

# SUMMARY & CONCLUSION

## The Proposal

- 1.1.1 The proposed development would involve the erection of up to 55 dwellings, including a mix of house types and sizes and would include the provision of 40% affordable housing. I confirm that a S106 Agreement has been drafted which is being submitted along with the exchange of evidence.
- 1.1.2 The Appeal Site comprises 3.86 ha of greenfield land, to the west of Martley. Martley is a village located approximately 11 kilometres to the north-west of the centre of Worcester City. Access is to be taken from the B4197 to the north-east of the Site.
- 1.1.3 The Appeal Site is predominantly used as arable land, with a narrow strip of land along the site's northern boundary used as allotments and is accessed via an unsecured access to the north-east of the site directly onto the B4197.
- 1.1.4 An existing hedgerow of varying quality and a tree define the length of the Appeal Site's boundary with B4197. The northern boundary is mainly comprised of post and rail fencing, with some hedgerow in the north-east corner of the Site. The southern and eastern boundaries are mainly defined by hedgerows. The Appeal Site is clear of existing built form and topographical survey information shows a gentle fall from south-west to north-east.
- 1.1.5 I confirm that a S106 Agreement has been drafted which is being submitted along with the exchange of evidence.

## The Appellant's Position

- 1.1.6 My evidence and that of my colleagues has demonstrated there are no valid reasons why planning permission should be refused. Whilst the appeal proposal extends the built-up development beyond the out-of-date settlement edge of Martley, that in itself is not a bar to development in a situation where the Local Plan policies relating to the supply of housing are out of date. This is a plan which is failing to deliver, and the Council's current plan does not plan positively for growth over the next five years.
- 1.1.7 This appeal is for up to 55 dwellings located on the edge of Martley, acknowledged by the Council as one of the most sustainable villages within the authority area. My case is based on four contentions, which I will address in my evidence as summarised below:
  - Firstly, I contend that the appeal proposals are consistent with the majority of policies in the Development Plan, save for a breach of the policies governing growth beyond the settlement boundaries in the Local/Neighbourhood Plan. I contend that the proposals are in conformity with the plan as a whole;
  - Secondly, whilst I note that there is a level of harm arising from the scheme, this is not unique to this proposal, as part of the development of an agricultural site. I furthermore note that any landscape harms that will occur will lessen over time to acceptable levels.

- Thirdly, given the Council's inability to demonstrate a four-year supply of housing land that the 'tilted planning balance' is engaged. As part of my evidence I present a number of significant material considerations. I also do not find any adverse impacts that would significantly and demonstrably outweigh the benefits. As such, I say this appeal should proceed.

## **The Development Plan**

- 1.1.8 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions are made in line with the Development Plan unless material considerations indicate otherwise.
- 1.1.9 The adopted 2016 South Worcestershire Development Plan makes provision for housing growth up to 2030. I am aware that the Local Plan is now more than five years old and pre-dates the latest version of the National Planning Policy Framework updated in December 2023 (NPPF). When framed against the provisions of the NPPF, paragraph 33 requires that reviews of plans should be completed "no later than five years from the date of adoption". I note the Council acknowledges the adopted housing requirements are now out of date.
- 1.1.10 I have identified an inconsistency with policies in the Development Plan, of which I also include the 2018 Martley, Knightwick, and Doddenham Neighbourhood Plan. In particular, I have identified conflict with policies SWDP2 and MKD6 which concern themselves with the operation of growth in/out of settlement boundaries. As I address within my evidence, this policy is out of date due to its direct relationship with SWDP3 and should be given less weight in the planning balance.
- 1.1.11 I have also identified local and limited landscape harms, though I note that it would be difficult for development proposals to accord with this policy, particularly on greenfield sites such as this. Nevertheless, I note that the scheme has demonstrated that through its design and proposed landscaping that in time the impacts would lessen, and it would integrate into the local area.
- 1.1.12 I have also identified heritage harm. Nevertheless, I note that the level of harm to the significance of the Grade II listed Longstone Cottage will be 'less than substantial', attaching only moderate harms. In accordance with NPPF Paragraph 208, I see that the harm will be outweighed by the public benefits of the proposal.
- 1.1.13 Whilst I identify these harms, I do not see them as insurmountable, or something that should prevent the development coming forward, particularly in the context of other material considerations, which I come onto.

## **The Planning Balance**

- 1.1.14 As I have set out in my evidence there exist significant material considerations in the form of public benefits that the development will provide. I have set out a number of specific benefits associated with the scheme.

- 1.1.15 There are locational benefits associated with the scheme, being well located at one of Malvern Hill's more sustainable villages. Importantly, the proposals will deliver 55 houses to Martley, which will assist in delivering housing to respond directly to the Council's current housing shortfall and assist in contributing towards the deficit in the four-year housing land supply. Aligned with this, the provision of 40% or 22 affordable dwellings (based on 55 dwellings) is a very significant benefit of the scheme, responding to local indicators of need within Malvern Hills and Martley more locally.
- 1.1.16 I have set out economic benefits associated with the scheme, linked to the direct construction of the scheme and financial benefits which will be seen by the local community and Council. These are particularly important in the context of the current fiscal crisis that the Government has presented, and the need to ensure that we (as a country) can build our way out of debt. In respect of social considerations, the proposals will deliver enhanced open space. I also consider that there are environmental benefits associated with the scheme, including net gains in biodiversity and climate change enhancements.
- 1.1.17 Setting these benefits against harms, I observe that the appeal scheme will result in the loss of an undeveloped parcel of land, to which I ascribe only limited weight to this harm. I have also identified that the proposals would conflict with policies relating to governing the settlement boundaries, and those relating to heritage and landscape harms. On this, I do not accept the Council's propositions that this development will give rise to significant harms on the local landscape/character, though I do accept that the change of use will have some adverse impact on the local landscape. I do not however find these harms to be significant and range from limited (landscape) to moderate (heritage).

## **Conclusion**

- 1.1.18 Whilst it is acknowledged the proposals will result in some harm through the loss of greenfield farmland, outside the development envelope, as addressed in the evidence of Mr Atkin, the visual impact of the proposed development will be limited and localised. In addition, the level of harm to the significance of the Grade II listed Longstone Cottage will be 'less than substantial' and the moderate harm will be outweighed by the public benefits of the proposal.
- 1.1.19 When the significance of the material considerations and package of public benefits from the proposals are considered together and particularly the critical importance of delivering affordable housing now at Martley, these benefits far outweigh such harm. Overall and in relation to the Main Issues, it remains my position having regard to planning policy that the site is a suitable location for the proposed residential development and the appeal should be allowed.