



Appeal Decision

Hearing held and site visit made on 23 October 2014

by Jane Miles BA (Hons) DipTP MRTPI

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

Decision date: 24 November 2014

Appeal Ref: APP/W4325/A/14/2220745

Former Ellerman Lines Sports and Social Club, Carr Lane, Hoylake

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Kirby Park Ltd against the decision of Wirral Metropolitan Borough Council.
 - The application ref: APP/12/01377, dated 16 November 2012, was refused by notice dated 19 December 2013.
 - The development proposed is the erection of 26 affordable homes together with associated works (amended application).
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Decision

1. The appeal is dismissed.

Background & Procedural Matters

2. This appeal application, made in 2012, was originally for 62 affordable dwellings. However, a similar scheme for 62 dwellings (submitted to the Council in 2011) was dismissed on appeal in March 2013¹. Following that appeal decision, the 2012 scheme was revised to 26 affordable dwellings, as shown on an amended layout plan ('Carr Lane 01'). The Council re-consulted on the reduced scheme for 26 two and three bedroom dwellings, and it is this scheme which is the subject of this current appeal. I have determined the appeal on the basis of the 'Carr Lane 01' amended layout.
3. Prior to the hearing, none of the other drawings originally submitted had been identified as superseded by the Council or appellant, even though some are no longer relevant (such as those illustrating one-bedroom units for example) and, on others, there are some inconsistencies in plot numbering following the reduction to 26 dwellings. The submitted plans do however include all the necessary details for the scheme the subject of this appeal. It was agreed at the hearing that, in the event of the appeal being allowed, it would be feasible to specify approved plans and address any inconsistencies by condition.
4. The appeal was initially made by Mr Graeme McGaffney, but the application was made in the name of Kirby Park Ltd. Following Mr McGaffney's written confirmation that he is a director of Kirby Park Ltd, and is effectively acting as an agent for that company, it was clarified at the hearing that the appeal would proceed in the name of the original applicant (Kirby Park Ltd).

¹ Appeal ref: APP/W4325/A/12/2184753, decision dated 18 March 2013

5. Part of the application site (edged red), but not that part where built development is proposed, falls within the Wetlands Bird Survey (WeBS) Core Count Sector known as Gilroy Pond and Hoylake Langfields (Sector 46474) which provides supporting habitat for autumn and spring passage and over-wintering birds from nearby Natura 2000 sites. A report² submitted during the course of the 2013 appeal concludes habitats within the appeal site do not contribute to the suitability of the WeBS Core Count Sector for wildfowl; the development could have some adverse impacts on Sector 46474 in terms of disturbance; the site does not contribute to the Dee Estuary Special Protection Area (SPA) and Ramsar Site, or the Mersey Narrows and North Wirral Foreshore SPA and Ramsar Site, nor their supporting habitats. The report also includes recommendations to minimise and, where possible, avoid the potential for disturbance to birds.
6. It was confirmed at the hearing that nothing of relevance has changed in relation to these matters since the 2013 appeal decision. Therefore, having regard to Regulation 61 of the Conservation and Habitat Regulations 2010 (as amended) and subject to implementation of the report's recommendations, I am satisfied the development would not have any material impact on WeBS Core Count Sector 46474, or on the Dee Estuary or Mersey Narrows and North Wirral Foreshore SPAs and Ramsar Sites.

Reasons

7. Along its north-west boundary the appeal site adjoins existing residential development (in George Road) on the outer edge of the town of Hoylake. However, the site itself is wholly in the Green Belt where long established national policy³ establishes that inappropriate development is, by definition, harmful and should not be approved except in very special circumstances. In the previous appeal it was not disputed that the scheme for 62 dwellings would represent inappropriate development in the Green Belt. The Council and appellant do not however agree this to be the case in relation to the current scheme for 26 dwellings. Consequently the **main issues** in this appeal are:
 - Whether or not the proposed development would constitute inappropriate development in the Green Belt, for the purposes of development plan and national policy;
 - The effect of the proposal on the openness of the Green Belt, and on the purposes of including land within it;
 - The effect of the proposal on the character, appearance and visual amenity of the surrounding area;
 - Any other considerations;
 - If the proposal is found to be inappropriate development, whether the harm arising from inappropriateness and any other harm is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

² "Response in relation to the site at Carr Lane, Hoylake with regards WeBS Core Count Sector Gilroy Pond and Hoylake Langfields", February 2013, by ERAP Ltd (Consultant Ecologists)

³ Most recently in the *National Planning Policy Framework (the Framework)* (2012)

Whether or not inappropriate development

8. The starting point in this respect, notwithstanding its age, is the Wirral Unitary Development Plan (UDP) (2000). Saved Policies URN1 and GB2 are consistent with policy guidance in the *Framework* in seeking to preclude inappropriate development in the Green Belt and, in Policy GB2, in stating that such development will not be approved except in very special circumstances. Policy GB2 lists those categories of development that will not be inappropriate development in the Green Belt, but there are some differences between these and the types of development listed in paragraph 89 of the *Framework* as exceptions to the general rule that the construction of new buildings will be inappropriate in Green Belts.
9. The appeal scheme is for 100% affordable housing. Thus Policy GB2(iv) is the relevant category in this particular case: it reads "the limited infilling in existing villages, subject to Policy GB6, *including* limited affordable housing subject to local community needs" (my emphasis). The relevant category in the *Framework*⁴ reads "limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan".
10. The Council highlights three appeal decisions⁵ where Inspectors have accepted that Policy GB2(iv) is broadly consistent with the *Framework*. In those cases however it does not appear that any of the Inspectors explicitly considered that part of the policy relating to affordable housing. I therefore find them of limited relevance in the particular circumstances of this proposal which is solely for affordable housing.
11. Taking *Framework* paragraph 89/5 at face value, and bearing in mind its punctuation, I consider 'limited infilling in villages' and 'limited affordable housing ...' to be two distinct and separate categories of development. Thus Policy GB2(iv), allowing for limited affordable housing in the Green Belt *only* if it would also be infilling in villages, differs significantly from (and is not consistent with) the more recent *Framework* policy. I therefore give greater weight to *Framework* paragraph 89/5.
12. With regard to the second part of paragraph 89/5, it is common ground between the Council and appellant that neither the UDP nor the emerging Core Strategy (eCS)⁶ contains policies setting out the Council's approach to proposals for limited affordable housing for local community needs. As in the previous appeal, the appellant's case includes an assessment of the scale of affordable housing need, with particular reference to Hoylake. It is argued, in essence, that if an up-to-date Local Plan setting out such policies was in place, then the appeal proposal could potentially fall within this exception, such that it would not be inappropriate development in the Green Belt.
13. The Inspector in the previous appeal for 62 dwellings addressed this point (albeit not specifically in relation to whether or not the proposal amounted to inappropriate development in the Green Belt). She went on to say that the

⁴ At bullet point 5 of paragraph 89 (89/5)

⁵ APP/W4325/A/13/2200491, decision dated 6 November 2013; APP/W4325/A/13/2202929, decision dated 18 February 2014; APP/W4325/A/14/2214002, decision dated 29 July 2014

⁶ The eCS includes, in the reasoned justification to draft Policy CS3, the wording used in the *Framework*, but does not develop it any further: the CS – Proposed Submission Draft has been subject to another round of consultation since the 2013 appeal decision, but has not yet been submitted for examination

absence of such policies in the UDP and eCS did not mean the exception in the second part of *Framework* paragraph 89/5 should not apply.

14. However, having carefully considered this matter in the light of discussion at the hearing, I can find no compelling reason to depart from a straightforward interpretation of the phrasing: that is, a proposal for limited affordable housing in the Green Belt will not accord with *Framework* paragraph 89/5 unless it also accords with Local Plan policies relating to local community needs. On that basis, in the absence of any Local Plan policies, the current appeal proposal must be inappropriate development in the Green Belt, (irrespective of a potential situation at some time in the future when a Local Plan might include such policies).
15. Even if that is not right, there are also the questions of whether or not the proposed scheme of 26 dwellings constitutes 'limited' affordable housing, and whether or not it would meet local community needs. Neither the *Framework* nor the national *Planning Practice Guidance* (PPG) provides any guidance on what 'limited' means in this context. That may perhaps be to allow for some flexibility, because circumstances will vary in different places, which would explain the requirement for policies to be set out in a Local Plan.
16. In this case (and as previously) the appellant details the size and population of Hoylake, and the need for affordable housing in the Borough and in Hoylake. However, given that 'limited' implies some form of restriction, and that it is part of a clause that does not refer to villages or other settlements, it seems more logical to me that it should relate to the size and layout of the proposed development, rather than to the size of the settlement or the need for such housing. In terms of size and layout⁷, I am not persuaded the proposed development of 26 dwellings would constitute 'limited' affordable housing. The appellant maintains that some development on the site must fall within any definition of 'limited': that may be so, but it does not alter my finding in relation to the scheme before me.
17. With regard to local community needs, that there is significant unmet need for affordable housing in the Borough as a whole and in Hoylake is not in doubt. Even so, the November 2013 response from the Council's Housing Strategy team highlighted that greatest demand from registered applicants was for one and two bedroom properties, with increasing numbers of three bedroom properties becoming available. This brings into question how well the appeal scheme, consisting primarily of three bedroom dwellings⁸, would meet current local community needs. Having had regard to this and all other relevant matters, I find insufficient grounds to conclude the appeal scheme would constitute 'limited affordable housing for local community needs' in accordance with *Framework* paragraph 89/5. On this basis also the appeal scheme would be inappropriate development in the Green Belt.
18. The appellant's case includes arguments to the effect that the proposal would, at least in part, be redevelopment of previously developed land. The history of previous development on the site is set out in the 2013 appeal decision and the Inspector recorded in that decision the agreement between the appellant and the Council that a small area of previously developed land exists. Even

⁷ An area of around 0.79 hectares, projecting some 77.5m (excluding perimeter road/driveways) into open countryside

⁸ The scheme comprises 24 three bedroom and 2 two bedroom dwellings

so, as the only remaining visible evidence of this is an area of hardstanding near the site entrance, the proposed housing would have a substantially greater impact on the openness of the Green Belt. The proposal would not therefore fall within the terms of the exception set out at *Framework* paragraph 89/6, relating to previously developed sites.

19. It follows from the preceding paragraphs that, overall, I conclude the proposal would constitute inappropriate development in the Green Belt for the purposes of national policy in the *Framework* and UDP Policy GB2, so far as it is consistent with the *Framework*.

Openness of the Green Belt, and the purposes of including land within it

20. Some of the ground on the appeal site is uneven, which was said to be due in part to the remnants of demolished buildings, but at the time of my visit the great majority of it was well covered with rough grass and/or colonised by shrubs and small trees. The site has a predominantly open and semi-natural character, blending in with the countryside which surrounds it on three sides.
21. The *Framework* states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and also that openness and permanence are the essential characteristics of Green Belt. Openness in this context means an absence of buildings and structures.
22. Thus, despite the reduction from 62 dwellings, the scheme of 26 dwellings and associated development now proposed would still be a significant encroachment of built development into open Green Belt land. This would be the case even though the projection beyond the adjacent row of existing houses in George Road would be less than in the previous scheme⁹. The adverse impact would be all the more apparent due to the particular layout proposed, with a roughly circular cluster of houses in the form of a 'perimeter block' creating a more significant projection into open land than the row of buildings mostly parallel to the south-east side of the George Road properties. Given its size and layout, I find that this appeal scheme would substantially reduce the Green Belt's openness, causing significant harm in this respect.
23. With regard to the purposes of Green Belt, at present the rear garden boundaries of the adjacent George Road houses provide a well-defined edge to the existing built-up area. The proposed development, with roadways to the outer edges of the development, would result in a less clearly defined boundary. I find that the proposed housing would not only be a significant encroachment into the countryside, but it would also amount to an unrestricted sprawl of the urban area. As such it would conflict with two of the five purposes of including land in Green Belts, and the harm it would cause in this respect is also significant.

Character, appearance and visual amenity

24. The great majority of the town of Hoylake lies on the north-west side of the railway line that runs, in the appeal site locality, roughly parallel with the coast. One exception is the built-up area on the south-east side of the railway that comprises firstly the Carr Lane industrial estate and, south-east of that, the relatively small residential area including George Road. A more

⁹ The previous figure, given in the 2013 appeal was around 175m

detailed description of the appeal site's immediate surroundings is set out in the 2013 appeal decision: as that is still relevant, I do not repeat it here.

25. It is however worth highlighting one key point, with which I agree, that the appeal site and land to the north-east, south-east and south-west is predominantly open countryside. The prevailing character of all this land is rural, notwithstanding that some nearby land is in recreational uses and that the appeal site itself is considered by the appellant to be overgrown and degraded. I find however that the appeal site does now appear as an integral part of the built-up area's rural setting, and residents' comments at the hearing indicated that they value it as such.
26. In this context I return to the two principal elements of the proposed layout, described above. The row of development backing onto the George Road houses would broadly reflect the existing pattern of development but would create a harder built edge to the settlement than the softer edge formed by existing rear gardens. The cluster of buildings in a 'perimeter block' design, with private rear gardens and parking spaces in its largely enclosed central area, would create a similarly hard edge and would also be a significant projection out into the countryside, with open land to three sides.
27. The relative merits of the perimeter block and alternative layouts in this particular site context were discussed at the hearing. I note the appellant's view that the proposed cluster would minimise the adverse visual impacts of 'domestic paraphernalia' and that this, together with new landscaping, would address any harm in terms of character, appearance and the Green Belt's visual amenity. However the layout proposed, with closely spaced terraces turning the corners, is primarily an intensive, urban design. I find that in this edge of settlement, urban/rural fringe, location such a form of development would appear incongruous and intrusive, irrespective of the quality of the detailing and materials of individual buildings. In these respects it would not accord with UDP Policy LA7(i) relating to development at the urban fringe.
28. In addition, the access road would run along the outer side of both the row and the cluster such that the visual impact of vehicles, whether moving or parked, would tend to cancel out any benefits from locating individual parking spaces to the rear of the dwellings. Overall therefore I find that the particular siting, form and layout of development proposed would have an adverse urbanising impact that would cause serious harm to the area's character and appearance and to the visual amenities of the Green Belt. The potential to mitigate these adverse impacts with new landscaping would not be sufficient to outweigh that harm or to accord with the objective, in UDP Policy LAN1, of improving and enhancing damaged landscapes.

Other considerations

29. As previously, several other considerations are put forward by the appellant in support of the proposal, many of which were addressed in the 2013 appeal decision. The first 'other consideration' in that decision is '**The Framework and the presumption in favour of development**'¹⁰. Little has changed in this respect since March 2013 but, as it is important to be clear on this matter, I set out below the key points in the light of the evidence before me.

¹⁰ Beginning on page 6 of the 2013 decision

30. It is common ground that paragraphs 14, 47 and 49 are relevant to the matters at issue in this appeal, but the Council and appellant do not agree on the weight to be attached to them. Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. In addition, relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites.
31. Paragraph 14 explains the presumption in favour of sustainable development and sets out what this means for decision-taking (unless material considerations indicate otherwise). Where the development plan is absent, silent or relevant policies are out-of-date, permission should be granted unless, firstly, any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the *Framework* taken as a whole or, secondly, specific policies in the *Framework* indicate development should be restricted.
32. The list of 'specific policies' at Footnote 9 to paragraph 14 includes those relating to land designated as Green Belt. Thus this appeal proposal needs to be assessed against the *Framework* policies relating to Green Belts, and the presumption in favour of granting permission does not apply. Given Footnote 9 and also the importance attached in the *Framework* to Green Belts and to their permanence, I do not agree with the appellant's contention that 'relevant policies for the supply of housing' should include constraint policies such as those restricting development in the Green Belt.
33. The next consideration is **housing land supply**. In the March 2013 appeal decision the Inspector, Council and appellant all agreed that a 5-year housing land supply could not be demonstrated when calculated against the target set out in the RSS¹¹. Since then however the RSS has been revoked (in May 2013) and the Council has produced its AMR¹² for 2012-13 (dated December 2013). The AMR includes calculations of the Council's 5-year housing land supply using three alternative methods: Method A, using the former RSS as an evidence base; Method B, using ONS¹³ 2008-based household projections; Method C, using ONS 2011-based interim household projections.
34. In each method, three figures are calculated for the 5-year supply: with no buffer; with a 5% buffer; with a 20% buffer. In Method A, all three are less than 5 years, with the latter being the lowest at 3.6 years. For Methods B and C the figures range from 5.3 to 8.9 years.
35. A key element of the supply calculations is housing need. Whilst noting (with reference to recent case law¹⁴) that the RSS is not considered an appropriate basis for determining full, objectively assessed housing need (as paragraph 47 of the *Framework* requires) the appellant suggests it remains the only measure available in the absence of relevant and up-to-date development plan policies. Thus, at the hearing the appellant remained of the view that the current 5-year supply is no more than 3.6 years.

¹¹ The North West of England Spatial Regional Spatial Strategy to 2021

¹² Annual Monitoring Report

¹³ The Office for National Statistics

¹⁴ Hunston Properties Ltd v SSCLG & St Albans City & District Council [2013] EWHC 2678 (Admin) and [2013] EWCA Civ 1610; South Northamptonshire Council v SSCLG & Barwood Land and Estates Limited [2014] EWHC 573 (Admin); Gallagher Homes Limited, Lioncourt Homes Limited v Solihull Metropolitan Borough Council [2014] EWHC 1283 (Admin)

36. The Council considers that it now has at least a 5-year housing land supply, but acknowledges that the ONS projections used in calculating the supply figures of 5.3 to 8.9 years are no more than a starting point for assessing need. More detailed work, to produce 'policy-on' figures, is unlikely to be concluded until the next set of housing projections has been published and ongoing updates of the Council's SHMA¹⁵ and SHLAA¹⁶ have been completed.
37. Having regard to the above and to guidance in the PPG, I find the current situation in Wirral to be one where there is no robust recent assessment of the Borough's full housing needs, and the weight that can be given to the figures based on ONS projections is limited because they have not yet been tested or moderated against relevant constraints. It is therefore difficult to reach a firm conclusion on whether or not the Council can demonstrate a 5-year supply of deliverable housing sites (irrespective of more detailed matters, such as the Council's wish to promote urban regeneration, the significance of demolitions and when development will happen at Wirral Waters¹⁷ for example).
38. If however the appellant's position on housing supply is accepted, then the contribution that 26 dwellings would make to the overall supply of housing in the Borough would be a matter of significant weight. I refer to this again under the heading of very special circumstances.
39. With regard to **affordable housing** as an 'other consideration', it is common ground between the Council and appellant that there is a significant need in the Borough, including in the ward of Hoylake and Meols. I note firstly the appellant's submissions relating to the limited scope to meet the need for affordable housing in Hoylake. Secondly, I note the Council's references to the number of vacant dwellings in the Borough and the need, identified in its Housing Strategy 2011 to 2026, to make better use of existing housing stock. Even so, in the light of the limited net increase in affordable housing that has been achieved in recent years, 26 dwellings would make a significant contribution to the supply of affordable housing in the Borough. I therefore give significant weight to this as a consideration in favour of the proposal.
40. In the previous appeal, the treatment of **the emerging development plan and the Green Belt boundary** as another consideration stemmed in part from the appellant's case that the lack of any recent review of the Green Belt boundary weighed in favour of that proposal. There are similar arguments in the appellant's statement for this appeal but, in terms of progressing the eCS, relatively little has changed since March 2013. A further round of consultation has taken place, and the appellant has made further representations but, not least pending the outstanding work in connection with determining the area's full objectively assessed housing needs, a submission version of the CS has yet to be finalised.
41. However, in addition to some recent Government statements relating to the protection of Green Belts (referred to by the Council) it is relevant to take account of the PPG, which post-dates the 2013 appeal decision and, as

¹⁵ Strategic Housing Market Assessment

¹⁶ Strategic Housing Land Availability Assessment

¹⁷ A major development for which outline planning permission has been granted: it will include housing, but no figures have been included for such housing in the Council's 5-year housing land supply calculations

mentioned at the hearing, was recently amended to include some additional guidance which refers to Green Belts.

42. The PPG includes advice that unmet housing need is unlikely to outweigh the harm to the Green Belt and other harm to constitute the very special circumstances needed to justify inappropriate development in the Green Belt¹⁸. It repeats part of paragraph 83 of the *Framework* which says that, once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan¹⁹. It also states that an authority preparing its SHLAA should take account of any constraints such as Green Belt which indicate that development should be restricted and which may restrain an authority's ability to meet its need²⁰.
43. Given that guidance, the Council's commitment to continuing urban regeneration and better use of existing stock, and notwithstanding that draft Policy CS20 of the eCS (in its current form) makes provision for a review of the Green Belt boundaries should the need arise at some time in the future, it is far from clear that there is any urgent need to review those boundaries now. Moreover any such need would have to be addressed through the development plan process. Thus, although the appellant's frustration with the lack of progress on the eCS is understandable, that lack of progress and the lack of any recent review of Green Belt boundaries carry little weight in favour of the appeal proposal.
44. Another matter to consider is the appellant's contention that the proposal would be a **re-use of previously developed land**, improving the appearance of a derelict and degraded site. It is not disputed that the appeal site once contained buildings associated with the sports and social club and subsequent uses, or that some traces of that previous development remain. Only the area of hardstanding mentioned earlier in this decision is clearly visible, but that is not on the part of the site proposed for housing.
45. Moreover the majority of the site is well vegetated and, as such, it neither appears unsightly nor detracts from its urban/rural fringe surroundings to any appreciable degree. The landscaping proposed in association with the housing development could be an improvement in terms of appearance, but it would not offset the adverse urbanising impacts of the development as a whole in a location which, as the appellant acknowledges, is in the countryside. Any limited benefits associated with making effective use of land by re-using land that has been previously developed would be more than outweighed by the harm the scheme would cause in terms of character and appearance, and especially the openness and visual amenities of the Green Belt.
46. The site's **sustainability as a location for new housing development** was also addressed in the 2013 appeal decision. The Inspector found the site to be a reasonably sustainable location in part because of the bus service along Carr Lane, together with provisions in a unilateral undertaking for bus stop improvements. At the hearing I was told by local residents that the service no longer operates, and I saw for myself a notice to that effect in a bus shelter near the site. Thus those residents of the proposed housing without a car would have to walk through the Carr Lane industrial estate to reach the

¹⁸ Paragraph 034 Reference ID 3-034-20140306

¹⁹ Paragraph 044 Reference ID: 3-044-20141006

²⁰ Paragraph 045 Reference ID: 3-045-20141006

railway station, local services and facilities. This reduces site's credentials as an accessible and sustainable location to some extent, such that I give this limited weight as a consideration in favour of the proposal.

Very special circumstances

47. I have found that the appeal proposal would constitute inappropriate development in the Green Belt which, by definition, is harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 of the *Framework* establishes that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
48. In terms of harm, in addition to that arising from inappropriateness, I have concluded the proposal would cause significant harm to the openness of the Green Belt and to two of the purposes of including land in the Green Belt. It would also cause serious harm to the visual amenities of the Green Belt and to the character and appearance of the surrounding area.
49. In favour of the development I give significant weight to the contribution the proposed housing would make to the supply of affordable housing. For the purposes of this assessment, in view of the difficulties and uncertainties surrounding the calculation of the 5-year housing supply, I also give significant weight to the contribution it would make to overall housing supply in the Borough. I give limited weight to the site's location in terms of accessibility to local services and facilities.
50. The current situation in relation to the eCS and the lack of any recent review of Green Belt boundaries are matters to which I give little weight. I am not persuaded the appellant's arguments relating to the re-use of a previously developed site add any appreciable weight in favour of the proposal. A range of other matters that are not in dispute between the Council and appellant, and/or could be addressed by conditions, are neutral considerations. These include the adequacy of provisions for access, parking and amenity space; the lack of risk to existing trees; the use of conditions to preclude adverse impacts and/or ensure mitigation in terms of flooding and ecological issues.
51. Weighing all these matters in the balance, in a policy framework which continues to attach great importance to Green Belts, I conclude that the considerations put forward by the appellant in support of the proposal are not sufficient, individually or cumulatively, to clearly outweigh the harm arising from inappropriateness and the other harm I have identified. It follows that the very special circumstances needed to justify the proposal do not exist, and that the proposal would conflict with relevant development plan policy and the *Framework*. Overall therefore I conclude the appeal should fail.

Jane Miles

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Linda Wright	PLANiT WRiGHT Town Planning Consultancy & Development Services
Graeme McGaffney	Kirby Park Ltd

FOR THE LOCAL PLANNING AUTHORITY:

Sheila Day	Principal Planner, Metropolitan Borough of Wirral
Eddie Fleming	Principal Planning Officer, Forward Planning, Metropolitan Borough of Wirral
Hannah Austin	Senior Planning Officer, Forward Planning, Metropolitan Borough of Wirral

INTERESTED PERSONS:

Linda Williams	Local resident
Christine Lavin	Local resident
Cllr Gerry Ellis	Local councillor
Neil Parry	Local resident

DOCUMENTS PROVIDED AT THE HEARING:

1. Bundle of 3 responses, made at the application stage, from various Council departments
2. Final signed copy of Statement of Common Ground
3. Extract from presentation: Wirral Housing Needs – Housing Requirements Workshop, dated 14 November 2013 (submitted by the appellant)
4. Bundle of 3 recent appeal decisions (submitted by the Council)
5. Extract from the Wirral SHLAA Update 2012 – Appendix 3, (submitted by the appellant)