former use.
25. The proposed link between the buildings would lead to a loss of definition of its simple rectangular form. Whilst I accept that it would be a lightweight structure with clearly differentiated materials, it would nevertheless erode the plan form of the building. The appellant is of the opinion that the structure would be a 'reversible' alteration that could be readily demolished. However, I am not satisfied that this would occur once the ongoing functional use of the structure is established. The link would, to all intents and purposes, become a permanent addition. Given the above, I find that the proposal would fail to

- preserve the special interest of the listed building and I give this harm considerable importance and weight in the planning balance of this appeal.
26. Paragraph 132 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. It goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets. Given the extensive modification of the building that has already occurred and the proportion of the southern elevation that would be obscured, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 134 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use of listed buildings.
27. The appellant is of the opinion that the proposal would be beneficial because it would reinstate lost floors, unblock windows and bring the stair towers on the northern side of the building back into use, thus returning it to a form closer to its original layout. The appellant has also suggested that the removal of later industrial buildings will improve the setting and strengthen the relationship of both buildings with the nearby mill pond. Given the above, I find that the benefits of the scheme balance the harm that would be caused by the link thus leading to an overall neutral effect, thus preserving its special interest. However, this is predicated on the grant of planning permission for a specific scheme which I have dismissed. Consequently, no such benefits would accrue in its absence.
28. Given the above, I conclude that the proposal would fail to preserve the special historic interest of the Grade II listed building. This would fail to satisfy the requirements of the Act and paragraph 134 of the Framework.

Other Matters

29. The parties agree that the proposal would not amount to inappropriate development in the Green Belt, affect its purposes or significantly reduce openness and I agree. This is because the proposal relates to the redevelopment of previously developed land which would not have a greater impact on openness or the purposes for including land within the Green Belt. I acknowledge the concerns over the proposed changes to the north-western part of the site. In particular, the effect of parking areas on openness.
30. However, I note that part of this area would be public open space, as indicated in the most recent plan (Ref: 3068(0-)200 Rev G). Furthermore, as previously developed land, I am satisfied that no encroachment into the countryside would in fact occur. Whilst I accept that parking areas can have an unacceptable effect on openness, any such impact should be considered against the degree of openness of the existing site. Bearing in mind the volume and footprint of the buildings to be demolished, as well as the extensive hardstanding already present, I am satisfied that the proposal would not lead to any significant loss of openness in this instance.
31. A completed unilateral undertaking (UU) was submitted by the appellant during the course of the appeal. This aims to secure financial contributions towards meeting the need for additional educational services and road infrastructure arising from the proposed scheme as well as the provision of travel cards for

use on public transport. It would also secure the management of the public open space, culverted watercourse and a mill pond in accordance with an agreed management plan. The Council were not satisfied that the contribution to road infrastructure was fairly and reasonably related to the necessary road improvements. However, as I intend to dismiss the appeal for other reasons I have not considered this matter further.

32. The Council has acknowledged that it is unable to demonstrate a deliverable 5-year housing land supply. I am satisfied that the resultant boost in the supply of housing would not significantly and demonstrably outweigh the adverse effects when the scheme is considered against the Framework as a whole, bearing in mind the limited access to alternative modes of transport that would be present as well as the potential impact on the wider road network.

Conclusion

33. For the above reasons and having regard to all other matters raised I conclude that the appeals should be dismissed.

Roger Catchpole

INSPECTOR

APPEARANCES

The Council

Mr Walker	Planning Officer
Mr Firth MRTPI, MCILT	Construction Engineer, AECOM

The Appellant

Mr Lee	Planning Consultant
Mr Greenwood	Highways Consultant

Interested Persons

Cllr Sims	Holm Valley South
Cllr Firth	Holm Valley South
Cllr Patrick	Holm Valley South
Mr Martin	Local Resident
Mr Baylin	Local Resident
Mr Woodcock	Local Resident
Ms Weir	Local Resident
Mrs Martin	Local Resident
Mr Fraser	Local Resident
Ms Duddridge	Local Resident
Ms Dale MSc, DMA, MCIPD MAE, FRSA, QDR	Business Community Representative
Mrs Fraser	Local Resident
Mr Kellett	Owner, The Carding Shed

Documents Submitted

Drawings: 3068(0-) 200 Rev H; 3068(0-)205 Rev B; 3068(0-)206 Rev A;
3068(0-)207 Rev A; 3068(0-)208 Rev B; 3068(0-)214 Rev A; 3068(0-)218 Rev B;
3068(0-)219 Rev A; 3068(0-)220 Rev A.