

DEVELOPMENT MANAGEMENT

APPEALS LIST - 7TH JANUARY 2026

APPLICATION NUMBER & SITE ADDRESS

APPEAL REFERENCE & STATUS

OFFICER & PROCEDURE

DM/0740/24/CEU 167 Hainton Avenue Grimsby North East Lincolnshire DN32 9LF	AP/006/25 INPROG	Bethany Loring Written Representation
DM/0208/25/FUL 160 Humberston Fitties Humberston North East Lincolnshire DN36 4HE	AP/012/25 INPROG	Emily Davidson Fast Track
DM/0900/24/FUL R/O 171 Mill Road Cleethorpes North East Lincolnshire DN35 8JB	AP/015/25 INPROG	Jonathan Cadd Written Representation



Appeal Decision

Site visit made on 23 July 2025

by Paul Thompson DipTRP MAUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2025

Appeal Ref: APP/B2002/W/25/3359679

Land to the south of Church Lane, Humberston DN36 4HU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Cromsdale Estates Limited against the decision of North East Lincolnshire Council.
 - The application Ref is DM/0568/23/OUT.
 - The development proposed is described as 'outline application with all matters reserved except for means of access to, but not within, the site for the development of up to 26 dwellings and associated landscaping and infrastructure. Access from Church Lane.'
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The planning application was submitted in outline with all matters reserved except for access from Church Lane. I have had regard to the Proposed Site Plan (A002 Revision A) but have treated each element of the drawing as indicative, apart from the details of the access point for the development, when considering the likely impact of the proposal on the matters set out in the main issues below.

Main Issues

3. The main issues are:
 - whether the proposal would accord with the Council's spatial strategy;
 - the effect of the proposal on the rural character and appearance of the area, including to the significance of the Humberston Conservation Area (CA), through development within its setting;
 - whether the proposal would preserve the setting of several listed buildings, and its effect on the significance of a Scheduled Monument, through development within its setting; and
 - the effect of the proposal on the highway safety of users of Church Lane and the living conditions of nearby residential occupiers, regarding additional traffic.

Reasons

Setting, Significance, Site and Surroundings

4. The *Church of Saint Peter* is Grade II* listed (1161055). While the nave and chancel date from the 1720s, the tower originates from the 15th century. The site of the church has therefore been the spiritual epicentre of Humberston for over 500 years. Its significance is derived from its special architectural and historic interest. Moreover, the use of ironstone and lime ashlar facings and dressings to the tower, and reutilised medieval bricks in the nave, ensure that the architecture is typically ambitious and decorative.
5. In addition, the special interest and significance of the church are informed in part by its role and function as a visual and social landmark, manifest in the dominance of its square tower. While development has extended along the main routes north, east and south of it, to this day the church remains a dominant feature of the settlement and surrounding undeveloped agricultural landscape, which effectively bleeds into its grounds across land immediately south. This is of great importance in understanding its origins as a rural parish place of worship. The presence of planting surrounding the churchyard means its tower is of greatest prominence from medium and greater distances. This notably includes from the public right of way from Wendover Lane (PROW) which leads to South Sea Lane, and from Church Lane, including over some of the buildings at its southern frontage, west of the site. The evidence before me also demonstrates the tower would be visible from within the site itself. The ability to appreciate and experience the tower reinforces the importance of the church within its wider historic rural setting.
6. *Manor Farmhouse* is Grade II listed (1161099) and situated immediately southwest of the church. It likely originates from the late-18th or early-19th century, but with possible earlier origins and it replaced an earlier house associated with Humberston Abbey. Its significance is found in its architectural and historic interest, including the architectural embellishment of its brickwork, including bonding and other detailing, and through its fenestration. Despite its position back of neighbouring roads, it is a prominent building visible through trees and other planting. The land in its foreground provides extra status to the building and a grand setting, but it also shares its setting with the church and its yard, and the adjacent open paddocks emphasise its inherent historical links to farming in the area. While the overall field within which the site is situated forms part of the wider surrounding agricultural landscape, the site is to the northeast and does not impinge on how the farmhouse relates to this context. As such, it does not contribute to the setting of the Farmhouse or how its significance is understood.
7. The listing description for the *Ice House Approximately 55 Metres North East of Manor Farmhouse* (1103497) tells me it is a relatively large truncated oval building, of the early 19th century. However, the listing for Humberston Abbey indicates that later excavations have identified that it is, in fact, an original part of the southern range of its cloister and formed a vaulted passageway through this range. It is covered by an earthen mound raised some distance above surrounding ground levels. The significance of the building therefore lies in its former use and construction as part of the Abbey and its association with the farmhouse, built around the time it was repurposed. The location of the Ice House, and the dense nature of planting around the farmhouse meant I could not see it during my visit. I note the Inspector for the previous appeal also reached a similar conclusion, even

in winter. Moreover, its setting is likely to be more closely associated with the grounds of the farmhouse and adjoining land. Accordingly, it does not include the site, which does not have any bearing on how its significance is understood.

8. At the foot of Wendover Lane, is *Haverstoe Cottage*. This is also a Grade II listed building (1103498), the significance of which is to be found in its special architectural and historic interest as a well-preserved timber-framed house originating from the 17th or early-18th century, but with later additions. It is encased in brick, with a pantile roof over attic rooms. Its public, north side, is humble in appearance with few openings facing into Wendover Lane. While there is likely to be some visibility of the building from the adjacent play area, it is not perceptible from distance. The evidence before me also does not suggest that the understanding or experience of the cottage is informed by how it is appreciated from surrounding farmland, including the site. As such, its setting is generally contained to its immediate surroundings, including the dense grouping of buildings at the foot of the lane, the verdant surroundings of its garden and those to the east, and the play area to the west. These contribute to the understanding of the significance of the cottage and its location at the rural edge of Humberston. However, I have not been referred to any historic interrelationship between the cottage and the site. The intervisibility between them is also likely to be limited due to the presence of homes between, including at Richardson Close. As such, the site does not contribute to the setting of the cottage.
9. *Humberston Abbey* is a Scheduled Monument (1020424). The designated area covers the land surrounding Manor Farmhouse and extends beyond its rear, east of the adjacent stables, around to the paddock next to the churchyard. This broadly relates to the extent of the Abbey, which dates from around 1160. It was the location of the only Tironian foundation in England and an earlier Christian site. Its significance is therefore partly historic and partly archaeological, with the standing, earthwork and associated buried remains indicating the presence of this small medieval abbey and site of a post-dissolution manor house. The historic positioning of the Scheduled Monument within the agrarian landscape contributes positively to its significance, but it is experienced within the open countryside to a considerably lesser extent from South Sea Lane and the PROW, and the site is not experienced together with it. As such, the site does not contribute to its setting.
10. All these designated heritage assets are situated within the CA, and it is concentrated around these and other nearby buildings and those at the outer edges of the prominent road junctions north and west of the CA. However, it is dominated by the open land surrounding Manor Farmhouse, including Humberston Abbey and the paddock to its south. To its east it extends as far as the homes in Wendover Lane and takes in the gardens of the buildings at its end. It does not include the properties in Richardson Close or those opposite to the north side of Church Lane. The southwest corner of the site therefore adjoins the most easterly extent of the CA.
11. The character and appearance of the CA and, thereby, its significance, partly emanates from the interrelationship between the designated heritage assets within it, including their spacing and how they have contributed to the understanding of the age and evolution of the village. However, it also draws significance from its setting within the immediate surrounding countryside, which places the village in its historic rural context. Moreover, the historic context mapping for the settlement contained in the appellant's *Built Heritage Statement* clearly demonstrates that

development to the south of Church Lane has generally been contained within the historic core of the village.

12. Between the church and the southern extent of the gardens of properties at the end of Wendover Lane, development has primarily been infilling, including with the introduction of Richardson Close between the frontage of Church Lane and those properties. However, Richardson Close and, to a greater extent The Laurels, stand out as developments of a more urban profile, that are not akin to the piecemeal development of homes within the historic core and the CA. Development of the settlement to the east of Tetney Road is concentrated forward of the stables at Manor Farmhouse and elsewhere it has extended west of Tetney Road and north of Church Lane, up along North Sea Lane.
13. The fields to the south of the settlement, including the southern edge of the CA, have remained intact as undeveloped elements of the agrarian landscape since 1888. The site is not visually distinct from that context, as it shares common characteristics with the varied pattern of open and undeveloped agricultural land that envelopes and bleeds into the southern edge of the village. Accordingly, the presence, or not, and the nature of built form helps to distinguish between more urban and rural forms, including the countryside beyond the village. This makes a significantly positive contribution to the rural character and appearance of the area, including the CA, so the site would be sensitive to change.

Spatial Strategy

14. The site is immediately east of existing housing in Richardson Close and south of housing and the Humberston Church of England Primary School in Church Lane. There are also further homes backing onto a track leading to the large dwellings at The Laurels. Despite the site being located adjacent to Humberston, given that it is part of an undeveloped field, it is situated outside of its development boundary. For the purposes of Policy 5 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018) (LP), it is therefore within open countryside.
15. I shall return to the effect of the development on the countryside character of the area later, but Part 3 of the policy is clear that at least one of five criteria needs to be met. The proposal is for up to 26 dwellings, 20 percent of which would be delivered as affordable housing. To my mind, the wording of Criteria D does not refer to the inclusion of affordable housing, rather it should 'consist of'. This proposal would also not be for some market housing to support a significant number of affordable housing units, as advocated in the policy's supporting text. The appellant has accepted that the proposal would not meet any of the required criteria. On this basis, I have not approached this main issue in the same way as the Inspector for the previous appeal¹ that also included the site. Accordingly, I conclude that the proposal would conflict with the Council's spatial strategy contained within LP Policy 5.

Conservation Area and Rural Character and Appearance

16. While the proposed site would not extend as far south as the gardens of the homes at the end of Wendover Lane, it would nevertheless be appreciated as a development of significant proportions to the southeast of the village. Moreover, it would stand out as a distinct built incursion into the undeveloped and open site,

¹ Appeal Ref: APP/B2002/W/22/3304337.

that would be more synonymous with built form north of Church Lane and inconsistent with the general characteristics of the established grain of development within the historic core and south of Church Lane. This would be of considerable detriment to the significance of the CA through development within its setting, particularly as it would detrimentally affect how the significance of the CA is experienced and understood.

17. The submitted layout plan is only illustrative but, together with the other application and appeal documents, it indicates that were the site to be developed as suggested, it could have a soft edge, with structured landscaping and open space bookending its southern perimeter. Views into it the site, and through it, could thereby reduce the overall effect of the presence of the development. This would also be a marked improvement upon the hard edge of boundary fencing and lack of open space at The Laurels. However, when viewed from the south, the other existing developments in the village are largely nestled behind existing planting, including those north of Church Lane, which is beyond planting to either side of the lane. While the indicative landscape strategy for the proposal would therefore likely be integral to its layout and reflect established planting nearby, it would be some time, beyond the initial years of development before it would soften the visual effect of the physical presence of the proposal in its sensitive location.
18. The wider impact of the proposal on the rural character and appearance of the area would be limited to views within the immediate locality, including from the PROW and, to a lesser extent, South Sea Lane as the land falls away to the south. Nevertheless, the site and its relationship with the verdant edge of existing development in the village is a key component of those views, along with the relationship between open and undeveloped fields and the settlement. The subsequent loss of openness and erosion of the site's undeveloped qualities would therefore undermine how the countryside currently bleeds into the village.
19. The *North East Lincolnshire Landscape Character Assessment* states that new built development would be logically located along the southern side of Humberston. As the previous Inspector indicated, the scheme before me could meet the broad aims of that document, but it does not form part of the development plan, so it cannot define the nature or extent of such development to set aside the identified harm.
20. As the proposal would have a moderate degree of prominence within the wider landscape, the harm that would be caused to the rural character and appearance of the area would also be to a moderate extent. Conversely, as the development would be permanent within an open part of a field adjoining the CA, and planting would take some time to soften its appearance, I adjudge the harm to the significance of the CA, through development within its setting, to be to a higher level of less than substantial harm. Policy 39 of the LP and Paragraph 215 of the National Planning Policy Framework (the Framework) both identify this harm should be weighed against the public benefits of proposals. However, I return to this balancing in the *Heritage and Planning Balance* and then conclude against the relevant policies.

Other Designated Heritage Assets

21. The church tower rises above surrounding woodland and, while visibility of it is limited further east by changes in topography and field enclosures, the evidence

establishes that it would be visible from the site. However, given the indicative nature of the scheme, it should be possible to arrange development within the site to maintain such views. I am also mindful that the tower would remain visible and prominent from many other locations.

22. I have already indicated above that the site does not contribute to the setting of the other designated heritage assets. Accordingly, the proposal would not harm their significance, or affect how this is understood or experienced. With cognisance of my statutory duty to the listed buildings, the proposed development of the site would preserve their settings. As far they are relevant to this main issue, the proposal would therefore accord with the heritage aims of LP Policies 5, 22, 39 and 42.

Highway Safety and Living Conditions

23. Church Lane runs eastwards and terminates at the primary school and, for most of its length, it is only served by a footpath along its north side. While the number of dwellings suggested as being served by the lane is disputed by the Local Highway Authority (LHA), the evidence before me suggests it is closer to the 72 referred to in the previous appeal. Most of the properties in the lane are served by private drives, but there are ten parking spaces arranged perpendicular to the south side of the carriageway, just north of the site.
24. In the previous appeal, the Inspector clarified that, in places, the carriageway in the lane falls below the 5.5m width required by the *North East Lincolnshire Highway Design Guide*. While the Inspector went on to suggest national advice in *Manual for Streets* considers any width greater than 4.8m would be adequate to allow a lorry to pass a car, the LHA has since clarified that on-street parking is a concern because it narrows the available width of the carriageway and adds to conflict between highway users and pedestrians, particularly when children get in and out of cars.
25. There is no firm evidence before me regarding either the car dependency or extent of ownership of residents of Humberston, but it is designated in the LP as a Local Service Centre and has good public transport access to Cleethorpes, Grimsby and Waltham. Existing and future residents would therefore not necessarily be reliant on travel by private motorised transport. Nevertheless, I recognise that traffic flows and parking in the lane are likely to be greater than for just the homes present, given that it also provides access to a library/café, a community hall and preschool, a church, a car repairs and sales garage, and the primary school. Moreover, the evidence before me, including from interested parties, indicates the magnitude of parking within the carriageway varies throughout the day, but is intensified during school drop-off and pick-up times (school times). I also have no reason to doubt that the lane could be busy because of these considerations, particularly during school times.
26. I accept that the parents of children enrolled at the primary school that travel by car are likely to seek to park as close as possible to it during school times, but this is a common occurrence near schools. Due to a large part of the road being covered by parking restrictions, I can also see no reason to disagree with my the previous Inspector that this is likely to mean more cars parked to the west end of Church Lane, where such restrictions are not in place. Anyone choosing to park in

breach of these restrictions would therefore be a traffic management issue, not of the appellant's making.

27. The proposal would be for considerably fewer dwellings than in the previous scheme, it would again be accessed by the southern arm of the existing turning head, a short distance west of the school access. A raised table would be introduced into the site entrance and either side of it in the lane. The priority of traffic would also be altered beyond the site access, with access to the school and The Laurels taken from a new junction also served by a path into the development. Accordingly, the turning head would cease to exist and the next available formal turning positions would be within the development. Like the previous Inspector, I appreciate that the new route into the site could be used to drop off or pick up children and, thereby, turn vehicles around, but it could also encourage more vehicles to travel down to the end of the lane, near the school.
28. The precise traffic flows associated with the proposal would not be known until all homes are occupied, but the forecast in the appellant's Transport Statement for the traffic generated appears to be reasonable, and there is no firm evidence that would lead me to doubt this. The extent of overall traffic from the new homes is unlikely to be so significant to demonstrate that, of itself, the existing and partly altered carriageway could not accommodate vehicle flows associated with the development. Furthermore, residents of the development would be more likely to walk to the school and undertake most work journeys outside of school times. However, I cannot be certain that vehicles associated with the development would not be using Church Lane during such times. Consequently, in combination with the likely increase in traffic drawn along Church Lane to the access and into the development, introducing additional traffic associated with the proposal would therefore have a harmful effect on highway safety, by adding unacceptably to an already congested environment. This would also be of detriment to the living conditions of occupants of Church Lane.
29. The *Transport Statement* refers to two vehicle related accidents in Church Lane, which both appear to be at different times of the day and in locations east of the school. This is a low level of incidents in the context of the lane, but it does not evidence that use of lane would be without risk or that additional traffic drawn along it would not lead to future collisions associated with this congested environment, particularly at school times.
30. I am mindful of the position reached by the Inspector in the previous appeal regarding the need for another access, albeit that decision did not refer to the provision of an emergency access. I am not satisfied that the evidence before me satisfactorily moves things on from the previous appeal to enable me to reach a different conclusion in respect of this specific point. Hence, the absence of the provision of a further point of access, of itself, is not a reason to resist the scheme, even if were for emergency purposes only.
31. I am also satisfied that it would be possible to utilise a construction management plan to limit the hours of access and egress for heavy good vehicles and larger delivery vehicles around school times. This would therefore address any conflict between all road users during the construction phase of the development.
32. Accordingly, I conclude that the proposal would adversely affect highway safety of users of Church Lane and the living conditions of nearby residential occupiers,

with regard to additional traffic. Hence, it would conflict with LP Policy 5, which requires the suitability and sustainability of development to have regard to access and traffic generation

Other Matters

33. I note that the *Stables Approximately 40 Metres South West of Manor Farmhouse* is designated as a Grade II listed building (1103496). While I have not been referred to it, the appellant's *Built Heritage Statement* indicates that it comprises a 2-storey stable and granary range, that has been converted to residential use. It is located to the west of Manor Farmhouse, and I observed it from the street. From what I have seen and read, there is no substantive evidence before me to come to a different conclusion to the Inspector for the previous appeal that this appeal scheme would also not be harmful to its significance, through development within its setting.
34. The site is located within 2km of the Humber Estuary Special Protection Area (SPA), Special Area of Conservation (SAC), Ramsar and Site of Special Scientific Interest (SSSI), which is sensitive regarding protected over-wintering birds. The Council has also identified the potential for recreational disturbance of the Estuary itself. Regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 indicates that the requirement for an appropriate assessment (AA) is only necessary where the competent authority is minded to give consent for the proposed development. Had I been minded to allow the appeal I would have carried out an AA of the effect of the proposal on the integrity of the Humber Estuary protected sites. However, as the proposal is unacceptable for other reasons, an AA is unnecessary and it would not change the appeal's outcome.

Heritage and Planning Balance

Public Benefits of the Proposal and Heritage Balance

Housing Delivery

35. The Council has not disputed that it can demonstrate 4.1 year's deliverable housing land supply. The appeal scheme would boost the supply and mix of homes in the borough and help to address its meaningful shortfall in supply and the proposed homes could be built out relatively quickly. Hence, I afford this benefit significant weight.

Affordable Housing

36. The evidence on the shortfall in delivery of affordable homes in the borough has also not been contested by the Council and, like my colleague for the appeal at *Land South of Millennium Park*² decided last year, this remains a concern, as the needs of the local community in respect of the delivery of affordable homes continue to not be met. The proposal would deliver a 20 percent of the total number of dwellings in the site as affordable homes, which would help to meet the Council's needs. This would be secured by the signed and engrossed planning obligation. Accordingly, for these reasons, while it is necessary to make the development acceptable in planning terms, as required by Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 (CIL Regulations) and

² Appeal Reference: 3330854 (Land south of Millennium Park, Humberston Avenue, Humberston).

Framework paragraph 57, I have afforded significant weight to the delivery of affordable homes in this location.

Secondary Education Provision

37. As above, this contribution is also necessary to make the development acceptable in planning terms, as required by the CIL Regulations and the Framework but, in this instance, I have afforded it limited weight as a social benefit.

Economic and Social Benefits

38. There could be benefits through direct and indirect employment and procurement of materials and other resources during the construction phase of the development, further spend in the economy and support of services in Humberston and beyond. Due to the magnitude of the proposed development, these would be significant benefits.
39. The provision of public open space and green space, and periphery walkways around the site, would also be beneficial to existing and future occupants of Humberston but, as these details are indicative, I am only able to afford them limited weight as social benefits.
40. It is unclear how the site would be connected to the PROW, as there are no details of how this would be secured as part of the proposal, so I cannot consider this a benefit of the scheme.

Highway Improvements

41. The proposal would lead to widening of part of the carriageway of Church Lane and reconfigure the priorities in the lane around the access arrangements. This would provide additional opportunities for turning in the development and a footpath to the southeast corner of the original turning head. However, for the reasons explained in the fourth main issue, these would not amount to benefits of the scheme, as they are likely to lead to further harm to highway safety in a congested environment.

Biodiversity Net Gain

42. I am mindful that biodiversity net gain (BNG) was not a mandatory requirement of this appeal. Notwithstanding the removal of planting to facilitate access, the indicative landscaping scheme would result in a significant net gain of habitat and hedgerow units. This therefore provides sufficient assurance it should be possible to achieve gains through the proposal. The recommended ecological mitigation measures would also be beneficial in environmental terms. Accordingly, I afford these benefits considerable weight.

Location of Development

43. It is not the purpose of this appeal to determine how Humberston should grow, but whether the site would be suitable for the proposal. Nevertheless, it is located next to the village, which has a good range of basic services and facilities, along with connections with other settlements by sustainable means of transport. However, those aspects form fundamental parts of good planning, so would attract no more than very limited weight in social and environmental terms.

44. Framework Paragraph 212 states 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 the weight should be).
45. Taking the stated benefits of the appeal scheme together, while there would be significant public benefits associated with the extent and nature of housing, and economic and social gains; considerable BNG gains; and other limited benefits, the harm that would be caused to the significance of the CA through development within its setting would be of greater significance. In accordance with LP Policy 39 and the Framework, considered together, I am not persuaded there would be wider public benefits of sufficient magnitude to outweigh the great weight to the asset's conservation and the considerable importance and weight to the less than substantial harm identified to its significance. Hence, on the second main issue, I conclude that the proposal would have a detrimentally harmful effect on the rural character and appearance of the area, including to the significance of the CA, through development within its setting, in conflict with the design and heritage aims of LP Policies 5, 22, 39 and 42.

Development Plan Consistency with the Framework and Final Balancing

46. I have had regard to the appeals at *Land to west of 30 and 31 Torbay Drive*³ and *Land south of Millennium Park* but, unlike those appeals, I have not found the development here to be acceptable in terms of its effect on the character and appearance of the area. Moreover, it would not amount to a logical extension of built form, as it would fail to reflect established characteristics of the applicable part of Humberston. While the first appeal refers to the consideration of highway safety, neither necessitated any consideration of harm to designated heritage assets. Accordingly, the conflict with the relevant policies for determining the appeals, particularly LP Policy 5, is not comparable with the situation before me.
47. While the LP predates the current Framework, it is clear existing policies should not be considered out-of-date simply because they were adopted or made prior to its publication. Due weight should be given to policies according to their consistency with the Framework.
48. As I explained in the first main issue, LP Policy 5 refers to development beyond the development boundaries and limits the types of developments that are considered appropriate there. In isolation of other considerations, this would not be wholly aligned with the more flexible and balanced approach implicit in the objectives outlined in the Framework. However, this does not fundamentally undermine the continued relevance of such an approach, particularly as its aim is to recognise the role played by the countryside in providing the individual settings of independent settlements. This differs only slightly from the aim in the Framework to recognise the intrinsic character and beauty of the countryside. There is therefore still a clear rationale for development boundaries to achieve this aim while focusing growth within designated settlements. The policy also refers to proposals having regard to impact on access and traffic generation and areas of heritage, so it is also generally consistent with the sustainable transport and heritage aims of the Framework. However, the shortfall in the supply of deliverable housing land, means current and future housing needs are likely to need to be

³ Appeal Reference: 3311282 (*Land to west of 30 and 31 Torbay Drive, North East Lincolnshire*).

accommodated beyond existing boundaries. Nevertheless, I afford significant weight to the conflict of the proposal with this policy.

49. The balancing exercise included in LP Policy 39 does not expressly refer to the concept of less than substantial harm, but the policy is generally consistent with the heritage aims of the Framework. LP Policies 22 and 42 are also generally consistent with the Framework in terms of its aims to achieve well-designed places and conserving and enhancing the natural environment. As such, I afford significant weight to the conflict of the proposal with these policies.
50. The proposal would accord with the aims of the development plan regarding the setting of several listed buildings, but this amounts to an absence of harm, so is a neutral consideration. I have also already identified the benefits of the appeal scheme through assessment of public benefits in undertaking the necessary balancing exercise in relation to the CA. The moderate prominence of the scheme means that I maintain a consistent approach to the previous Inspector in respect of the harm to the rural character and appearance of the area. Consequently, the stated benefits of the proposal would amount to material considerations sufficient to lead to a decision contrary to the LP in that respect. However, the other aspects of the proposal would still lead to conflict with LP Policy 5, which would not be outweighed by the benefits.
51. In terms of those other harms, the proposal would have a harmful effect on the significance of the CA, through development within its setting; would conflict with the Council's spatial strategy; and result in highway safety and living condition harms resulting from additional traffic associated with the proposed dwellings. These harms would result in conflict with the development plan in the context of the relevant policies referred to above. Furthermore, the outcome of the above balancing exercise for the CA, a designated heritage asset, is that the application of policies in the Framework that protect this also provides a strong reason for refusing the development proposed. Accordingly, I conclude that the appeal scheme would conflict with the development plan, and the stated benefits would not amount to material considerations of such significance to lead me to conclude that the appeal should be decided other than in accordance with it.

Conclusion

52. For the above reasons, I conclude that the appeal scheme would not accord with the development plan, when considered as a whole, and there are no other relevant material considerations, including the provisions of the Framework, that indicate the proposal should be determined otherwise than in accordance with the development plan. Accordingly, for the reasons given, I conclude that the appeal should be dismissed.

Paul Thompson

INSPECTOR