



Appeal Decision

Inquiry held on 29 April – 2 May 2014

Site visits made on 1 and 15 May 2014

by **David Nicholson RIBA IHBC**

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

Decision date: 21 July 2014

Appeal Ref: APP/C1625/A/13/2207324

Land off Bath Road, Leonard Stanley

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Edward Harper, Gladman Developments Ltd. against the decision of Stroud District Council.
 - The application Ref. S.13/1289/OUT, dated 18 June 2013, was refused by notice dated 10 September 2013.
 - The development proposed is a residential development for up to 150 residential units with associated infrastructure and access with all other matters reserved.
-

Decision

1. **The appeal is allowed** and outline planning permission is granted for residential development for up to 150 residential units with associated infrastructure and access with all other matters reserved at Land off Bath Road, Leonard Stanley in accordance with the terms of the application, Ref. S.13/1289/OUT, dated 18 June 2013, subject to the conditions in the attached Schedule.

Application for costs

2. At the Inquiry an application for costs was made by Mr Edward Harper, Gladman Developments Ltd. against Stroud District Council. This application is the subject of a separate Decision.

Procedural Matters

3. The application to which the Appeal relates was submitted in outline form with all matters reserved except for access. The extent of development is set out in the Design and Access Statement. An agreed Schedule of Drawings is listed in the Statement of Common Ground (SoCG) dated 9 April 2014.
4. A Unilateral Undertaking, Inquiry Document (ID) 28, was submitted under section 106 of the Town and Country Planning Act 1990 (s106). I deal with the contents of this below.
5. The Inquiry sat for 4 days. I held an accompanied site visit on 1 May 2014. I conducted unaccompanied visits on a clear sunny day on 15 May 2014.
6. I was told that an application has been submitted to register the land as a village green but this is not before me and has no bearing on the merits of the planning case.

7. After the Inquiry closed I was alerted to the Court of Appeal Judgment in *Cherkley*¹. Having allowed the main parties to comment, I have taken this Judgment into account in reaching my Decision.
8. The SoCG confirms that the Council has withdrawn reasons for refusal nos. 2 (agricultural land quality), 3 (archaeology), 4 (ecology), and 5 (junction at Marsh Road/Church Road). The Council also confirmed² that, until the examination in public (EiP) into the emerging local plan is concluded, it cannot confidently say that it has a 5 year housing land supply (HLS) and so gave no evidence on this matter.

Main Issues

9. The main issues are the effects of the proposals on:
 - (a) the character and appearance of the area;
 - (b) the natural beauty of the Cotswolds Area of Outstanding Natural Beauty (AONB);
 - (c) the coalescence, or otherwise, of Leonard Stanley and King's Stanley; and
 - (d) the balance between harm and benefit with particular regard to whether the scheme would amount to sustainable development and consequently whether or not paragraph 14 of the National Planning Policy Framework (NPPF) should apply.

Reasons

Character and appearance

10. Leonard Stanley and King's Stanley lie within the valley to the River Frome at the foot of the escarpment to the Cotswolds hills. The villages are connected by Bath Road which has unbroken development along at least one side. As a result there is now continuous built development between the two villages although I was told that they still enjoy separate identities. The appeal site is within the 'Lowland Plain' part of the 'Rolling Agricultural Plan' landscape character type as set out in the Stroud District Landscape Assessment, adopted as supplementary planning guidance. The site itself comprises a little over 8 hectares of agricultural land abutting both the southern edge of Leonard Stanley and the western edge of King's Stanley. It extends from near Dozule Close and Marsh Lane, in Leonard Stanley to the west, to close to Castle Mead and Bath Road in King's Stanley to the east. The site lies outside the defined settlement boundaries for these villages in the Stroud District Local Plan (LP), adopted in 2005.
11. The appellant acknowledged that there would be some harm to the landscape as a result of the proposed houses but pointed out that there is already housing on three sides of the site and argued that this harm could not reasonably be considered to outweigh the need for new housing. There was little dispute that the proposal for up to 150 houses on the site would be contrary to LP policy HN10 which only permits residential development outside the defined settlement boundaries which is essential to the efficient operation of agriculture or forestry. Rather, the disagreement between the main parties was over whether or not this policy should attract any weight given the agreed position with regard to the Council's 5 year HLS.

¹ Inquiry Document (ID) 38: R (o a o Cherkley Campaign Limited) v. Mole Valley DC [2014] EWCA Civ 567

² David Jones in cross-examination (XX)

12. From my visit, I agree that there would be some harm to the character and appearance to the immediate vicinity including much more restricted views from the footpaths crossing the site. I shall therefore consider how the extent of HLS affects relevant policies before I return to the necessary balance below.

AONB

13. The nearest part of the site lies some 50m from the boundary to the AONB. The appeal site is not within the AONB but it is easily visible from nearby vantage points within it. The popular Cotswolds Way runs roughly parallel with the boundary to the AONB but a little higher up. From here the proposed houses would be seen in front of those in Leonard Stanley and King's Stanley. I viewed the site from along this section of the Cotswolds Way just below Stanley Wood. In my assessment, initially at least, the new roofs and other finishes would be likely to stand out, and to jar, and have a significant impact on views across the valley from this section of the Cotswolds Way.
14. However, from this direction the proposed houses would also be seen against a backdrop of the existing houses which, from this angle, form a continuous band of built development spanning both Leonard Stanley and King's Stanley. Subject to reserved matters, including height, size, orientation, and choice of materials, there is every reason to think that by the time the roofs have mellowed the new houses would blend into the villages at least as well as the late 20th century developments have done along Dozule Close, Bath Road and Castle Mead. The landscaping proposals, again subject to conditions, would further soften the overall effect and, if the illustrative plan for a central area of open space is implemented, this would divide the houses into two groups. Consequently, from just below Stanley Wood I find that in time the scheme would not cause significant harm to views out of the AONB.
15. I also viewed the site from Selsley Common, Doverow Hill and Swift's Hill. While the site is identifiable from Selsley Common and Doverow Hill, other built development is more prominent than even the combined effect of Leonard Stanley, King's Stanley and the proposed houses would be, and so the degree of harm to the AONB from these viewpoints would be minimal. From Swift's Hill, on the other side of Stroud, I required the use of binoculars to be sure that I had correctly identified the location of the site from some 7km away. In my assessment, the notion that the scheme could harm the enjoyment of views from Swift's Hill is not credible. The appellant's landscape witness understood this when he declined to visit there before making his assessment which, unlike the Council's, followed a recognised methodology and provided photographs which were reasonably representative of the actual views.
16. Around half of Stroud District is within the AONB. Of the remainder, most of the land can probably be seen in views from somewhere within it. Given the need for additional housing in the area, it follows that views from the AONB are very likely to be affected by new housing development wherever it goes.
17. Paragraph 116 of the NPPF deals with major developments in AONBs. The site is not in the AONB. Consequently, even if I found that the scheme would amount to major development, paragraph 116 would not apply. The case of *Cherkley* is therefore of limited relevance. NPPF paragraph 115 requires great weight to be given to conserving landscape and scenic beauty in AONBs. The Council argued, with reference to the statutory purpose and duty of the Cotswolds Conservation

Board³, that the scenic beauty of AONBs could also include their settings and views out and that *Cherkley* could be relevant in this context. I accept that, in extreme circumstances, a major development outside an AONB which caused a considerable harmful impact to its immediate landscape could have an adverse impact on the landscape and scenic beauty of an adjoining AONB. However, I have found that the impact would be less than significant in views out of the AONB and therefore give limited weight to this concern.

18. I have considered the argument, with regard to paragraph 109 of the NPPF, that the site is a 'valued' landscape as it is valued by neighbouring residents. I accept that, currently, there is no agreed definition of valued as used in this paragraph. In the absence of any formal guidance on this point, I consider that to be valued would require the site to show some demonstrable physical attribute rather than just popularity. In the absence of any such designation, I find that paragraph 109 is not applicable to the appeal site. Similarly, I have studied footnote 9 to the NPPF but again note that it refers to land designated as an AONB which the appeal site is not.
19. Similar considerations apply to LP policy NE8 which only permits development affecting the setting of the AONB if: *the nature, siting and scale are sympathetic to the landscape; and the design and materials complement the character of the area; and important landscape features and trees are retained and appropriate landscaping measures are undertaken. Major development will not be permitted unless it is demonstrated to be in the national interest and that there is a lack of alternative sites.* Although the proposed houses would undoubtedly have some impact, as detailed design and facing materials would be subject to reserved matters, landscape features and trees would be retained, and as the scheme would not cause significant harm to views out of the AONB, it would comply with the above criteria. Even if it were deemed to amount to major development, given the Council's lack of a 5 year HLS, there is a lack of alternative sites. On this issue, I conclude that the proximity of the AONB to the site should not be a bar to development.

Coalescence

20. The Local Plan Inspector considered, and rejected, allocating a similar site for housing at the same location. In doing so, he recognised the separate entities of the two villages but also noted that: *as an observer it appears to me that the two settlements are effectively one, and that without a map to show where the boundary lays between the two, it is difficult to recognise the division on the ground.* Although rejecting the site for other reasons, he did not do so by reason of coalescence. From my observations, including the continuum along Bath Road, I find no reason to reach a different conclusion.
21. I have noted the argument put forward by the local County Councillor and the Mankley Field Action Group that any social benefits would be diminished by the coalescence of the two villages and that the scheme would undermine the sense of community. However, this was not the view of the Council⁴. I find no reason why further development adjoining both villages should prevent the two continuing to function as separate entities, despite their proximity, should their residents wish them to. Indeed, additional houses would be likely to provide extra financial support for the existing services and community services within

³ Core Document (CD)17

⁴ David Jones in XX

each village. On this issue I find no harm and no conflict with policy in either the LP or the National Planning Policy Framework (NPPF).

Sustainability

22. Although disputed by others (see below) the Council acknowledged that at the time of the Inquiry it could not demonstrate a 5 year HLS. Under NPPF paragraph 49, in such circumstances relevant policies for the supply of housing, should not be considered up-to-date and so, under point 4 of paragraph 14 to the NPPF, permission should be granted except in specific circumstances. With regard to LP policy HN10, I have noted the Inspector's conclusions in the *Dursley* appeal⁵, October 2013, but also note that this predates the *Cotswolds* judgment⁶ which found that a similar policy should be disapplied to the extent that it would restrict the supply of housing. I therefore conclude on this point that conflict with Policy HN10 should be disregarded.
23. The start of NPPF paragraph 14 sets out the presumption in favour of sustainable development and the preface to point 4 makes reference back to this presumption. The interpretation of this has been considered by the Courts in *Davies*⁷. Here the judge found (paragraph 37) *that paragraph 14 of the NPPF only applies to a scheme which has been found to be sustainable development*. Even if that was not the specific ground of challenge, this comment in the judgment is useful and I have nothing better to aid my interpretation. I shall therefore follow this interpretation and turn to this balance before reaching my conclusion on whether paragraph 14 should be applied.
24. Assessing whether or not the proposals would amount to sustainable development, NPPF paragraph 7 requires consideration of the three dimensions to this. With regard to the economic role, there was no dispute that the construction of new housing would create jobs and support growth.
25. New housing, and 30% affordable housing in particular, would contribute to the social role in the NPPF to which, for the above reasons, I give substantial weight and which should be undiminished by any concerns regarding coalescence. Moreover, subject to conditions and the provisions in the s106 obligation, the scheme would include generous areas of public open space and protect and extend the length of established footpaths across the site. Finally, the site is located close to the existing services within the villages, including the school, shops, pubs and community facilities and it is probable that these would be better supported, and so flourish, or at least be less likely to close through lack of patronage.
26. Turning to the environmental role, as above, there would be some harm to the landscape, including immediate views, and this harm counts against the proposals. The extent of this would depend in part on the quality of the details to be submitted at the reserved matters stage. However, I find no reason why the proposed development should not achieve a high quality design such as that pointed out to me at Ebley Wharf, close to the Inquiry venue. I have studied the criticisms⁸ of the transport assessment and accept that this may contain some

⁵ David Jones appendix B

⁶ EWHC 3719 (Admin) November 2013, Martyn Twigg appendices p700

⁷ William Davis Ltd & Jelson Ltd v SSCLG & NW Leicestershire District Council [2013] EWHC 3058 (Admin)

⁸ From Mike Duxbury, ID18

flaws. I saw on my visits, including along the local roads referred to⁹, that many of these are not suitable for cycling.

27. On the other hand, subject to conditions and the s106 obligation, there would be improvements to footways, bus stops and shelters, and the houses would be built to Level 3 of the Code for Sustainable Homes. Finally, a travel plan could be required to demonstrate a modal shift away from the private car and so promote more sustainable modes of transport and help move towards a low carbon economy. No details were provided of how this shift would be expected to be achieved, but a sum of £49,250 would be made available through the s106 obligation. In the absence of details, such as specific proposals for significant subsidies for improved bus services, or schemes for new cycle lanes, the likelihood that what I consider to be a relatively modest sum, for the number of houses, could make a significant impact is unclear. Nevertheless, while greater precision would have been desirable, on balance I find that the condition and s106 obligation would be likely to make some, albeit modest, contribution to the environmental role of sustainable development. This would offset some of the harm that would otherwise arise as a result of the limitations of the existing transport links.
28. Looked at in the round, I conclude that the moderate harm to the character and appearance of the area, the limited harm to the AONB, and the moderate harm (on balance) through wider accessibility difficulties, would not outweigh the economic and social benefits of new housing. Overall, from consideration of the three dimensions in the NPPF, I find that the proposals would amount to sustainable development. Returning to paragraph 14 of the NPPF, I conclude that the adverse impacts of granting planning permission for the scheme would not significantly and demonstrably outweigh the benefits.

Other matters

29. Despite local objections, the Highway Authority accepted that the improvement offered would reduce the risk to highway safety to an acceptable level, with particular regard to visibility at the proposed access and nearby junctions, and I accept that the cumulative impacts would not be severe with regard to the NPPF.
30. I have studied the evidence of objectors and the appellant with regard to HLS. While I accept that there are some anomalies within the statistical evidence, on balance I have no reason to depart from the assessment of the Council itself that it cannot currently demonstrate a 5 year HLS plus the required buffer.
31. Concerns were raised as to the extent of highway land. However, any uncertainty could be overcome by a condition. I discuss this below.
32. The Council argued that considerable weight should be given to some of the relevant policies in the emerging LP. However, as was inevitably accepted by the Council in evidence¹⁰, prior to an examination in public and with objections to the relevant policies, not least from the appellant, I find that these should be given only limited weight at this stage.
33. I was told that there has been discussion with regard to preparing a neighbourhood plan but I find that it should carry no weight at this stage.

⁹ Mike Duxbury's evidence and his maps and documents at ID23

¹⁰ David Jones in XX

Conditions

34. As the development would be likely to be carried out in phases, this should be controlled and reflected in the reserved matters condition. Protection to existing trees during construction is not covered by reserved matters and, to protect the landscape, should be controlled. Given the contents of the Ecological Appraisal, its recommendations should be required. A Construction Method Statement and control over working hours are needed to protect the living conditions of nearby residents. To minimise flood risk, surface water drainage should be controlled. Control over access, parking and turning is needed for highway safety and to avoid unnecessary inconvenience.
35. In the interests of fostering sustainable transport, improvements should be required to footways, bus stops and shelters, and a Travel Plan should be required. As above, I have reservations about the degree of modal shift that could be achieved by a condition which only requires a demonstrable shift rather than a specific result. Nevertheless, I accept that the condition is enforceable, and would meet the other tests in the NPPF, and so would contribute to some degree towards sustainable modes of transport. The s106 undertaking would back this condition up with a significant contribution.
36. To ensure suitable access arrangements, and in the light of evidence of land ownership (above), both the separate access points should be in place before work begins on either part of the development. To cater for construction traffic, a routing strategy should have been agreed before any other development takes place. To secure the provision of all the formal and informal recreation areas, control over these is needed.
37. To secure a specific contribution towards the provision of much needed affordable housing, a condition for this is required; as the Council's suggested condition has taken account of the publication of the NPPF, this would be suitable. As they would not otherwise be covered by reserved matters, lighting works should also be controlled.

*Planning obligation*¹¹

38. The Unilateral Undertaking between the owners and the District and County Councils would provide open space, together with works for its laying out, construction, and future management. It would provide contributions towards off site recreation, education, library provision and the travel plan.
39. The Councils have provided justification for the contributions and calculations for the amounts sought¹². The primary school would be left with a shortfall of spaces requiring capital works; additional works would be required at Stonehouse library. The recreation contribution would prevent an increase in the need for provision in the Stonehouse cluster, of which Leonard Stanley and King's Stanley are a part. As above, the Travel Plan would contribute towards achieving a modal shift. I therefore find that the contributions are justified, would comply with the Community Infrastructure Regulations, and the NPPF, and I attach weight to them accordingly.

¹¹ ID 28

¹² IDs 31-34

Overall conclusion

40. I have found that the scheme would, on balance, amount to sustainable development and that at the time of the Inquiry the Council could not demonstrate a 5 year HLS. It follows from NPPF paragraph 49 that LP policy HN10 paragraph should not be considered up-to-date and that permission should be granted unless *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits* (NPPF paragraph 14). For the above reasons, I find that the harm that would be caused to the character and appearance of the area, and any other harm, would not cross this threshold. Consequently, and having regard to all other matters raised, I conclude that the appeal should be allowed.

David Nicholson

INSPECTOR

Richborough Estates

Schedule of conditions

1. Details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") of any phase of the development (as defined in condition 5 below), shall be submitted to and approved in writing by the local planning authority (LPA) before any development of that phase begins and the development shall be carried out as approved.
2. Application for approval of all the reserved matters shall be made to the LPA not later than three years from the date of this permission.
3. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
4. No development shall commence until a detailed phasing scheme has been submitted to and approved in writing by the LPA. The phasing scheme shall indicate the sequence and timescales of:
 - a) development phases (including approximate numbers of dwellings and affordable housing units in each phase);
 - b) the provision of highway and drainage infrastructure;
 - c) pedestrian routes and linkages to existing public rights of way;
 - d) landscaping, and;
 - e) open space provision.

The development shall proceed solely in accordance with the detailed phasing scheme.

5. The dwellings hereby permitted shall achieve Level 3 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.
6. No work, including any felling, uprooting, removal or pruning of any tree or hedgerow shall take place until further details of all trees and hedgerows to be retained have been submitted to and approved in writing by the LPA ("the retention scheme"), together with the measures for their protection during the course of construction works. The retention scheme shall accord with BS5837 "Trees in Relation to Construction".
7. Development shall only be carried out in accordance with the retention scheme approved under condition 6. All trees and hedgerows to be retained shall be protected during the course of construction works in accordance with the approved protection scheme which shall be maintained in its approved form for the duration of the construction phase. Within the protected areas, land levels shall not be changed no fires shall be lit, no equipment, machinery or vehicles shall be operated, parked or stored, no materials shall be stored or disposed of, and there shall be no mixing of cement or use of contaminating materials or substances.
8. No development shall commence until a comprehensive wildlife enhancement and mitigation strategy for the whole development has been submitted to and approved in writing by the LPA. The submitted scheme shall include full details of all mitigation measures proposed, an implementation timetable to protect any species or habitats identified, measures for the future maintenance of any mitigation works/enhancement areas and details of the body or bodies for

carrying out and maintaining such measures. The strategy shall accord with the recommendations contained within the updated Ecological Appraisal produced by "fpcr" and dated 11 November 2013. The mitigation and enhancement measures shall then be carried out in accordance with the approved scheme and thereafter maintained in accordance with the approved maintenance regime.

9. No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the LPA. The approved Statement shall be implemented in full prior the commencement of the development and adhered to throughout the construction period. Within each phase, the Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors;
 - ii. storage of plant and materials used in constructing the development;
 - iii. wheel washing facilities;
 - iv. measures to control the emission of dust and dirt during construction.
10. No construction site machinery or plant shall be operated, no process shall be carried out and no construction-related activities taken or dispatched from the site except between the hours 08:00 and 18:00 on Mondays to Fridays, between 08:00 and 13:00 hours on Saturdays, and not at any time on Sundays, Bank or Public Holidays.
11. No development shall commence until full details of the schemes for the disposal of surface water drainage from the site has been submitted to and approved in writing by the LPA. These details shall include full calculations to show how the proposed method of surface water disposal does not exceed the current 'greenfield' run off rate from the site. The details shall also include a management and maintenance plan, to include arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the schemes throughout their lifetime. The surface water drainage works shall be carried out in accordance with the approved details.
12. No dwelling shall be occupied until the carriageway(s) (including surface water drainage/disposal), vehicular turning head(s) and street lighting providing access from the nearest public highway to that dwelling have been completed to at least binder course level and the footways to surface course level.
13. The details to be submitted for the approval of the reserved matters shall include details of vehicular parking and turning facilities within the site. The dwellings hereby permitted shall not be occupied until those facilities have been provided in accordance with the approved details and they shall be retained in their approved form for the purposes of parking and manoeuvring vehicles.
14. No dwelling shall be occupied until the following improvements to public transport and pedestrian provisions have been provided in accordance with details that have been submitted to and approved in writing by the LPA:
 - i. the provision of a footway as shown on drawing 106 alongside Bath Road between the primary school and the existing footway to the south of the proposed access onto Bath Road;
 - ii. relocated bus stops on Bath Road near the new access, including a bus shelter to the site access;
 - iii. bus shelter at the existing bus stop on Marsh Road, nearest to the site;

- iv. dropped kerb pedestrian crossing points at the junctions of Marsh Road and Church Road, Marsh Road and Mankley Road, and Church Lane and Woodside.
15. No dwellings served from the respective access arrangements to Bath Road and Marsh Lane shall be occupied until the highway alteration works shown on drawings TPMA1016/103, TPMA1016/104 RevA and TPMA 1016/106 (included within the SoCG) have been completed.
16. No dwelling shall be occupied until there has been submitted to and agreed in writing by the LPA, a Travel Plan designed to demonstrate the achievement of a modal shift away from the private car in favour of public transport and other sustainable modes of transport including cycling and walking; together with a timetable for its implementation and continuing objectives. The Travel Plan shall thereafter be implemented in accordance with the agreed timetable.
17. No works in connection with the development hereby permitted (other than those required by this condition) shall commence on the site until the first 20m of both of the proposed access roads, including the junctions with the existing public roads and associated visibility splays, have been completed to at least binder course level.
18. No development shall commence until a routing strategy for all construction traffic has been submitted to and approved in writing by the LPA. Construction works shall then only take place in accordance with the approved routing strategy.
19. The reserved matters referred to in condition 1 above shall include details of the siting, design, external appearance, landscaping, means of access, facilities and equipment for all formal and informal recreation areas. These areas shall then be provided in strict accordance with the approved details.
20. No development shall commence until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the LPA. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing set out in the Glossary to the NPPF. The scheme shall include:
 - i) the numbers, type, tenure and location on the site of the affordable housing provision which shall consist of not less than 30% of the dwellings.
 - ii) the timing of the construction of the affordable housing and its phasing relative to the occupancy of the open-market housing.
 - iii) the arrangements for the transfer of the affordable housing to a Registered Provider or the management of the affordable housing if no Registered Provider is involved.
 - iv) the arrangements to ensure that the affordable housing provision is affordable for both first and subsequent occupiers.
 - v) the occupancy criteria to be used for determining qualifying occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
21. Applications for the approval of reserved matters shall include details of a site-wide lighting strategy. The lighting works shall then be carried out as approved and in accordance with the approved details.

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Jenny Wigley of Counsel	instructed by Stroud District Council
She called	
Dr Val Kirby MRTPI FLI	Stroud
David Jones RICS MRTPI	Evans Jones & Partners

FOR THE APPELLANT:

Peter Goatley of Counsel	instructed by Gladman Developments Ltd.
He called	
Phil Rech BA BPhilLD MRTPI	FPCR Environment and Design Ltd.
Martyn Twigg BSc MRTPI	Director, Gladman Developments Ltd.
Anthony Bateman BA MRICS	Pegasus Group
MRTPI MCI MIoD FRSA	

INTERESTED PERSONS:

Nicola Hillary	Mankley Field Action Group
Irena Litton	Clerk to Leonard Stanley Parish Council
Daniel James	Don't Strangle Stroud
Michael Evans	Don't Strangle Stroud
Cllr Nigel Studdert-Kennedy	District Councillor for The Stanleys Ward
Diane Odell	Mankley Field Action Group
Geoffrey Murray	Campaign to Protect Rural England (CPRE)
Mike Duxbury	Local resident

INQUIRY DOCUMENTS

- 1 Email from Cllr. Steve Lydon dated 27 April 2014
- 2 Letter of notification of the Inquiry
- 3 Appendix 1 to the Landscape and Viewpoint Appraisal – Nicholas Pearson Associates, version 2, 16 October 2012
- 4 Opening submission for the appellant
- 5 Dr Kirby's photographic boards
- 6 Advice Note 01/11 – Landscape Institute
- 7 Addendum to Dr Val Kirby's proof of evidence
- 8 Site visits itinerary and directions
- 9 Summary of letters of objection (500 no.) to second application
- 10 Statement by Nicola Hillary - Mankley Field Action Group
- 10b Additional text from Nicola Hillary
- 11 Statement by Irena Litton for Leonard Stanley Parish Council
- 12 Statement by Daniel James - Don't Strangle Stroud
- 13 Statement by Cllr Nigel Studdert-Kennedy
- 14 Statement by Diane Odell - Mankley Field Action Group
- 15 Statement by Geoffrey Murray - CPRE
- 16 Representations with regard to the second application
- 17 Dr Val Kirby's site visit directions
- 18 Statement by Mike Duxbury
- 19 Letter from GCC Highway records and plan showing the extent of highway maintainable at public expense

- 20 Appendix A – Visual impact schedule
- 21 Map of Weedon Hill, Aylesbury
- 22 Plan of bus routes from Gloucester including route 14
- 23 Mike Duxbury’s maps and documents
- 24 Documents submitted by Cllr Nigel Studdert-Kennedy
- 25 Land Registry documents
- 26 National character area profile 107 for the Cotswolds
- 27 Timetable for bus route 14
- 28 Unilateral undertaking dated 1 May 2014
- 29 List of suggested conditions
- 30 Costs application and response
- 31 Survey of Outdoor playing space
- 32 Updated public open space contributions
- 33 SPG for Outdoor play space provision
- 34 GCC CIL justifications
- 35 Extract from LVIA guidance 3rd edition March 2013
- 36 Council’s closing submissions
- 37 Appellant’s closing submissions
- 38 R (o a o Cherkley Campaign Limited) v. Mole Valley DC [2014] EWCA Civ 567
- 39 Council’s comments on *Cherkley*
- 40 Appellant’s comments on *Cherkley*

CORE DOCUMENTS

CD1 APPLICATION DOCUMENTS

- 1.1 Application Covering Letter, Application Form and Certificates
- 1.2 Location Plan (including Application Red Line) Drawing Ref:2012-049-001 rev A
- 1.3 Topographical Survey Ref:S13-014
- 1.4 Development Framework Plan Ref:5478-L-02 Rev G
- 1.5 Design and Access Statement Ref: June 2013
- 1.6 Landscape and Visual Impact Appraisal Ref: 5478 LVIA Rev A
- 1.7 Transport Assessment Ref: TPMA1016/001A Rev 001B
- 1.8 Interim Travel Plan Ref: TPMA1016/002A Rev 002B
- 1.9 Ecological Appraisal Survey Report May 2013 Rev A
- 1.10 Arboricultural Assessment June 2013 Rev A
- 1.11 Phase 1 (Desk Study) Investigation Report Ref: A080824 April 2013 Issue 2
- 1.12 Flood Risk Assessment (FRA) Ref: A080824 March 2013 Issue 2
- 1.13 Air Quality Assessment Ref: LE11783 002 June 2013
- 1.15 Noise Assessment Ref: LE11783 001 June 2013
- 1.16 Utilities and Infrastructure Statement Ref: V1 06/06/13
- 1.17 Soil Resources and Agricultural Use & Quality Report Ref:814/1 13-02-13
- 1.18 Renewable Energy Statement Ref: 04/06/13
- 1.19 Statement of Community Involvement Ref: June 2013
- 1.20 Socio-Economic Impact Report Ref: June 2013
- 1.21 Affordable Housing Report Ref: May 2013
- 1.22 Planning Statement Ref: June 2013

CD2 ADDITIONAL & AMENDED REPORTS SUBMITTED AFTER VALIDATION

- 2.1 Section 106 Undertaking Draft HOT
- 2.2 Supplementary protected species information
- 2.3 Confidential Badger Report and Plan
- 2.4 Illustrative Masterplan 5478-L-03 Rev F Aug 2013
- 2.5 Highway response note Aug 2013

CD3 CORRESPONDENCE WITH LOCAL PLANNING AUTHORITY

CD4 CONSULTATION RESPONSES

CD5 COMMITTEE REPORT AND DECISION NOTICE

5.1 Committee Report

5.2 Decision Notice

5.3 Committee Meeting Minutes

CD6 Extracts of Stroud District local plan 2005

CD7 Secretary of State's Saving Direction Letter 2008

CD8 Extract of Stroud District Local Plan Inspectors Report 2004

CD9 Core Strategy Consultation: A Preferred Strategy for shaping the future of Stroud District 2012

CD10 Stroud District Council - Local Plan Policies Consultation 2013

CD11 Stroud District SHLAA 2011 Update - Extracts for Appeal Site

CD12 Gloucestershire SHMAA (2013)

CD13 Countryside Commission Landscape Assessment 1987

CD14 Countryside Commission: The Cotswold Landscape CCP294 1990

CD15 Cotswold Conservation Board Landscape Character Assessment 2004

CD16 Cotswold Conservation Board Management Plan 2013 - 2018

CD17 Cotswold Conservation Board Position Statement - Development in the setting of the Cotswolds ANOB

CD 18 Cotswold Conservation Board Position Statement - Housing and Development

CD 19 Stroud District Landscape Assessment 2000

CD 20 SDC Local Plan: Pre Submission Draft and Policies Map September 2013

CD 21 Dr Woodhead - Population Growth and Total Housing Requirements for Stroud District August 2012

CD 22 Dr Woodhead - Population Growth and Total Housing Requirements.