



Appeal Decision

Inquiry Held on 13-16 November 2018

Site visit made on 16 November 2018

by **Julia Gregory BSc (Hons), BTP, MRTPI, MCMi**

an Inspector appointed by the Secretary of State

Decision date: 8 January 2019

Appeal Ref: APP/X0360/W/18/3199728

Land at Lambs Lane and Beech Hill Road, Spencers Wood, Berkshire RG7 1PW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for part outline and part full planning permission.
- The appeal is made by Rydon Homes Ltd against Wokingham Borough Council.
- The application Ref 172495, is dated 17 August 2017.
- The development proposed is described on the application form as a hybrid planning application comprising outline proposal for residential development of 120 dwellings, consisting of 29 no 2 bed houses and apartments, 51 x 3 bed houses, 31 x 4 bedroom houses and 9 x 5 bed houses and associated development with site access to be considered including bellmouth and sightlines only with all other matters reserved, together with change of use of part of the land to form a Suitable Alternative Natural Green Space (SANGS).

Decision

1. The appeal is dismissed and planning permission refused for development comprising outline proposal for residential development of 120 dwellings, consisting of 29 no 2 bed houses and apartments, 51 x 3 bed houses, 31 x 4 bedroom houses and 9 x 5 bed houses and associated development with site access to be considered including bellmouth and sightlines only with all other matters reserved, together with change of use of part of the land to form a Suitable Alternative Natural Green Space (SANGS) at land at Lambs Lane and Beech Hill Road, Spencers Wood, Berkshire RG7 1PW.

Preliminary matters

2. Since the close of the Inquiry the Council has submitted a recent appeal decision for consideration¹. The Council and the appellant have been given the opportunity to comment on that decision and their representations have been taken into account.²
3. The outline part of the application includes details of the access. All other matters of the outline application are reserved for future determination.
4. At the Inquiry the appellant submitted plan reference 10566-0A-03 Rev E. This plan excludes an area of hardstanding from land within an area identified as an Ecological Enhancement Area (EEA). The EEA land is outside the application red lined site and the hardstanding is not land which is necessary for providing extra footpath length to be used in conjunction with SANGS land. For these

¹ APP/X0360/W/18/3194044

² Letters from the Council and from the appellant dated 21 December 2018

reasons, whilst this would reduce the size of the area proposed to be offered to the Council, it would have no practical effect in terms of the planning merits of the case. I consider that no party would be prejudiced by accepting the plan.

5. Although the Council failed to determine the application, a delegated report dated 1 June 2018, which was agreed by the Chair of the Planning Committee on 4 June 2018, sets out 9 putative reasons for refusal.
6. Ecological assessments have enabled the Council to withdraw its putative reason for refusal No 4 in respect of the potential effects on any protected species on the site.
7. A s106 agreement has been submitted dated 15 November 2018. This satisfied the Council in respect of the adequacy of provision of affordable housing (reason 8), off site highways works and bus contributions (reason 6) and the provision of an employment skills plan (reason 9). I am satisfied that these provisions are necessary to address legitimate planning requirements based on development plan policies and that there would be no conflict with the requirement of Regulation 122 of the Community Infrastructure Levy Regulations.
8. The agreement also provides for a Special Protection Area (SPA) Access and Monitoring Contribution to be made to the Council, which I shall return to later in my decision.
9. A Unilateral Undertaking providing ecological mitigation measures in relation to the Thames Basin Heaths SPA was submitted on 16 November 2018 which I shall also consider later.
10. A revised version of the National Planning Policy Framework (the Framework) was issued in July 2018 after the Council issued its delegated report. Parties have had the opportunity to make representations in the light of the revised Framework. I have taken it into account in my determination of the appeal.
11. A screening direction dated 22 October 2018 has been issued by the Secretary of State under regulation 14(1) and 7 (5) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (SI 571/2017) that this is not Environmental Impact Assessment development.
12. The presumption in favour of sustainable development in paragraph 11 of the Framework cannot apply because development which requires Appropriate Assessment under the Birds or Habitats Directive is being planned or determined. Therefore, whether or not any development plan policies are out of date, the tilted balance would not apply in this case.

Main Issues

13. Having considered all the evidence and the Council's unresolved putative reasons for refusal, I consider the main issues to be:
 - the effect on the character and appearance of the area;
 - the effect of the development on the supply and spatial distribution of housing locally; and
 - the effect on the nature conservation interests of the Thames Basin Heaths SPA.

Reasons

Character and appearance

14. The site lies within Character Area J3 Spencers Wood Settled and Farmed Clay as defined in the Wokingham District Landscape Character Assessment, March 2004 (LCA). The Character Area comprises a clay ridge which separates the Lodden River Valley A2 and Grazeley Farmed Clay Lowland Area I3. The only negative influences are those from built development as it includes all of the settlements of Spencers Wood, Three Mile Cross and Shinfield, extending to the urban edge of Reading.
15. The revised Framework identifies that policies and decisions should contribute to and enhance the natural local environment by protecting and enhancing valued landscapes (in a manner commensurate with their statutory status or identified quality in the development plan). I note that the landscape has no statutory or local designation. It is not and has not in the past been identified in any adopted local plan or any other adopted document as a valued landscape.
16. Having considered the wording of paragraph 170a of the Framework I do not accept that valued landscapes need necessarily to be designated in the development plan.
17. The Council argues that the appeal site should be considered to be part of a valued landscape which would extend outside of the J3 Character Area but would not include all of the J3 Character Area.
18. The Council has not provided a plan of the boundaries of this area, although there is a written indication of its extent given³. However, there is a detailed description given in the LCA of J3 which includes the appeal site and extensive areas of land around it. That identifies J3 as having moderate character and moderate condition overall although that does take into account the extensive suburban area to the north. The LCA identifies it as having a moderate sensitivity overall.
19. I note the range of factors that can be used for assessing valued landscape in the Guidelines for Landscape and Visual Assessment (GLVIA3) Box 5.1. These are landscape quality, scenic quality, rarity, representativeness, conservation interests, recreation value, perceptual aspects and associations.
20. The appeal site is part of a ridge but is not seen with the river Loddon or Foudrey Brook valleys. I acknowledge remnants of hedgerows, field patterns, trees and woodland shaws, but I am satisfied that the landscape and scenic quality is not particularly rare or important when viewed in its surroundings, which is essentially the southern part of J3.
21. There is no recreational access to this area of land or nearby and the site and surroundings are not remote or wild. The key wooded element within the Biodiversity Action Plan Priority Habitat of wood-pasture and Parkland would remain in the SANGS. There are only remnants of parkland nearby. There are no strong associations relating to the site or its surroundings. There are no particularly rare elements. It does not contain any features of particular wildlife, earth science, archaeological, historical or cultural interest.

³ Chris Hannington Proof of evidence Valued Landscape Assessment

22. Having considered the Geophysical survey of the site there is nothing to suggest that a WWII tank ditch will be found on the site. Furthermore, if found nearby its significance in landscape terms would not increase its value to such an extent that it would make it a valued landscape. This is because it would be more akin to an archaeological feature. The defensive GCHQ line including pillboxes which are mostly tucked away in the landscape is in any event mentioned in the LCA assessment which identifies moderate quality.
23. There is nothing particularly important or in notably good condition in terms of the quality of its characteristics that would mean it is part of a valued landscape when compared against the Box 5.1 factors. I note also the conclusions of other inspectors in relation to other sites nearby that were not held to be within a valued landscape.⁴ Having considered the J3 landscape assessment and the additional information supplied by the main parties, I conclude that the site does not fall within a valued landscape.
24. Even though not part of a valued landscape, that does not mean that it has no value, as GLVIA3 identifies. It has intrinsic character and beauty which the Framework identifies should be recognised. I saw that the site forms part of attractive countryside outside Spencers Wood. The appellant notes that there is undoubtedly a pleasant rural character⁵. The features that I have already mentioned all contribute to its pleasant rural character.
25. There is a strong development plan position in respect of protecting and enhancing the character and appearance of the area, which is consistent with the Framework. This is provided firstly in Wokingham Core Strategy policies CP1, CP3, and CP11. Policy CP1 seeks sustainable development. Policy CP3 sets general principles for development. Policy CP11 seeks to restrict development outside settlement limits.
26. Secondly, Wokingham Borough Adopted Managing Development Delivery Document Local Plan (MDD) has relevant policies CC02, CC03 and TB21. Policy CC02 identifies that development at the edge but inside settlement boundaries is required to respect the transition between built up area and open countryside. Policy CC03 requires the integration of the scheme protecting the countryside and retaining existing trees and hedges. It seeks to prevent the loss of areas of green infrastructure.
27. Policy TB21 requires the landscape quality, landscape strategy, landscape sensitivity and key issues to be addressed. That assessment does not depend on a designation as a valued landscape. Furthermore, proposals shall retain or enhance the condition, character and features that contribute to the landscape.
28. There is remnant Parkland locally including Loddon Court nearby, but the rural parts of J3 area is predominantly pasture, with some arable land in irregular fields around settlements. There is a sharp divide from built development when Whitehouse Lane and Lambs Lane are reached. I understand that a belt of tree planting is proposed on the edge of the new development in Whitehouse Lane clearly establishing it as the edge of the settlement. When within the site there is not much perception of being on the edge of a settlement, even with the opening up of the site somewhat by the removal of trees and vegetation.

⁴ Appeal reference APP/X0360/W/15/3097721 and APP/X0360/A/14/2209286

⁵ Daniel Lever proof of evidence paragraph 6.7

29. The most sensitive aspects of the landscape are identified in the LCA as the ancient woodland copses, pasture enclosed with historic field boundaries and the sense of elevation and views provided across the adjacent lowland landscapes. The overall objective in the area is to enhance its character by retaining and managing the current positive features. It identifies that there is demand for residential development. The guidelines seek to protect the individual identity of settlements avoiding amalgamation. There is an aim to increase the extent of native deciduous woodland.
30. The character of Lambs Lane and Whitehouse Lane even with dwellings predominantly on their northern sides is still essentially rural without street lighting and with sections of grass verges and hedgerows. I see a clear break there and to the north of Lambs Lane to the countryside, which the 120 dwellings would erode.
31. The dwellings would be provided on a site currently used for pasture land and horse paddocks with some woodland shaws on its edges. The total site area would amount to some 12.3ha although there would be a large SANGS area within the southern part of the layout. The dwellings would be 1-3 storeys high on an area of some 5.59 ha with a density of some 21.5 dwellings per hectare according to the appellant. The field pattern would be lost within the SANGS planting.
32. Although reserved for future determination, the illustrative layout identifies that there could be retained and enhanced woodland shaws, but some trees and vegetation have been removed recently so that there are places where clear views can be obtained of the site. There would also be accesses through to Lambs Lane for pedestrians and emergency vehicles. Furthermore, the new access to Beech Hill Road would necessitate that area being permanently clear and visibility splays ensuring openness at the junction. There would be engineered roadway and street lighting in an area of relative darkness in comparison to the area to the north. Activity on the site would be substantially increased, eroding the sense of relative tranquillity in the rural area.
33. The site has an extensive frontage to Beech Hill Road and Lambs Lane. No part of it is currently within the settlement and no part of it currently has any significant built development. There is farmland opposite in Beech Hill Road, to the south east and south and to the west. It is only on the northern edge that there is residential development in Lambs Lane opposite. Here the development is predominantly low density with large gardens.
34. There would be a gap of some 88m and the built form would extend some 280m south along Beech Hill Road. There is little development apparent outside the settlement limits in Beech Hill Road south of Lambs Lane because the mobile home park at Loddon Court is well set back and not widely perceptible from the road frontages. Where there are dwellings outside of Spencers Wood nearby they are sporadic.
35. I am satisfied that there would be a substantial incursion of built development into the open countryside which would be very apparent when travelling along roads adjacent to the site and in Whitehouse Lane. There would be substantial buildings, up to three storeys in height in an estate rather than the scattered development in the countryside.

36. I note also that the Council opposes the layout of the SANGS with woodland but woodland is part of the character of the J3 area. I understand that the land may have been open for centuries, but given the general character of the area it would not be perceived as harmful to the landscape. The enclosure of one hedge line within planting would not be significant.
37. Parkland features could be incorporated in the landscaping of the SANGS. The footpath construction and incidental structures would be a reserved matter and planting details would be subject to control. Nonetheless, the built development would be a substantial change to the character and appearance of the area, and an extension to Spencers Wood towards Swallowfield. It would harm its unspoilt pastoral character and the setting of Spencers Wood which is surrounded by attractive countryside.
38. Although it has no national landscape designation such as an AONB, nor is it a valued landscape, the area of land has much of the character and appearance that reflects the description in the LCA. The change to the character of the land use, with the estate layout would be harmful to the character and appearance of the area for the reasons I have already given.
39. Whilst I note the allowed appeals locally these were on sites better integrated with Spencers Wood and were determined at times when the Council could not demonstrate a five year housing land supply. This site is located very differently from the site at Stanbury House⁶ where an appeal was allowed. That was for far fewer dwellings and had a part of the site within the settlement, with only a short section fronting Basingstoke Road within the settlement. Furthermore it is differently located to the site west of Beech Hill Road which was better related to the settlement⁷.
40. I conclude that the development would not protect and enhance the quality of the environment and would be contrary to Core Strategy policies CP1, CP3, and CP11 and MDD policies CC02, CC03 and TB21. The development would fail to recognise the intrinsic character and beauty of the countryside as specified in the Framework.

Housing

41. Applications for planning permission are to be determined in accordance with the development plan unless material considerations indicate otherwise. There was much evidence in respect of whether or not the development strategy and specific policies of the development plan were out of date and whether this would be a matter either by itself or with other matters which would indicate that the application should be determined otherwise than in accordance with the development plan.
42. The dwellings would be sited outside the settlement boundary of Spencers Wood. Although located within the Parish of Swallowfield, that village is some way away and the dwellings would relate more to the settlement of Spencers Wood.
43. The CS sets out the housing requirement but that is more than 5 years old and the Council has therefore now based its housing requirement on an assessment of local housing need for 2016. Against a figure of 752 dwellings per annum,

⁶ Appeal reference APP/X0360/W/15/3097721

⁷ APP/X0360/A/14/2209286

using a 5% buffer, the five year supply would be 7.84 years. If the higher 2014 based local housing need figure of 864 was used instead there would still be 6.83 years supply with a 5% buffer. Whilst I acknowledge that these are snapshots in time, and that not long ago the Council was not able to demonstrate a 5 year housing land supply, no alternative assessments have been put forward to challenge the Council's current robust position.

44. Whilst I note the recently submitted Settlement Hierarchy Assessment November 2018 (SHA) that does not form part of the development plan. The hierarchy of development locations is set out in CS policy CP9. This was identified to reflect the existing and proposed levels of facilities and services and accessibility for development within settlement limits. Spencers Wood is a modest development location, with open countryside set beyond settlement limits identified on the proposals map. CS policy CP11 restricts development outside settlement limits to protect the separate identity of settlements and to maintain the quality of the environment. The aims of these two policies are not inconsistent with the Framework.
45. MDD policy CC02 similarly requires development to be within development limits and to respect the transition between the built up area and the open countryside by taking account of its character and landscape.
46. The settlement limits were set with reference to the quantity of development required in the CS which varied during the period 2006 to 2026 but was always lower than that identified in the 2014 or 2016 based Local Housing Need assessments. Since the Council can now demonstrate a five year supply, even if some of it might be based on sites outside boundaries granted planning permission when housing land supply was deficient, reducing the weight of boundaries somewhat, this does not support attributing the aims of the policies limited weight.
47. CS policy CP17 identifies that sites identified in Modest development locations should generally not exceed 100 dwellings. This would be outside the settlement and for 120 dwellings. Furthermore, the policy identifies 350 dwellings to be provided in all such settlements whereas Shinfield Parish, which includes Spencers Wood has provided 3276 planning permissions with 1780 dwellings completed since April 2004. An additional 57 dwellings has also been granted planning permission on appeal this year. The number of dwellings provided, even discounting Strategic Development Locations has been far in excess of that envisaged in the CS.
48. In limited development locations such as Swallowfield, developments should not exceed 25 dwellings and in total they should provide 100 dwellings in the plan period. Actual completions have been 63 in Swallowfield and 141 planning permissions in total between April 2004 and 31 March 2018.
49. Whilst I note concerns about whether the Core Strategy was a failed strategy, and although concluding that the numbers in the CS policy CP17 are not to be relied upon and should not be seen at maxima, the amount provided in the Shinfield area now far exceeds what might be described as modest based on the locational strategy which remains part of the development plan. Given the adequacy of the five year supply, even given the government objective to boost significantly the supply of homes, additional development within the countryside outside Spencers Wood, contrary to the development plan, would not be justified.

50. I note the context in which the second Inspector in the Stanbury House appeal attributed the settlement boundaries limited weight. Here the Inspector still determined the appeal based on the aims of the policy which are to ensure that the development did not harm the identity of the settlement or fail to maintain the quality of the environment, which she concluded that proposal did not. It is notable that the site was partly within the settlement limits and behind frontage development within Spencers Wood. I note however that other Inspectors have not attributed policy CP11 limited weight and in another decision in Worcestershire another inspector supported the certainty that development boundaries provided.⁸
51. I acknowledge that the site would not be far removed from a range of key services and higher order services and employment sites in Spencers Wood most recently identified in the SHA. The homes would not be isolated and a contribution to the No 7 bus service would mean that accessibility would be adequate. Nonetheless, the aims of CS policies CP9 and CP11 and MDD policy CC02 would all be contravened.

Nature conservation interests

52. The housing would be located within 5km linear distance of the nearest component part of the Thames Basin Heaths Special Protection Area (SPA) which is Bramshill Plantation SSSI. The SPA is given the highest level of protection under the EU Habitats Directive. The SPA seeks to protect three species of breeding birds, the woodlark, the Dartford warbler and the nightjar. CS policy CP7 requires the conservation and protection of sites of importance for nature conservation.
53. Saved South East Plan policy NRM6 requires mitigation measures to be provided prior to occupation and to be retained in perpetuity. Such measures are to be based on access management and provision of SANGS. CS policy CP8 also requires the provision of on-site access management measures along with the provision of SANGS.
54. The S106 agreement makes provision for an SPA Access Management and Monitoring Contribution based on the number of bedrooms which is justified by the development. The contribution satisfies that part of the policy provision.
55. The houses to be provided would generate a requirement for some 2.304 ha of SANGS. A SANGS of substantially greater area would be provided to the south of the housing.
56. Nonetheless, Natural England's Guidelines require as a *must have* feature a circular walk of 2.3km to 2.5km around the SANGS. Walks provided on the outside of the housing area would be discounted since they would be too close to housing to replicate the experience of the SPA. The footpath route that could be provided solely within the SANGS would be convoluted in its layout with numerous pinch points if it only covered the area of the SANGS. It would not replicate the experience that exists within the SPA which according to the guidelines should be more attractive than the SPA to users of the kind that currently visit the SPA.

⁸ APP/X0360/W/17/3169533, APP/X0360/W/17/3172736, APP/J1860/W/17/3192152, APP/X0360/W/18/3194044

57. The appellant has sought to overcome this issue by providing an extra length of footpath in an area to the south of the appeal site in the EEA. This would be outside the area designated a SANGS and would not be within the appeal site.
58. I appreciate that this land would be offered to the Council in addition to the SANGS, as provided for by the UU. Nonetheless, the use of the land would remain agricultural since it would not be part of the SANGS area and would have no planning permission for such use. It would not have the status of SANGS. Its status would be uncertain.
59. Furthermore, although there was an application for a stand-alone SANGS, including the EEA within the SANGS site, planning permission has been refused⁹. Whilst noting that Natural England did not object to that scheme, it is not for me to predetermine the outcome of the appeal that has been recently lodged¹⁰.
60. Natural England has continued to object to the appeal proposal as it stands. I am required by the Habitat Regulations¹¹ to have regard to those representations. In the absence of satisfactory avoidance and mitigation measures, it would not be possible to conclude that the appeal proposals would not adversely affect the integrity of the SPA.
61. There was a suggestion that there would be sufficient SANGS space nearby at Stanbury House to cater for the development, but I cannot be sure that will be implemented or would have sufficient capacity unassigned to other developments. There has been no correspondence supplied suggesting any agreement to share the provision of the SANGS. The proposal does not make the SANGS provision at Stanbury House or give certainty of control or future management of such a SANGS.
62. I have discounted a further suggestion of making a contribution to the Council towards other SANGS since none is now put forward in the finalised UU. The Council was opposed to that suggestion.
63. It would not be satisfactory to grant planning permission on the basis that development would be prevented from taking place until an alternative mitigation strategy was provided. This is because it is necessary to identify and deliver mitigation as part of the development.
64. The development would be contrary to CS policies CP7 and CP8, South East Plan policy NRM6 and Framework paragraph 175. For the reasons given above, having taken into account the objections of Natural England, I cannot grant planning permission for the development because I am not certain that no adverse effect will arise, applying the precautionary principle. Planning permission must be refused in accordance with Article 6(2) of Directive 92/43/EEC and Regulation 63(5) of the Habitats Regulations.
65. In the light of recent case law,¹² I would need to make an appropriate assessment if I intended to allow the appeal and grant planning permission. Given my earlier conclusions, I need not take any further action in respect of this requirement.

⁹ Council reference 182174 and appeal reference APP/X03060/W/18/3215339

¹⁰ Council reference 182174 and appeal reference APP/X03060/W/18/3215339

¹¹ The Conservation of Habitats and Species Regulations 2017

¹² People over wind and Sweetman (2018)

Other matters

66. The Framework identifies that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. Direct and indirect effects should be considered.
67. One of the reasons for refusal of the application for a stand-alone SANGS was because there was alleged to be harm to the significance of a non-designated heritage asset, namely the WWII GCHQ stop line, which is a line drawn on a map but a defensive position using topography and rivers and anti-tank ditches to protect in the event of an invasion during WWII.
68. This alleged non-designated heritage asset was raised as an issue by the Council within the context of this appeal solely on the basis of its implications for whether the site was within a valued landscape.
69. There is nothing to suggest that there is a non-designated heritage asset on the appeal site excluding the EEA. There is agreement between the main parties that any anti-tank ditch that existed would be to the south of the red line. Its setting would be preserved since dwellings would be set some distance away from it and would not hinder the interpretation of its significance. Woodland is a feature of the J3 landscape area and I conclude that its planting in the SANGS would not harm the significance of the landscape to the interpretation of the stop line.
70. The significance of the pillboxes which are some way distant is that they are part of the GCHQ stop line. Any anti-tank ditches would be more akin to archaeological features. The pillboxes have orientation away from the appeal site, and no inter-visibility with it. The GCHQ stop line and the potential for there to be anti-tank ditches would be to the south of the appeal site and housing would be some way distant separated from it also by new woodland and scrub planting in the SANGS area. I am satisfied that the SANGS area would not need to remain open to maintain the significance of the feature since it would have no buildings. For all these reasons, in relation to this proposal, where the EEA is not within the appeal site, I conclude that the significance of non-designated heritage assets would not be harmed.
71. There would be a boost to the local economy by construction of the development and from household expenditure.
72. The provision of 48 affordable dwellings, with 24 provided on site and 24 provided by way of a financial contribution would amount to 40% of the total provision. It would be policy compliant, in accordance with CS policy CP5.
73. The need for affordable housing is acute locally. There are some 1800 households on the Council's housing register and some 1500 households on the shared housing register. The Council considers that there is an exceptional need for affordable housing in the Borough which is 441 dwelling per annum.
74. Furthermore, it is clear that just making a minimum policy compliant provision on development sites will not satisfy local housing need. Whilst I appreciate that the Council is making significant efforts to address need through its own housing development company and as part of housing schemes, and that there is substantial provision on larger strategic sites which are coming forward, the need for housing is acute.

75. The fact that there has been more affordable housing provided than annual need in 2017/18 does not make up for the substantial under provision in previous years. The provision of affordable housing is therefore a significant benefit of the scheme.
76. Nonetheless, my conclusions on the main issues are sufficiently harmful to outweigh all the benefits of the proposal in this particular case. Furthermore, I am not able to grant planning permission because of the implications for the SPA.
77. I note all other matters that have been raised in representations, including flooding, drainage, archaeology, highways and transport, ecology, living conditions, school provision, health service provision, noise and construction issues. Many matters could be addressed by the use of planning conditions or CIL contributions. As I am dismissing the appeal on the main issues, I do not need to discuss those issues further.

Conclusion

78. For the reasons given above I conclude that the appeal should be dismissed.

Julia Gregory

Inspector

Richborough Estates

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Guy Williams, of Counsel
He called

Andy Glencross, Wildlife Ranger and Ecologist

Francis Heyward, Strategy and Commissioning
Place Team

Ian Bellinger, Category Manager for Growth and
Delivery

Christopher Hannington, Team Manager Tree and
Landscape (Development Management) Team

Jeanette Davey, Team Leader Development
Management

FOR THE APPELLANT:

Christopher Boyle QC
He called

Daniel Lever, Associate Director RSK
Environment Ltd

Robert Bourn, Managing Director Orion Heritage
Ltd

Christopher Hough, Sigma Planning Services

INTERESTED PERSONS:

Jeremy Bayliss
Rod Vaughan

Local resident
Local resident

SUBMITTED DOCUMENTS

- 1 Inquiry Notification letter and distribution list
- 2 Revised core document list
- 3 Appeal Pack main contents list and 3 files
- 4 Illustrative layout plan 10566-OA-03 Rev E
- 5 Landscape strategy plan 661944/05/01
- 6 Rebuttal of Landscape evidence-R Bourn and D Leaver including annotated plan
- 7 Core documents CD23, 34, 36, 37, 38, 39, 40, 41, and 42
- 8 Council opening submission
- 9 Unsigned Statement of common ground
- 10 Revised UU
- 11 Appendix CH8 OS map 1945
- 12 CEG Land Promotions II Limited v Secretary of State for Housing
- 13 Communities and Local Government v Aylesbury Vale District Council 2018 EWHC 1799 (Admin)
- 14 Stroud DC v Secretary of State for Communities and Local Government [2015] EWHC 488(Admin)
- 15 Appellant annotations to Council Valued Landscape Assessment
- 16 Further information from the Council on five year housing land supply
- 17 Geophysical mapping
- 18 Council decision reference 182174
- 19 Council report 182174
- 20 Statements of Jeremy DB Bayliss, local resident
- 21 APP/X0360/W/17/3170340
- 22 Statement of Rod Vaughan, local resident
- 23 S106 agreement dated 15 November 2018
- 24 UU dated 16 November 2018
- 25 Details of decisions since 18/09/18 from planning register
- 26 Annotated aerial photograph to indicate the suggested line of anti-tank ditch
- 27 Additional conditions
- 28 Site visit suggestions
- 29 Site visit off site highway works
- 30 Final submissions of the Council
- 31 Closing submissions on behalf of the appellant
- 32 Statement of common ground signed by the appellant
- 33 Statement of common ground signed by the Council
- 34 Letter and attachment from the appellant regarding conditions dated 23 November 2018