



STATEMENT OF CASE

ON BEHALF OF THE LOCAL PLANNING AUTHORITY

APPEAL BY: DLP on behalf of Hallam Land Management Ltd

SITE AT: Land at Junction with Carr Road
Hollin Busk Lane
Sheffield
S36 1GH

APPEAL AGAINST: Sheffield City Council

LPA REFERENCE: 17/04673/OUT

PINS REFERENCE: APP/J4423/W/21/3267168

DATE: 5th March 2020

CONTENTS

1. Introduction
2. Site Description
3. Planning History
4. Local and National Planning Policies
5. Council's Statement of Case
6. Summary and Conclusion

1.0 INTRODUCTION

- 1.1 This Statement of Case has been prepared by Adam Chapman, Principal Planning Officer, Sheffield City Council. The Statement relates to the refusal of outline planning permission under application reference: 17/04673/OUT for the following:
- Up to 85 dwellings including open space (amended description).
- 1.2 Detailed means of access to the site from Carr Road (but not within it) is proposed, while matters of appearance, landscaping, layout and scale (reserved matters) are all reserved for subsequent approval.
- 1.3 The appeal is made by Hallam Land Management (“The Appellant”) against the decision of Sheffield City Council (“the Council”) to refuse outline planning permission for the above.
- 1.4 The application was refused by a decision notice dated 20th July 2020, following resolution by Sheffield City Council’s Planning and Highways Committee on the 14th July 2020, for the following reasons:
1. ‘The Local Planning Authority considers that the proposed development would cause substantial harm to the setting of a collection of Grade II Listed Buildings (Royd Farm) that sit to the east of the application site. The development would not result in substantial public benefits that would outweigh such harm to these designated heritage assets. As such the proposed development is considered to be contrary to Paragraphs 194-195 of the National Planning Policy Framework and Polices BE15, BE19 and LR5(e) of Sheffield's adopted Unitary Development Plan.’
 2. ‘The Local Planning Authority considers that the proposed development would result in unreasonable harm to the established landscape and to visual amenity at both local and wider levels, creating unacceptable impacts on the character of the area and the intrinsic character and beauty of the countryside, while also undermining the role of the site in visually separating established settlements. The

resulting adverse impacts would significantly and demonstrably outweigh any benefits the scheme delivers. As such the proposal is considered to be contrary to Paragraphs 127(c) & 170(b) of the National Planning Policy Framework, Policies GE4 & LR5(i&j) within the adopted Sheffield Unitary Development Plan and Policies CS23, CS24 & CS72 within the adopted Sheffield Development Framework Core Strategy.'

2.0 SITE DESCRIPTION

- 2.1 The appeal site description will be agreed with the appellant within the Statement of Common Ground (SoCG). Suffice to say the appeal site comprises of several open fields separated by drystone walls and other traditional field boundaries. The land is currently used for grazing purposes.
- 2.2 The appeal site is located approximately 8.5 miles north west of Sheffield City Centre on the south western edge of Deepcar. The appeal site is around 6.5 hectares in area and has a shallow gradient which falls from south to north. There are a small number of trees scattered across the site and additional tree cover along parts of the north western site boundary.
- 2.3 The appeal site is allocated as an Open Space Area (OSA) on the Sheffield Unitary Development Plan Proposals Map. It forms the eastern part of a larger OSA allocation located to the west and north west.
- 2.4 To the west, and in part to the north west the site borders agricultural/grazing fields. Fox Glen wood, an Area of Natural History Interest (ANHI) and Local Wildlife Site (LWS) defines the remainder of the north western site boundary. Existing dwellings and their gardens largely define the northern boundary. Carr Road and a cluster of Grade II listed buildings (Royd Farmhouse, a barn and farm buildings) define the eastern boundary. Hollin Busk Lane defines the southern boundary with Green Belt beyond.

3.0 PLANNING HISTORY

- 3.1 In 1990 outline planning permission was refused for the residential development and construction of new roads and sewers on 17.4 hectares of land (which included the current appeal site) at Carr Road, Hollin Busk Lane and Broomfield Lane (application no. 89/3037P).
- 3.2 The Council will aim to agree the relevance of this planning history in the SoCG.

4.0 LOCAL AND NATIONAL PLANNING POLICIES

4.1 The relevant Local Development Plan policies which will be referred to in support of the Council's Case are detailed below:

4.2 Saved Policies of the Sheffield Unitary Development Plan 1998:

- BE15 Areas and Buildings of Special Architectural or Historic Interest.
- BE19 Development affecting Listed Buildings.
- LR5 Development in Open Space Areas.
- GE4 Development and the Green Belt Environment.

4.3 Policies of the Sheffield Development Framework Core Strategy 2009:

- CS23 Locations for New Housing.
- CS24 Maximising the Use of Previously Developed Land for New Housing.
- CS40 Affordable Housing
- CS41 Creating Mixed Communities
- CS72 Protecting Countryside not in the Green Belt.

4.4 The National Planning Policy Framework (NPPF) is a material consideration, of which the following sections are of particular importance:

- Paragraphs 7, 8, 10, 11 and 12 Achieving Sustainable development.
- Chapter 5 Delivering a sufficient supply of homes.
- Paragraphs 117 and 118(c) Safeguarding and improving the environment, using Brownfield land.

- Paragraph 127 c) and 130 Developments should be sympathetic to local character, history, surrounding environment and landscape setting.
- Paragraphs 133, 143 and 144. Protection of the Green Belt
- Paragraph 170(b) Decisions should contribute to and enhance natural and local environment by recognising the intrinsic character and beauty of the countryside.
- Chapter 16 Conserving and enhancing the historic environment
- Paragraphs 190, 192b), 193 to 196. Harm to designated heritage assets.

4.5 Other Material Considerations:

National Planning Practice Guidance (PPG).

Planning (listed Building and Conservation Areas) Act 1990.

CIL and Section 106 SPD December 2015.

Climate Change and Design SPD March 2011.

The Sheffield Preliminary Landscape Character Assessment.

National Character Area profile 37 Southern Pennine Fringe.

BS 7913:2013 Guide to the Conservation of Historic Buildings.

Principles of Selection for Listed Buildings Department for Digital, Culture, Media and Sport 2015.

Agricultural Buildings Listing Selection Guide 2017 Historic England.

Adapting Traditional Farm Buildings: Chapter 2
Assessing Character and Significance Historic England
(2017).

Good Practice Advice in Planning The setting of Heritage Assets HE advice Note 3.

Statements of Heritage Significance: Analysing significance in Heritage Areas.

Yorkshire West Riding Sheffield and the South Ruth Harman and Nikolaus Pevsner (2017).

Yorkshire West Riding Sheffield and the South Nikolaus Pevsner (1959).

South Yorkshire Historic Environment Characterisation Study: Sheffield Character Zones: Assarted Enclosure pp 586-588.

National Design Guide.

4.6 Policy Weight

- 4.7 The appellant argues that the most important local policies relevant to the determination of this appeal are inconsistent with the Framework, and the weight they can be afforded is substantially reduced in line with paragraph 213 of the Framework.
- 4.8 The Council will contend that the most important policies relevant to the determination of this appeal, when considered as a ‘basket of policies’, continue to retain weight, align with the Framework and should be considered as a basket not to be out-of-date within the meaning of paragraph 11 of the Framework.
- 4.9 The appeal site is in an open space area on the UDP proposals map. The definition of open space in Annex 2: The Glossary and the guidance in paragraphs 96 to 101 (Open Space and Recreation) of the Framework are more up to date than the open space definitions and policies of the UDP.

Accordingly saved UDP Policy LR5 is not fully consistent with the Framework and the weight attributed to it is reduced.

- 4.10 Notwithstanding the above, LR5 does not ‘bar’ development in open space areas, rather it sets criteria (a to k) that development should not conflict with.
- 4.11 The Council will argue that LR5 (i) protecting the character of open space (as well as preventing it from being overdeveloped) and LR5 (j) protecting the rural character of the open countryside retain moderate weight as these specific elements of LR5 remain consistent with Paragraphs 127 c) and 170 b) the Framework.
- 4.12 Saved UDP Policies BE15 and BE19 require the character, appearance and setting of listed buildings to be preserved or enhanced. Development that harms the character and appearance of listed buildings and their setting should not be permitted. In open space areas LR5 (e) adds a further level of protection to the setting of listed buildings.
- 4.13 These local policies don’t fully reflect the Frameworks approach to assessing the potential harm a development may have on the significance of a designated asset (including its setting). The Council will however argue that collectively these policies retain substantial weight, as the protection and enhancement of the historic environment is an integral part of the environmental objective of sustainable development (Paragraph 8 c. of the Framework), and the policies align with Chapter 16 of the Framework.
- 4.14 Core Strategy Policies CS23, 24 and 72 are three of the most important policies in the determination of this appeal.
- 4.15 Policy CS23 identifies that up to 2021 new housing development should be focused in the urban area of Sheffield and Stocksbridge/Deepcar. Outside of urban areas and villages housing development is limited to that which is consistent with the policies of the Green Belt and countryside areas (Policy CS72).
- 4.16 Policy CS24 prioritises the redevelopment of brownfield land (previously developed land) over green field sites. CS24 part d confirms that up to 2026 sustainably located greenfield sites within or adjoining the urban area or larger

villages should only be developed if there is a less than 5-year supply of deliverable housing sites.

- 4.17 CS24's Brownfield first approach is not fully reflective of the guidance in the framework. However, the Council will argue that as the Framework gives strong support to the reuse of brownfield land for homes (paragraph 117), in particular brownfield land with settlements (Paragraph 118 c), and it can demonstrate a 5.4 -year supply of deliverable housing land CS23 and CS24 retain moderate weight in the determination of this appeal.
- 4.18 Policy CS72 protects the green, open and rural character of areas on the edge of the built-up area not in the Green Belt. The appeal site (and adjoining land on the edge of Stocksbridge) is specifically identified in CS72 as an important site that should be safeguarded as it is an integral part of the countryside, performs a number of environmental, spatial and visual roles and housing can be accommodated on previously developed land elsewhere in the urban area.
- 4.19 CS72 is a restrictive policy when considered against the Framework and as such its weight is reduced. The Council will however argue CS72's objectives are supported by Paragraph 170 (b) of the Framework which recognises the intrinsic character and beauty of the countryside, Paragraph 117 which is concerned with safeguarding and improving the environment and Paragraph 127 (c) and 130 which requires development to be sympathetic to local character, history and the surrounding environment and landscape setting. The protection of the site is also consistent with the Paragraph 8 c) of the Framework which recognises that sustainable development should contribute to protection and enhancement of the natural environment.
- 4.20 GE4 requires development within, or conspicuous from the Green Belt to be in keeping with the area and enhance the landscape and natural environment. The Government attaches great importance to Green Belts. Their essential characteristics are their openness and permanence. Considering that local planning authorities are required to ensure that substantial weight is given to any harm to the Green Belt (Framework Paragraphs 133, 143 and 144) and

the fact that the appeal site is immediately adjacent and visible from the Green Belt, saved UDP policy GE4 is considered to carry substantial weight.

- 4.21 Having assessed the most important local plan policies relevant to the determination of this appeal against the policies in the Framework the Council will argue, that when considered as a ‘basket of policies’, they are not out-of-date within the meaning of the paragraph 11 of the Framework and indeed retain significant weight in the determination of this appeal.

5.0 THE CASE FOR THE COUNCIL

- 5.1 The Council and the appellant are in ongoing discussion in relation to agreeing a Statement of Common Ground (SoCG). There will remain issues of dispute reflecting the reasons for refusal. These issues will form the main points for consideration during the Inquiry process.
- 5.2 The application was refused for two reasons, which are considered in turn below.
- 5.3 Refusal Reason No.1: Substantial harm to the setting of designated heritage assets.**
- 5.4 The Planning (Listed Building and Conservation) Act 1990 S.66 which sets out the broad policies and obligations relevant to listed building, identifies that the Local Planning Authority (or Secretary of State) should in considering whether to grant planning permission or permission in principle which affects a listed building or its setting, have special regard to the desirability of preserving the building, or its setting or any features of special architectural or historic interest that it possesses.
- 5.5 The Council will argue that the appeal proposal causes substantial harm to the setting of a collection of Grade II Listed Buildings, for which no clear and convincing justification has been provided. The Council will contend that the purported public benefits do not outweigh the extent of the harm identified.
- 5.6 Historic England’s ‘Historic Environment Good Practice Advice in Planning Note 3 -The Setting of Heritage Assets’ (Second Edition) identifies the steps

to follow when making assessments of the effect on setting. The three relevant steps the Council will refer to in evidence are outlined below:

Step 1: *Identify which heritage assets and their settings are affected*

Step 2: *Assess the degree to which these settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated*

Step 3: *Assess the effects of the proposed development, whether beneficial or harmful, on that significance or on the ability to appreciate it.*

- 5.7 The British Standard ‘Guide to the Conservation of Historic Buildings’ (BS 7913:2013) provides advice on how to evaluate the impact of change on the historic environment. Para 5.6.5 states that ‘Magnitude of Impact’ can be plotted against the ‘Value’ of the heritage asset to reach a conclusion on the degree of effect.
- 5.8 The Council will argue that “substantial” harm to the significance of a heritage asset can arise, consistent with the PPG, where the adverse impact of a development “seriously affects a key element of [the asset’s] special architectural or historic interest”.
- 5.9 The Government puts great emphasis on Sustainable Development within the opening paragraphs (7-14) of the Framework and cites it as the purpose of the planning system to contribute to the achievement of this core planning principle. Paragraphs 8 and 9 state that overarching economic, social and environmental objectives need to be pursued in mutually supportive ways and in ways which contribute to protecting and enhancing the built, natural and historic environment.
- 5.10 Paragraph 193 of the Framework advises that “when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation and the more important the asset the greater weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 194 further advises that “any harm to, or loss of, the significance of a designated heritage asset (from

its alteration or destruction, or from development within its setting), should require clear and convincing justification” Paragraph 194 a) identifies that substantial harm to (or loss of) grade II listed buildings should be exceptional.

- 5.11 The Council will demonstrate through evidence that the development conflicts with paragraph 195 of the Framework as substantial public benefits, which outweigh the substantial harm caused to the setting of the designated heritage assets, have not been demonstrated by the appellant. It will also show that paragraph 195 a) to d) (inclusive) are not applicable to the appeal proposal. Paragraph 195 is more usually relevant when the proposed development is considered as ‘enabling development’ where a Heritage Asset Designated or Non-Designated is ‘at risk’ due to poor repair or lack of a long-term viable use and in the same ownership as the development site; this is not the case in this circumstance. It may also be considered relevant if the proposed development was on a piece of land that currently had a building or use that had a negative contribution to the setting and granting its permission would positively impact the appreciation of its significance.
- 5.12 The heritage assets that will be addressed in the evidence are as follows:
- Grade II Listed Royd Farm
 - Grade II Listed Barn and Outbuildings 15m NE of Royd Farm
 - Grade II Barn approx. 30m East of No 15 The Royd
- 5.13 The Council will demonstrate that the appeal site forms an intervisible connection with Royd Farm, barn and outbuildings (all individually designated heritage assets) and how they are experienced. The site when viewed from both the south western and north eastern approaches is encircled by a green horseshoe of level grazed fields and perimeter drystone walls; the cumulative synergy of all these elements serves to present a grouping of buildings within an undeveloped backdrop distinctive in appearance and typically reflective of the regional character of South Yorkshire. The appeal site in this way makes a positive contribution to the significance of the assets, and that significance (as a group) is substantially harmed by the appeal proposal and would be an irrevocable loss.

- 5.14 Consequently the ability to appreciate the Heritage Assets' significance is negatively affected and is contrary to the Planning Act (LBCA 1990), The Framework and the requirements of UDP saved policies BE15, BE19, LR5(e) and CS72 of the Sheffield Development Framework Core Strategy.
- 5.15 To support the arguments made in respect of the first reason for refusal the council will rely (in addition to local and national planning policies and other relevant documents) on a range of material but not limited to the documents referred to in paragraph 4.5.

5.16 Refusal Reason No:2 Landscape and Visual Impact

- 5.17 The second reason for refusal has 3 strands identified below
- (a) The proposal results in unreasonable harm to the established landscape and visual amenity at a local and wider level:
 - (b) the development unacceptably impacts the character of the area and the intrinsic character and beauty of the countryside:
 - (c) the development undermines the role the site plays in visually separating established settlements (Deepcar and Stocksbridge).
- 5.18 Although adjacent to settlement, the site and the immediate context are part of the countryside to the south of Deepcar and Stocksbridge. The site is greenfield, characterised by open fields interrupted only by traditional field boundaries and scattered tree planting. To the north and north west is Fox Glen, a mature area of woodland that flanks Clough Dike.
- 5.19 The appeal site forms part of a larger area of open fields to the north west and south of the site which are respectively allocated as Open Space and Green Belt on the UDP proposals map. It is identified within Policy CS72 as being "greatly valued locally" and highlighted as part of the countryside in this area of the city that should be protected given it makes a "significant contribution to the character and distinctiveness of the area.
- 5.20 The site is distinctly rural in character, prominent in local views and an integral and visually attractive part of the wider countryside on the south side of Deepcar/Stocksbridge. The council's position is that the site possesses an

intrinsic value as countryside and is of a high landscape quality. It is sensitive to change and would be significantly degraded by the proposed development. For these reasons the Council will argue that the site should be safeguarded for its intrinsic landscape and visual amenity value and protected from development in accordance with Sheffield Development Framework Core Strategy Policy CS72. It will also demonstrate that the appeal proposals fail to contribute to and enhance the local environment, and the intrinsic character and beauty of this area of countryside would be harmed, contrary to Paragraphs 117, 127 c) and 170 b) of the Framework.

- 5.21 This area of the city is characterised by the combination of pastoral hills, elements of woodland, and settlements which are broken up by the field patterns. The majority of built form straddles the valley bottom. As such it affords extensive and panoramic views from higher land of rural landscapes. Fundamental to this landscape character is the open nature of views. The Council will argue that the development would undermine the integral role the site plays, both on its own and as part of a larger area of open space, in providing an important visual break between the settlements of Stocksbridge to the north and Deepcar to the south.
- 5.22 The Landscape and Visual Impact Assessment (LVIA) submitted in support of the application does not represent a robust and complete assessment of the impacts of the development in accordance with the Landscape and Visual Impact Assessment (2013). All assessment of effects on Visual Amenity presumes impacts only during summer months, with no regard given to the likely effect of development during Winter months – when the filtering effects of vegetation will be greatly diminished given the deciduous nature of most woodland in this area.
- 5.23 The Assessment did not provide any visualisations for assessing the predicted changes to Key Views as a result of the development. Whilst these are not an essential requirement, it is hard to agree on the likely magnitude of change to assessed views with any degree of confidence.
- 5.24 The Council will argue that during the construction and operational phase substantial urbanising and adverse landscape and visual effects will occur

that will harm the green, rural and open character of the appeal site, and the adjoining areas of open space and Green Belt.

- 5.25 The appeal site's location on the edge of Stocksbridge/Deepcar, and its open and rural landscape are integral to its character and should be protected. The Council will argue that the site makes an important contribution to the visual amenities of the locality as well as the wider open countryside to the south, much of which is in the Green Belt on the UDP proposals map. It will also argue that the appeal proposal significantly alters the site's character and appearance to the detriment of the visual amenities of the locality and the adjoining Green Belt.

5.26 Housing Land Supply

- 5.27 Chapter 5 of the Framework highlights the importance of significantly boosting the supply of new homes and ensuring that sufficient land is made available to maintain the supply of new homes. It requires local planning authorities to identify a supply of specific, deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement.
- 5.28 The Council's most recent published 5-year Housing Land Supply Monitoring Report demonstrates that at the current time it has a deliverable 5-year Housing Land Supply (HLS) of 5.4 years (as at 1. April 2020) which confirms that the Council can meet its local housing needs as calculated with respect to the Government's standard method as currently in operation. Therefore paragraph 11 of the Framework, which states that the policies for determining the application are out-of-date where a 5-year HLS cannot be demonstrated, was not applicable at the time this application was determined and is not currently applicable.
- 5.29 The Council's key evidence on this matter is the 5 Year Housing Land Supply Monitoring Report (December 2020). This sets out Sheffield's local housing need figure, as at 1. April 2020, as 2,131 net new homes per year, based on the Government's standard method set out in National Planning Guidance¹ applicable at that time and to be used for calculating the 5-year housing land

¹ <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments> paragraph 004

supply in decision making until 16 June 2021. The Housing Delivery Test result for Sheffield for 2019 (published February 2021)² was 123% and therefore the Council must continue to apply a 5% buffer to the 5-year housing land requirement to ensure choice and competition. The total net 5-year housing requirement for the period 2020/21 to 2024/45 is 11,188 new homes. The Monitoring Report (December 2020) then sets out the sites that comprise the 5-year supply and relevant supporting evidence.

- 5.30 Since completion of the 5 Year Housing Land Supply Monitoring Report (2020) the Planning Practice Guidance on Housing and economic needs assessment (the PPG) has been updated (16 December 2020). It contains the standard method for assessing local housing needs, setting out the formula used to identify a minimum annual housing need figure. The PPG now includes an additional step 4 – the ‘cities and urban centres uplift’. This requires a 35% uplift to be applied to the local housing need figure for the 20 largest cities and urban centres, including Sheffield. Sheffield’s housing need figure will therefore be revised to around 2,877 new homes per year (based on current year population baseline and affordability figures).
- 5.31 At the start of the Inquiry on 22 June the Council will not have published a revision to the December 2020 5 Year Housing Land Supply Monitoring Report, and that will remain our published position. In order to produce a revised figure, the Council will need to process completions data from 2020/21, additional permissions granted in 2020/21 and update delivery information for all sites to be included in the 5-year housing land supply with relevant developers and agents. The Council anticipate the final figure will not be available until September 2021, after the Inquiry has taken place.

5.32 Presumption in favour of Sustainable Development

- 5.33 Paragraph 11 d) of the Framework identifies that for applications involving the provision of housing, local policies are automatically considered out of date and the ‘tilted balance’ should be applied, where the local authority cannot demonstrate a five-year supply of deliverable housing sites (with the

² <https://www.gov.uk/government/publications/housing-delivery-test-2019-measurement>

appropriate buffer). As the Council has a published 5.4-year Housing land supply, which has been calculated in accordance with the Government's standard method, it will argue that the titled balance is not automatically engaged.

- 5.34 The Council will argue that the application of policies in the Framework that protect assets of particular importance (in this case the setting of several Grade II listed buildings) provide clear reasons for refusing the appeal proposal, and in accordance with Paragraph 11 (d) (i) and footnote 6 of the Framework the titled balance is not engaged.
- 5.35 Furthermore the Council will argue that relevant policies in the development plan, most important to the determination of this appeal are not out of date. Accordingly, the tilted balance in paragraph 11(d) of the Framework is not engaged.

5.36 Affordable Housing Need

- 5.37 The appellant has identified the paucity of affordable housing (past and future) and substantial identified requirement for additional affordable housing as a key factor in the determination of this appeal. Policies CS40 and CS41 of the Core Strategy require developers of all new housing, that meet the thresholds, to contribute to the provision of affordable housing and provide a broad range of housing to meet identified needs. These local policies reflect the requirements of Paragraphs 61 to 64 (inclusive) of the Framework and retain substantial weight. However, the appeal proposal was not refused on affordable housing grounds as the appellant confirmed their intention to meet the Council's full requirement (at least 10% of the development's floorspace).
- 5.38 The Council is therefore of the view that the provision of affordable housing is a local and national policy requirement expected by all developments of this scale and type. It will therefore argue that the provision of affordable housing, whilst beneficial, and the other benefits of providing housing on the site, do not outweigh the harm caused or justify the departure from the development plan.

6.0 SUMMARY AND CONCLUSION

- 6.1 The Council maintains that the reasons for refusal are justified and these will be substantiated in evidence.
- 6.2 Overall, the development will:
 - harm the landscape and visual amenity of this important area of open space at both a local and wider level,
 - unacceptably impact the character and intrinsic beauty of a site which is an integral part of the countryside.
 - undermine the role the site plays in visually separating the established settlements of Deepcar and Stocksbridge.
 - substantially harm the setting of designated heritage assets (Grade II listed buildings) and there are no substantial public benefits that outweigh the harm caused.
- 6.3 Finally, the Council will argue that the proposals are contrary to the Framework and the development plan when read as a whole, and other material planning considerations do not outweigh the harm caused to justify the grant of planning permission.
- 6.4 The Council will respectfully invite the inspector to recommend that planning permission is withheld, and the appeal is dismissed on the grounds set out above.