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## Appeal Decision

Inquiry Held on 30 April, 1, and 2 May 2018

Site visit made on 2 May 2018

**by David Murray BA (Hons) DMS MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 23 May 2018**

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**Appeal Ref: APP/R3705/W/17/3189584**

**Land east of St Lawrence Road, Ansley, CV10 9PW.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (the Act) against a refusal to grant outline planning permission.
  - The appeal is made by Muller Property Group against the decision of North Warwickshire Borough Council.
  - The application Ref. PA/20170352, dated 5 July 2017, was refused by notice dated 13 October 2017.
  - The development proposed is the erection of up to 70 dwellings with details of access, layout, scale, appearance and landscaping being reserved matters.
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### Decision

1. The appeal is allowed and outline planning permission is granted for the erection of up to 70 dwellings at land east of St Lawrence Road, Ansley, CV10 9PW, in accordance with the terms of the application, Ref. PA/20170352, dated 5 July 2017, and the plan submitted with it, subject to the conditions set out in the attached Schedule.

### Procedural and preliminary matters

2. On the second day of the Inquiry the Council advised that it would not be continuing with its objection to the development proposed in the current appeal and no longer defended the reason for refusal. This decision had been taken in the light of the Secretary of State's decision on appeal APP/R3705/W/16/3149827, dated 21 March 2018 and concerning a proposed business (B2) development at Daw Mill Colliery in Arley. The Secretary of State agreed with the conclusion of his Inspector, that Policy NW2 regarding 'Settlement Hierarchy', and other specified policies in the Council's Core Strategy 2014, were 'out-of-date', particularly as it relied on settlement boundaries. The Council therefore accepted that the harm identified in the current appeal proposal does not significantly and demonstrably outweigh the benefits when assessed against the policies in the National Planning Policy Framework (the Framework) as a whole. Therefore, the Council now concludes that planning permission should be granted for the development proposed in this appeal. Notwithstanding the Council's revised position at the Inquiry, I have to consider the local community's stated written and oral objections to the proposal as set out on behalf of Ansley Parish Council and by individual residents.

3. The application is in outline format with all detailed matters reserved for subsequent approval. I have therefore treated the layout plan (drawing 492/100/Rev F) as submitted with the application, for illustrative purposes only.
4. A draft planning obligation in the form of a Unilateral Undertaking (UU) made under section 106 of the Act was submitted at the Inquiry and discussed by the main parties. A final version dated 14 May 2018 and signed by the landowner and the appellant was submitted after the close of the Inquiry. In general terms, the UU covenants the signatories, should planning permission be granted on appeal, to make provision for affordable housing as part of the development, and to pay various specified financial sums in respect of NHS/public health facilities and sustainable travel packs. I have considered the UU as a material consideration subject to my comments in paragraphs 29-33 below.
5. Although a written note of a potential costs application was submitted on behalf of the appellant prior to the Inquiry, no formal application for costs was made by any party at the Inquiry.

### **Main Issues**

6. The main issues are:
  - Whether the proposal accords with the North Warwickshire Core Strategy 2014, including the provisions of Policy NW2, or would materially harm the implementation of the strategy in the development plan;
  - Whether the Council can demonstrate a five year supply of specific deliverable sites for new housing; and
  - The cumulative effect of the development on the character of the village of Ansley, including taking into account the criteria set out in Core Strategy Policy NW12.

### **Reasons**

#### *Background*

7. The appeal site comprises about 2ha of equestrian grazing land which lies in a generally central position in the village of Ansley to the east of existing housing around St. Lawrence Road and to the north of existing allotments and other frontage housing along Birmingham Road. To the north of the site also lies the residential garden of an existing house (Magnolia House) and then another paddock in different ownership and beyond this lies open countryside. This rural land is not Green Belt which, generally, only lies to the south-west of Ansley. Further, open land to the east of the appeal site is presently undeveloped but was subject to appeal APP/R3705/W/16/3149572 where in early 2017 outline planning permission was granted for residential development of up to 79 residential units. The appellant now refers to that scheme as the Phase 1 consent and so will I. It is indicated that this development land would provide access from Tunnel Road to the residential development now proposed on the appeal site. The current application also proposes that 40% of the residential development would be on-site affordable housing.

### *Policy Context*

8. The development plan includes the Council's Core Strategy adopted in 2014 (CS) and saved policies in the North Warwickshire Local Plan 2006 (LP) although the Council accepts that the housing policies within this local plan have been superseded by the Core Strategy.
9. The Council is also preparing a new local plan - the North Warwickshire Local Plan 2016 (now referred to as the emerging local plan (eLP)). This was published in draft in late 2016 and the revised 'Publication' version was consulted on in a period that expired in March 2018. The Council says that the plan has now been submitted for Examination by an inspector in due course. The provisions of the eLP are capable of being a material consideration, however, I understand that there are outstanding objections to the policies and provisions of the plan, including Policy LP2 concerning the Settlement Hierarchy and the associated settlement boundaries, which will need to be considered at examination. This limits the weight that can be applied to the eLP at this stage in the plan-preparation process.
10. I also note that in order to meet the wider needs of the area under the 'duty to co-operate' as set out in paragraphs 178-181 of the Framework, it is apparent that the eLP will seek to help meet the housing and employment needs of other parts of the West Midlands, particularly Tamworth, Birmingham and Coventry.

### *Whether the proposal accords with the development plan*

11. At the outset it is clear that the proposal does not accord with Policy NW2 of the Core Strategy. This sets out a settlement hierarchy which defines settlements, according to a range of criteria including services, facilities and connectivity as examined in the Council's Settlement Sustainability Assessment 2010. Part of the justification for this strategy is to 'help achieve vibrant sustainable communities within a sustainable pattern of development'<sup>1</sup>. Within this hierarchy, Ansley is classed as a category 4 settlement - (that is a small village with limited facilities) and within this category the policy indicates that new development will be limited to that identified in the Plan or in a Neighbourhood Plan (although the latter has not been produced in Ansley). Moreover, Policy NW5 indicates that Ansley will cater for 40 dwellings over the plan period until 2029, usually on sites of no more than 10 units at any one time. Further, the CS utilises the settlement boundary of Ansley used in the LP and this does not include the appeal site or the phase 1 land within the settlement boundary.
12. As the appeal proposal involves land that is outside the settlement boundary and is of a scale that would greatly exceed the total and on-going levels put forward for the village, the principle of the location and scale of the proposed residential development on the appeal site conflicts with the provisions of the current development plan. However, the weight that can be given to the current and applicable development plan is very limited. As mentioned in paragraph 2 above, the Secretary of State has recently found that Policy NW2 is 'out of date'. As this policy in the Core Strategy is a key element in the distribution of new housing in the borough this status of being 'out of date' means that the housing numbers and distribution can no longer be relied on.

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<sup>1</sup> (Paragraph 6.6 of the Core Strategy)

Therefore the housing development proposed cannot be held to materially harm the implementation of the strategy.

13. In terms of the emerging plan, similar provisions are put forward in a settlement hierarchy in Policy LP2, and Ansley is still regarded as a category 4 settlement and with a site for 12 houses allocated in the plan in the northern part of the village. Further, the settlement boundary put forward for Ansley village excludes the appeal site, although it now recognises the development of the phase 1 land as part of the built up area of the village. However, as there are objections to the Submission version of eLP, including to Policy LP2, which will have to be considered at the Examination, only limited weight can be placed on this policy at this stage in the plan-making process.

#### *Housing land supply*

14. Paragraph 47 of the Framework indicates that Councils must be able to demonstrate five years supply of new housing set against their requirements. The Statement of Common Ground No.2 (SCG/2) (document 12) indicates that the appellant's team does not challenge the Council's written evidence on housing land supply. Further, it will be clear from my comments above that as the Secretary of State has accepted that the critical policy on 'settlement hierarchy' put forward in policy NW2 of the Core Strategy should be considered as 'out-of-date', then the 'titled balanced' as generally regarded as applying in the fourth bullet point of paragraph 14 of the Framework is engaged. On this basis there is no benefit to be gained by assessing housing land supply in detail, as per paragraph 49 of the Framework, as the same outcome on the status of the policy, as being 'out of date', would be reached. Moreover, the local community, in terms of the parish council and individual residents, did not put forward any specific evidence on housing land supply. I therefore do not need to consider this issue further.

#### *Effect on the character of Ansley*

15. The Council describes Ansley as a dispersed linear settlement spread out along the Birmingham Road but recognise that the village has grown with development in depth around St Lawrence Road in the northern part and around Nuthurst Crescent in the southern part up to Tunnel Road. Further there is new development committed off Tunnel Road with the phase 1 site stretching up to the rural edge with open countryside. This pattern of development leaves the open land in the centre of the village comprising the appeal site, the allotment gardens and another private paddock.
16. In assessing the effect of the development proposed I have had regard to the general requirements of CS Policy NW12, (which is not concerned with the supply of housing and has not been found to be out of date) and at my site visit I considered the setting of the appeal site from the land itself and the public right of way (PRoW) which runs along the rear of properties facing Birmingham Road and adjoins the allotments, and from Tunnel Road.
17. Although the appeal site is open, the land used for equestrian grazing has an urban setting in that it is largely contained by residential development and the allotment gardens which although mainly open contain many small sheds. Visually the appeal site has a separate and distinct character to the area of open countryside to the north and east. I find that residential development on the 'L' shape of the appeal site would not materially harm the overall setting of

the village but visually and physically it would round off what exists and also what has planning permission to be built. The impact on public views from the PRow would be limited in extent to a relatively short distance and the environs of the footpath would still benefit from the visual break of the allotment gardens.

18. I acknowledge that the occupiers of some of the adjacent houses in St Lawrence Road and Birmingham Road that adjoin the appeal site would have a different outlook from their properties and the appellant's impact assessment says that this local impact could be 'significant'. The present rural aspect would be changed materially and long distance views towards the countryside could be lost or curtailed, however, there is no legal right to a particular view over other private land. The proposal would result, in part, in new housing sited alongside other housing and there is no reason in principle to suggest that such a relationship would be materially harmful to the living conditions currently enjoyed by the occupiers of these properties.
19. In terms of the wider setting of the village, the Inspector who considered the phase 1 appeal identified one of the key characteristics of the village as the staggered and irregular edge along the eastern side of the settlement. Taking account of the likely development on the phase 1 site, whilst this would be likely to have a smooth external edge to the countryside following the line of a field hedge boundary, in the vicinity of the appeal site the external boundary would still be staggered and irregular, caused by the siting and presence of Magnolia House and its curtilage and other grazing land.
20. Given the largely built up nature of surrounding land I am satisfied that the principle of the residential development proposed would visually and physically integrate well with the surroundings of the site. Although dealing with an outline application, the 'reserved matters' would still be subject to policies that would seek to encourage good design and integration with the village. Therefore I have no reason to doubt that the resulting detailed scheme would positively improve the visual character, appearance and environmental quality of the area in the context of the first bullet point of Policy NW12. Neither is there evidence that the requirements of the other bullet points in the policy would be conflicted with.
21. I recognise that the appeal scheme and the phase 1 development could result in some 150 houses being added to the village in a relatively short period. This together with other permissions for housing could represent an increase in the population of the village of about 65% over 5 years as suggested by local people and the parish council. This would involve a significant change in Ansley over a short period rather than the limited organic growth envisaged in the Core Strategy. However, apart from the raw numbers of housing involved, there is little evidence before me to demonstrate that such a level of housing would have a material and unacceptable impact on the social character of the village. Residents refer to the lack of commercial and social facilities in the village at present and I noted at my site visit that a village pub and a social club had closed. To be balanced with this, the appellant provides evidence of the likely expenditure that the residents of the new housing could bring to the area and it is suggested that such expenditure could help keep facilities open and can encourage further investment by attracting new services to the area.

22. Overall, on this issue, I find that the proposed housing development in principle would be likely to visually and physically integrate positively with the present character and appearance of the village, although there would be a change to the present rural outlook of the occupiers of some adjoining properties, and the significant cumulative scale of new development in a small village has to be recognised.

*Other considerations*

23. The local community raises fundamental concerns about the effect of the additional traffic generation on the highway network around the village and also question whether the proposal would be sustainable development in this location which is said to be isolated from services and facilities. In support of this the parish council tabled a copy of a letter from the Highway Control Engineer of Warwickshire County Council who raised objection to application 180049, a later resubmission of the appeal scheme by the appellant. However, it appears that this consultation response was an interim comment which has now been superseded.
24. The evidence submitted at the Inquiry includes a Statement of Common Ground - Transport (SCG) agreed between the appellant's highway consultant and the Highway Authority dated April 2018 (Document 1). This SCG Transport includes a Technical Note dated March 2018 which deals with the previous concerns of the highway authority and updates the original Transport Assessment and also provides details of a pedestrian count undertaken in March 2018. The SCG (Transport) concludes that on the basis of the further information provided the highway authority confirm that the previous reasons for objection have been addressed and that there are no outstanding objections to the appeal scheme.
25. Consideration is given in the SCG Transport to the parish council's request for a 'dropped crossing' at Tunnel Road for movements between Birmingham Road and Ansley Road and I considered the nature of the junction at my site visit. There are informal tarmac sections of pavement just off the main roundabout and it appeared to me these represent a desire line for pedestrian movement across Tunnel Road. Further the form of crossing envisaged by the parish council would aid safe pedestrian movement and improve accessibility to Galley Common and beyond.
26. Overall on highway matters, on the basis of the expert evidence submitted on highway matters and in the absence of specific evidence to the contrary, I have to conclude that the traffic generation arising from the development of up to 70 houses, on its own and in conjunction with phase 1, would not result in a severe cumulative effect on the local transport network, which is the relevant test set out in the third bullet point of paragraph 32 of the Framework.
27. In terms of the general accessibility of the village, the SCG Transport sets out the general components of modes of travel from the appeal site and around the village and the highway authority does not raise objection to the scale of development proposed on accessibility grounds. Further, I note that in the Sustainability Appraisal Report - Dec 2017<sup>2</sup> the appeal site was rated as having a minor positive effect in relation to the sustainability objective of 'Increasing

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<sup>2</sup> NWLP: Draft Submission Version - Sustainability Appraisal Report: Appendices (LUC).

use of public transport, cycling and walking and reducing use of the private car’.

28. I conclude on this aspect that the location of the site for residential development would result in a sustainable pattern of growth appropriate to this rural area and which can facilitate the use of sustainable modes of transport and that this would be generally in accordance with the guidance in paragraph 30 of the Framework.

#### *Unilateral Undertaking*

29. The proposal also includes the provisions of the Unilateral Undertaking (UU) as I described in paragraph 4 above. In assessing this formal obligation I have had regard to the updated statements - ‘Evidence for 106 Developer Contributions for services’ - (document 1) and the CIL Regulations Compliance Statement (documents B)
30. In terms of affordable housing the UU make provision for 40% of the total dwellings constructed on site to be affordable housing. This provision is in accordance with the requirements of Policy NW6 of the Council’s Core Strategy. Moreover, I note from the written evidence submitted by Mr Stacey on behalf of the appellant that there is an acute need for affordable housing across the Borough and in Ansley he has identified that there has been a loss of 9 affordable houses in the last six years through people exercising the ‘right to buy’. Further he states that in April 2017 there were 49 households on the Housing Register with an identified need for affordable housing in Ansley. The provision of up to 28 affordable homes secured through the UU is therefore a consideration to which I attach significant weight.
31. Regarding the specific contributions to George Eliot NHS and Public Health facilities, the policy basis for the requirement and the justification for these is set out in the accompanying evidence which demonstrates the need that will flow from the additional population arising from the proposed housing development whereas the existing facilities are operating at full capacity. The justification also relates the need for improvements to health facilities to the general provisions of the Framework in promoting healthy communities.
32. Finally the Sustainable Travel Pack contribution would be used to ensure that the occupiers of each new property be given information on sustainable modes of transport to promote such travel in the local area and help deliver road safety education. I regard these travel packs as integral to the appellant’s evidence about the proposed development integrating with the wider accessibility of the area and making use of a range of transport modes.
33. I conclude that the terms of the UU are necessary to make the development acceptable in planning terms; are directly related to the development; and are fairly and reasonably related in scale and in kind to the development. I am therefore satisfied that the UU is an obligation which meets the tests laid out in paragraph 204 of the Framework. The relevant parts of the UU also fulfil the tests in Regulation 123 of the Community Infrastructure Levy Regulations 2011 (as amended) and I have not been advised that any contribution would exceed the stated limit for a particular ‘pooled contribution’. I will therefore take all of the UU into account as a material consideration.

### *Planning balance*

34. Bringing together the conclusions I have reached on the main issues, the proposal for up to 70 dwellings on the appeal site conflicts with the provisions of Policy NW2 of the Council's Core Strategy as the site lies outside of the defined settlement boundary. Further the scale of the development would exceed the general limits of 10 units put forward in Policy NW5. However, only very limited weight can be given to applying Policy NW2 now as the Secretary of State has recently found that it is 'out of date'.
35. In terms of the Council's emerging Local Plan, the proposal also conflicts with Policy LPP2 as the site lies outside of the updated settlement boundary however, only limited weight can be placed on the plan at this early stage in the plan- making process prior to examination.
36. In terms of the effect on the character of Ansley I have found that the principle of housing development would be likely to visually and physically integrate with the surroundings of the site and would not harm the village's setting in the wider countryside. However, the open field aspect to the rear of some of the existing houses would change significantly and the cumulative scale of new development on the village has to be recognised. Nevertheless, I do not consider that the actual living conditions of the occupiers of adjoining houses would be likely to be materially harmed.
37. Other relevant considerations include the effect of development on the highway network and the overall accessibility of the site and the village. On the evidence put to me, I have found that it has not been demonstrated that the effect of development on the local highway network would be 'severe' and that the location of the site would result in a sustainable pattern of growth which can facilitate the use of sustainable modes of transport. The proposal would also make appropriate provision for affordable housing which the village is shown to be in need of.
38. In balancing the benefits and adverse effects of development, I recognise the strength of local people's views against the development. The parish council said the recent parish survey indicated that some 93% of responders were against the further development in the village. Even if I were to place great weight on this factor, in the absence of a Neighbourhood Plan and with the very limited weight to be given to the Policy NW2, the other material considerations have to be weighed in the context that the Framework seeks to achieve sustainable development and within this the government seeks to significantly boost the supply of housing.
39. Overall, I conclude, like the Council at the Inquiry, that the adverse effects identified with the proposal do not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole. Therefore, in accordance with the final bullet point of paragraph 14 of the Framework, planning permission should be granted for the development

### *Conditions*

40. In terms of conditions, the Council recommends 10 be imposed on any permission which I will consider under the numbering put forward. As the scheme is in outline form with all matters reserved it is necessary to impose conditions 1- 4 in relation to the timing of the development and in relation to



the necessary reserved matters. Further, in order to secure satisfactory access to the site this should be obtained from Tunnel Road (via phase 1 land) and I will impose condition 5a. Retaining existing hedgerows on site will contribute to the overall environmental quality of development and I will impose condition 5b although with modified wording. I am also satisfied that condition 5c is necessary to limit the possible scale of new buildings adjoining the allotment land in order to minimise the effect on public views. It is reasonable and necessary to specify the finished floor levels of the properties to ensure that these are not liable to problems though surface water, as per condition No.6 and condition No.7 is needed to ensure that foul and surface water is disposed off properly in the interests of avoiding flooding or pollution. I am also satisfied that a Construction Management Plan (condition No.8) is necessary in order to ensure that the construction phase of development does not lead to unacceptable local conditions. In order to ensure that the eventual layout of the housing development is well integrated with neighbouring development and permeable, I will impose condition No.9 to ensure the linking of the footpaths. Finally, given my comments in paragraph 25 above about the need to improve the pedestrian crossing in Tunnel Road in the vicinity of the roundabout in Birmingham Road/Ansley Road I will impose condition 10.

### **Conclusion**

41. For the reasons given above I conclude that the appeal should be allowed.

*David Murray*

INSPECTOR

## **Schedule of Conditions**

- 1) The development hereby permitted shall be carried out in accordance with the approved site location plan ref 492-001-A
- 2) Details of the access, appearance, landscaping, layout and scale (hereinafter called "the reserved matters"), along with public open space of a size in general accordance with illustrative site layout plan 492-100-F, shall be submitted to the Local Planning Authority for approval in writing before any development takes place and the development shall be carried out as approved.
- 3) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 4) The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.
- 5) No more than 70 dwellings shall be constructed on the site with all vehicular access obtained from Tunnel Road, Ansley.
- 6) The layout and landscaping plans submitted as reserved matters to satisfy condition No.2 above shall make provision for the hedgerows on the site to be retained except where required for access.
- 7) The layout of the dwellings shall not include any dwelling bordering the allotments that exceeds 2 storeys in height.
- 8) Finished floor levels for properties in the surface water outline should be set to a minimum of 300mm above ground level. All other finished floor levels shall be set no lower than 150mm above existing ground levels.

### **Pre-commencement conditions**

- 9) No development shall commence on site until a detailed surface water drainage scheme for the development based on sustainable drainage principles and an assessment of the hydrological and geo-hydrological context of the site has been submitted to the Local Planning Authority for approval in writing. Development shall be carried out in accordance with the approved details.
- 10) No development shall take place on site until a Construction Management Plan has been submitted to the Local Planning Authority for approval in writing, which shall remain in force throughout the construction period.

The Plan shall provide details of the arrangements for:

- Details of the location of storage compounds, haul roads and car parking for site operatives and visitors;
- Details of the hours of working and the hours of delivery of goods, plant and materials;
- Wheel washing facilities and any dust suppression measures;
- Noise control during construction;
- Site lighting details;

- Measures for the protection of trees that are to be retained;
- Details of household refuse from occupied dwellings during construction; and
- Details of the contact for any local concerns with the construction activities of the site.

**Pre-Occupation conditions**

- 11) No development shall take place until a scheme to provide for pedestrian access between the development site and public right of way ref. PROW AE138 has first been submitted the Local Planning Authority for approval in writing. Development shall be carried out in accordance with the approved details prior to first occupation of the dwellings.
- 12) A scheme to provide a dropped kerb pedestrian crossing across Tunnel Road (from Birmingham Road to Ansley Road) shall be submitted to the Local Planning Authority and shall then be completed in full to the written satisfaction of the Local Planning Authority prior to the occupation of the first house hereby approved.

## **APPEARANCES**

### FOR THE LOCAL PLANNING AUTHORITY:

Ms T Osmund-Smith of Counsel, Instructed by Mr S Maxey, Assistant Chief Executive and Solicitor to the Council.

She called

Mr A Murphy, BA(Hons),  
MSc, MRTPI

Director, Stansgate Planning Consultants Ltd.

Mr J Brown

Head of Development Control, North  
Warwickshire Borough Council.  
(Spoke regarding Conditions)

### FOR THE APPELLANT:

Mr K Garvey of Counsel,

Instructed by Mr M Wedderburn, Senior Associate, Knights Professional Services Ltd., on behalf of Muller Property Group.

He called

Mr M Wedderburn BSc  
(Hons), MRTPI

Senior Associate, Knights Professional Services Ltd.  
(Spoke regarding conditions)

(No other witnesses were called)

### INTERESTED PERSONS:

Mr Greedy

Chair, Ansley Parish Council

Mr Lyons

Representative of Ansley Parish Council

Mr Holmes

Local resident

Mr Rees

Local resident

Mr Hill

Local resident

## **DOCUMENTS SUBMITTED AT THE INQUIRY**

- 1 Statement of Common Ground - Transport - (Signed by SCP on behalf of Appellant and by Highway Control Engineer - Warwickshire County Council.)
- 2 Revised copy of Core Document 15 re NHS Representation (Council).
- 3 Rebuttal Proofs from Mr Wedderburn on behalf of the appellant.
- 4 Bundle of Court decisions and appeal decisions to be referred to legal submissions (both main parties).
- 5 Written copy of Opening Statement for the Appellant.
- 6 Written copy of Opening Statement for the Council.
- 7 Statement read by Mr Lyon on behalf of PC and village residents.

- 8 Extract from eLP re Ansley and paragraph 5.16 re allocation ANS1 and Green Belt boundary (from Council).
- 9 Statement read by Mr Holmes.
- 10 Draft Statement of Common Ground re Housing Land Supply.
- 11 Copy of Secretary of State decision on appeal APP/R3705/W/16/3149827
- 12 Statement of Common Ground No.2 - signed by main parties.
- 13 Conditions recommended by the Council.
- 14 Draft Planning Obligation Unilateral Undertaking (unsigned and not dated).
- 15 Closing Note on behalf of Local Planning Authority.
- 16 Closing Statement on behalf of appellant.

### **DOCUMENTS SUBMITTED AFTER THE CLOSE OF THE INQUIRY**

- A Section 106 Planning Obligation Unilateral Undertaking - signed and dated 14 May 2018.
- B CIL Compliance Statements - May 2018