

Appeal Decision

Inquiry opened on 21 October 2014

Site visits carried out on 21 and 30 October 2014

by Mrs J A Vyse DipTP DipPBM MRTPI

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

Decision date: 18 December 2014

Appeal Ref: APP/J3720/A/14/2217495

Land north of Milcote Road, Welford-on Avon, Warwickshire CV37 8AD

- 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 Gladman Developments Limited against the decision of Stratford-on-Avon District Council.
 - The application No 13/02335/OUT, dated 11 September 2013, was refused by a notice dated 19 March 2014.
 - The development proposed is described as residential development (up to 95 dwellings) parking, public open space, landscaping and associated infrastructure (outline with all matters reserved other than means of access to the site, and new community park).
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Decision

1. For the reasons that follow, the appeal is dismissed.

Preliminary Matters

2. The Inquiry opened on Tuesday 21 October 2014 and sat on 21-24 and 28-31 October 2014. I carried out an initial accompanied site visit on the afternoon of the first day, with a further accompanied visit carried out on 30 October 2014.
3. This is an outline application with all matters other than access reserved for future consideration. The access details, as shown on plan TPMA1047_106, include the main site access off Milcote Road, an emergency access near to the main access, and a new footway extending westwards along the northern side of Milcote Road, from the emergency access, past the main site access and the frontage to Weston House and Milcote, to the junction with Long Marston Road.
4. Prior to the Inquiry, amended plans were submitted to the Council (Nos TPMA1047_116 and TPMA1047_117). The first retains both accesses in the original position, but is annotated to the effect that the hedgerow would be pruned or translocated 1 metre behind the footway and that the hedgerow would be strengthened with new planting. In addition, alterations to the proposed carriageway widening/realignment were shown. The second plan retains the main access as originally proposed, but relocates the emergency access to the far end of the road frontage, with the footway shown behind the roadside hedge for the whole of the site frontage, re-locating to the roadside face of the hedge for the remainder of the stretch to the Long Marston Road junction, in front of Weston House and Milcote. Again, alterations to the proposed carriageway widening/realignment are also shown.
5. On 17 October 2014, further amended plans were submitted (Nos TPMA1047_124B and TPMA1047_125B). Essentially, these reflect the access arrangements shown on Plans 116 and 117 respectively, but are annotated to

show the impact of the arrangements on the hedgerow, having regard to detailed surveys undertaken by Woods Ferrer for the Council, and Mr Vogt for the appellant. All the plans were the subject of much discussion at the Inquiry and, since access is a matter for determination at this stage, I have taken the various plans into account in coming to my conclusion.

6. As confirmed in the evidence of Mr Tait, for the appellant, *'the extent of the development, its nature, amount and general development parameters are included as part of the appeal proposals in order to appropriately define the development for the purposes of the outline development.....the Development Framework Plan (5553-L-02 Rev F) shows the areas proposed for housing, open space including the community park, landscapes buffers and also where the access to the site is to be situated.'* He goes on to confirm that the Development Framework Plan is submitted for approval, setting out the general spatial parameters of development and guiding future reserved matters applications. A Community Park Landscape Plan (5553-L-04 Rev A) submitted with the application also provides an indication of the proposals for that part of the site, although the location of the detention basin was subsequently revised (as shown on the Development Framework Plan 5553-L-02 Rev F) to avoid conflict with a public footpath that crosses the site.
7. One of the reasons for refusal related to the absence of a planning obligation. However, a signed unilateral undertaking was submitted to the Inquiry.¹ Among other things, it secures contributions towards the ongoing maintenance of the open space and sustainable drainage arrangements included in the scheme, and contributions towards education, alterations to the speed limit in the vicinity of the site, improvements to local public rights of way, and library provision. The Council was content that the obligation addressed the related reason for refusal and did not pursue the matter at the Inquiry. The obligation is a material consideration in this case.
8. Although not included in the undertaking, South Warwickshire NHS made representations to the Inquiry in relation to a contribution to offset the cost of securing sufficient acute healthcare provision to meet the population growth which would result from the appeal scheme. However, since the appeal does not succeed for matters unrelated to the obligation, it is not necessary for me to deal with that request in this Decision.
9. When the application was refused by the Council, it was accepted that the Authority could not demonstrate a five year supply of housing land. That was still the position at the time the appeal was lodged, reflecting the Council's Information Sheet No 020/2014, issued on 1 May 2014, which set out the Council's five year housing land supply as of 31 March 2014.² By the time of the Inquiry, however, the Council had resiled from that position. Based on Information Sheets No 029/2014 and 030/2014, issued on 5 August 2014, and a Policy Advice Note on Five Year Housing Land Supply dated August 2014,³ the Council maintained that, as of 31 March 2014, it could demonstrate a 5.4 year supply. Following the close of the Inquiry, a number of appeal Decisions were issued that related to housing development elsewhere in the District (including one in Welford).⁴ Those Decisions related, to varying degrees, to housing land

¹ Doc 59

² CD33.1

³ Appendix 1 to the proof of Mr Smith and CD33

⁴ Hampton Lucy APP/J3720/A/14/2215737; Welford APP/J3720/A/14/2215042; Alcester APP/J3720/A/14/2209488

supply in the District, with the Inspectors coming to different views as to whether the Council could, or could not, demonstrate an appropriate supply. The parties were therefore given the opportunity to comment on the implications of the Decisions in relation to their respective cases.

10. A Neighbourhood Plan is currently being prepared for Welford. However, correspondence from the Council prior to the Inquiry advised that, whilst a lot of work had been done, it was still at a draft stage and had not been the subject of official publicity or consultation. As a consequence, it was confirmed that it should be afforded only limited weight.

Main Issues

11. These relate to whether the Council can demonstrate a five year supply of deliverable housing sites and, if it cannot, whether the potential contribution of the development proposed to the supply of housing is significantly and demonstrably outweighed by other considerations, with specific regard to character and appearance, drainage, the supply of best and most versatile agricultural land and connectivity/social cohesion.

Planning Policy

12. The development plan remains as the starting point for planning decisions. Here, it comprises the saved policies of the Stratford on Avon District Local Plan Review 1996-2011 (adopted 2006). The bearing of policies that may be relevant for the supply of housing is linked to whether the Council can demonstrate a five year housing land supply. However, whilst the Local Plan may well be time expired, other policies can continue to be given due weight according to the degree of their consistency with the Framework. The policies referred to in my reasoning below are those I consider to be most relevant to the main issues set out above.
13. At the time of the Inquiry, the Council's Submission Core Strategy July 2014⁵ had been submitted for Examination although the Hearings had not commenced. Since the policies could change, I therefore afford them little weight. Having said that, I am mindful that Welford on Avon is identified as a Category 2 Local Service Village.

Reasons for the Decision

Housing Land Supply

14. Framework paragraph 47 advises that local authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements. Paragraph 49 goes on to say, that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.
15. There are significant differences between the parties relating to the housing requirement, the appropriate buffer and the housing supply. These are helpfully encapsulated in the joint notes to the Inquiry on the respective positions in relation to the objectively assessed need for the District⁶ and on

⁵ CD9

⁶ Doc 37

housing land supply matters.⁷ In essence, the Council's position at the Inquiry was that it has a 5.4 year supply (including a 5% buffer), whereas the appellant suggests a supply of between 1.4-3.7 years (applying a 20% buffer) equating to a shortfall of some 7896 dwellings.⁸

Objectively Assessed Need (OAN)

16. The housing figures in the Local Plan, which were based on the now revoked Regional Spatial Strategy and cover the period 1996-2011, are clearly out of date. As a consequence, and in the absence of an agreed figure, whilst it is not for a Section 78 appeal such as this to determine what the OAN for the District should be – that is a matter for the Core Strategy Inspector in due course - I need, as a starting point, to come to a view as to whether the figure adopted by the Council represents a reasonable and unconstrained (policy-off) estimate of housing need within the District, in the light of the guidance provided by, among other things, the Framework and the Government's Planning Practice Guidance (planning guidance).
17. As part of the evidence base for the emerging Core Strategy, the Council commissioned ERM to carry out an independent Review of Housing Requirements for the District. That Review, published in April 2013,⁹ looked at evidence previously prepared in relation to housing need in the District. Among the evidence reviewed were earlier G L Hearn studies undertaken for the District,¹⁰ the Council's January 2013 SHMA,¹¹ the February 2013 SHLAA Update, and the ONS population forecasts of the time. A December 2013 Update, also produced by ERM,¹² took account of the November 2013 Coventry and Warwickshire Joint Strategic Housing Market Assessment Final Report (CWSHMA).¹³ It concluded that the Council should set a housing requirement of between 10,500-10,800 dwellings for the Plan period (2011-2031) reflecting demographic projections.
18. The Proposed Submission Core Strategy adopts the higher figure, with policy CS16 (as modified) referring to '*at least 10,800 additional homes*', giving an annualised requirement of 540 dwellings. However, representations have been made by the appellant, and others, in respect of that requirement and this matter will, no doubt, be the subject of detailed debate at the upcoming Examination.
19. The approach advocated by the appellant in relation to this appeal, in terms of determining the housing requirement for the District, draws on the company's representations to the Core Strategy.¹⁴ These are based, in the main, on economic forecasts and an employment-led requirement and suggest a much higher need for the District, possibly as high as 1250 dpa.
20. Demographic Projections: The Framework and the planning guidance indicate that the starting point for establishing an estimate of housing need is the

⁷ Doc 38

⁸ Evidence of Mr Tait and his Appendix 2

⁹ CD36

¹⁰ Housing Provision Options Study June 2011 (CD34) and Housing Provision Options Study 2012 Update (CD35)

¹¹ CD39

¹² CD37

¹³ CD38 Although not one of the commissioning authorities, Stratford DC was engaged as a consultee, as were Solihull MBC, Birmingham City Council and Warwickshire County Council, given their relationship to the housing market area.

¹⁴ CD32

Government's trend based household projections. The latest figures comprise the 2012 based Sub-National Population Projections (SNPPs). An addendum to the CWSHMA (SHMA Addendum) was produced for the Council by G L Hearn in September 2014, in the light of those updated statistics.¹⁵

21. In essence, I found little material difference in the evidence before me, between the figures that informed the respective positions in relation to housing need derived purely from demographic projections. The CWSHMA indicates a figure of 538dpa; the September 2014 SHMA Addendum suggests 463dpa (baseline midpoint), with the revised household formation rates in the same document based on a part return to trend, indicating some 508dpa; the midpoint projections of Dr Gomez, for the appellant suggest around 554dpa; with the December 2013 ERM Update (which pre-dates the 2012 SNPPs) indicating a figure of 540dpa.
22. However, the trend based SNPPs provide only a 'jumping off' point as it were, with the planning guidance confirming that a household projection-based estimate of housing need may require adjustment to reflect factors affecting local demography and household formation rates which are not captured in past trends.¹⁶ Moreover, as the household projections do not reflect unmet need, a view also needs to be taken on the extent to which household formation rates are, or have been, constrained by supply.
23. Having examined each of the potential adjustment factors set out in the practice guidance, the ERM Review, and subsequent Update, concluded that there was no sound basis for adjusting the Authority's OAN above the level indicated by the demographic projections, and that setting a housing requirement above that level would risk further unbalancing the population of the District by attracting a high proportion of retired in-migrants and increasing out-commuting. The appellant, on the other hand, maintained that there are significant shortcomings in the Council's approach. The main difference between the parties is that the Council's evidence base emphasises that migration trends are a key factor in the future trajectory of housing growth, whereas the appellant maintained that employment growth forecasts (produced by Oxford Economics) and trend data, point to a much higher housing need than that derived from household projections, which increase further if market signals are included.
24. Employment Growth: Since employment forecasts, such as that used by Oxford Economics and others, including Experian and Cambridge Econometrics (used to inform some of the Council's documents), utilise fairly standard regional econometric models, they indicate broad potential within a regional context. I am mindful in this regard that Section 3 of the SHMA Addendum warns that such forecasts are likely to be more reliable at the wider housing market area than for individual local authorities, where specific supply-side factors are likely to have a greater influence on past, and future, performance.¹⁷ So, whilst they can give a broad indication, or 'direction of travel' of economic potential, I share the reservations of the Council, in terms of using them as a reliable resource for projecting levels of future demand for labour at an individual District level.

¹⁵ Produced by G L Hearn for the Council, updating some of the CWSHMA findings in the light of the ONS 2012 based Sub-National Population Projections. September 2014 (CD95).

¹⁶ Paragraph ID 2a-015-21040306

¹⁷ CD95 paragraph 3.7

25. I am also mindful that guidance produced by the Planning Advisory Service,¹⁸ describes as deeply flawed, approaches whereby population is both an input and an output. Whilst there is no detailed information about the specific parameters, assumptions and relationships used in the Oxford Economics model relied on by the appellant, it seems likely that the outputs are partly driven by population projections. As a consequence, using the resultant employment forecast to then inform population and housing numbers could lead to a self-fulfilling prophecy. Moreover, the 2013 Experian and Cambridge Econometrics forecasts, used by the Council in earlier work would have been based on either the 2010 or 2011 SNPPs. As a consequence, they are likely to have generated higher job levels (which would have fed into the data base relied on by the appellant) than the more recent 2012 projections, which were lower.
26. In addition, the forecasting models are also highly sensitive to their input assumptions, as demonstrated by the huge variation in recent long term job increase forecasts for the District.¹⁹ That also casts some doubt on their reliability as a stable basis for long term planning at a local level.
27. As noted by the appellant, Stratford District has changed from being a net exporter of labour in 2001, to a net importer today and concern was expressed that there is a potential mis-match between labour force and the jobs growth, given the trends indicated by the various employment forecasts. However, as reflected in the split allocation of the District between the three different SHMAs that affect the District,²⁰ there is now a very complex pattern of short distance cross-boundary commuting in and around the District on a significant scale. Of course, short distance commuting need not, of itself pose a problem of balance or sustainability, with the Council drawing my attention, in this regard, to the emerging Core Strategy allocation of some 19 hectares of employment land to help meet the needs of Redditch, an adjacent Authority. I was advised that that arrangement is specifically intended to attract in-commuters from outside the District, not in-migrants to new housing within the District.
28. The appellant had concerns that the suggested growth of just 65 net new jobs per annum over the plan period²¹ was not consistent with the economic aspirations of the District. However, the Council confirms that the figure refers to the net addition to the labour force under the basic assumptions of the demographic evidence. The Council did acknowledge that the potential labour force supply in the District will be affected by a range of factors and may well increase in response to a significant increase in jobs. However, in 2011, some 42% of the resident workforce commuted out of the District. Clearly, new jobs in the District could be taken by a proportion of the current resident out-commuters transferring to new jobs within the District. Moreover, whilst in theory, a high level of job growth within the District would have the potential to attract a disproportionately high level of younger people of working age among the in-migrants, increasing the local workforce, there is no way to ensure that that will occur – rather, there is a strong likelihood, given the housing market conditions in the District, that new and existing dwellings would be taken by

¹⁸ PAS Technical Advice Note on Objectively Assessed Need and Housing Targets - paragraph 6.11

¹⁹ Table 5.1 of the rebuttal proof of Mr Gilder compares the respective figures

²⁰ Fig 2 of the CWSHMA and Table 5.2 of the rebuttal proof of Mr Gilder

²¹ Which derives from the output from Table 48 of the CWSHMA - PROJ1A (which takes account of the then latest SNPP figures)

retired people, or out-commuters seeking a congenial residential environment. That would be the case even if a reasonably high level of future job growth in the District could be assured.

29. The overall objective, as set out at paragraph 158 of the Framework, is to make sure that the *'assessment of, and strategies for, housing, employment and other uses are integrated'*. On the basis of the evidence that is before me and for the purposes of this appeal, I am not persuaded that it is appropriate to convert the job forecasts predicted by the various models directly to housing numbers for the District. Indeed, the planning guidance does not suggest that housing quantities should be related directly to projected job growth. Rather, it advises that it is the location of new housing that will help address problems associated with unsustainable commuting patterns (which could reduce the resilience of local businesses) in circumstances where the supply of working age population that is economically active is less than the projected job growth.²² That is the approach that appears to have been adopted by the Council here. Given the particular characteristics of the District, I am not persuaded, therefore, that it is unreasonable of the Council not to have included an uplift to the demographically derived housing need figure to accommodate employment growth.
30. Affordability and Market Signals: Both the Framework and the planning guidance make it clear that account should be taken of market signals such as high house prices and rents, and affordability and, if there is a worsening trend in any of those indicators, a reasonable upward adjustment should be made to the housing requirement.
31. In relation to worsening trends, the planning guidance indicates that plan makers should look for prices/rents rising faster than the local average.²³ Stratford is a relatively prosperous part of the country and the Council readily acknowledged that the affordability of housing in the District is, consequently, a significant problem. However, although intended to show the opposite, the evidence of the appellant demonstrates that, in broad terms, the underlying trend has remained relatively consistent, with the 2013 house prices and house price:earnings ratios in the District having a broadly consistent relationship to those in Warwickshire and England as in 1997.²⁴ That evidence also indicates that rents in the private sector reflect recent changes that are repeated in many other reasonably prosperous districts in southern England. To my mind, whilst Stratford is a prosperous District and, as a consequence, does not perform well in terms of affordability, this does not equate to evidence of a 'worsening' trend in the District in this regard.
32. I recognise that one of the conclusions of the Barker Review was that, as a general principle, increased housing supply at the national level is needed to reduce house prices and thereby improve affordability. Like the Council though, I am not persuaded that that necessarily translates well to a local level. Indeed, there was no modelling in the evidence before me to robustly demonstrate that this is a plausible relationship, even at a regional level. Although the appellant suggested an upward adjustment of some 205 dpa to ease house price inflation in the District, that seems to me to conflict with the advice at paragraph ID 2a-020-20140306 of the planning guidance, that plan

²² Paragraph ID 2a-018-20140306

²³ Paragraph ID 2a-019-20140306

²⁴ Figures 4.3 and 4.4 in the evidence of Dr Gomez

makers should not attempt to estimate the precise impact of an increase in housing supply.

33. There is an accepted need for affordable housing within the District. However, the appellant sought to argue that the need was greater than is identified in the CWSHMA, preferring instead to rely on the G L Hearn January 2013 update of the Council's SHMA,²⁵ itself based on out of date population projections and older indicators of housing need, projecting that data forward as an assessment for the whole Plan period.
34. I was advised that the January 2013 update was undertaken to provide a figure based on a five year period, and applied the now cancelled 2007 SHMA guidance. As established in cross-examination, the figure derived is not referable to any current methodology. I am inclined, in this regard, to prefer the evidence of the Council, which is based on Table 66 of the CWSHMA which, albeit a product of net nil migration, was calculated in accordance with current practice, as set out in the planning guidance. That suggests some 133 affordable housing units per annum, which includes provision to meet the current backlog over the plan period. Paragraph 8.72 of the CWSHMA goes on to confirm that this should be treated as a minimum, with a higher requirement being expected given likely demographic change moving forward. However, the appellant argued that delivery of the backlog over the Plan period was inappropriate and that it should be delivered over five years.
35. Neither the Framework, nor the planning guidance, expresses a preferred approach in relation to affordable housing. In coming to a view on this, I am mindful of advice in the planning guidance, that the total affordable housing need should be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments. It goes on to advise that an increase in total housing figures should be considered where it could help deliver the required number of affordable homes.²⁶ It seems to me, however, that this is likely to be a rare circumstance, since it begs the question, since the OAN will, in all likelihood, have captured the full demand for market housing, of who the purchasers be of the additional market houses would be, who would, in turn, be funding the additional affordable housing. If they were to come from outside District for instance, that could have implications in terms of the 'duty to cooperate'. For the purposes of this appeal, a pragmatic approach seems to me, to take a realistic view based on how much affordable housing can viably be provided as part of the overall OAN which may, or may not meet the assessed need for affordable housing. Even if it did not, I am not persuaded, for the reason set out above, that it would be necessarily appropriate to increase the OAN. Whilst this is clearly a matter for the Core Strategy Inspector in due course, my reservations in this regard lend some support to the Council's approach.
36. Unmet Need From Other Districts: Given the wider housing market area, there is the possibility that some of the unmet housing need of adjoining areas might need to be accommodated within the District. However, this is, in effect, a matter of '*policy choice*' arising from the duty to cooperate. It is not a part of the objectively assessed housing need of the District itself. I am mindful, in this regard, that the Proposed Modifications include a new policy (Policy

²⁵ CD39

²⁶ Paragraph [2a-029-20140306](#)

CS.xx)²⁷ whereby the Plan would be reviewed if evidence demonstrated that significant housing needs arising from outside the District need to be met within the District, and could not be adequately addressed without a review. Moreover, at the time of the Inquiry, assessments of any unmet need from other districts had not been completed. Whilst any shortfall in relation to adjacent authorities could have a bearing on the ability of Stratford on Avon to meet some of its future labour force needs, I am not persuaded that it would be appropriate to take account of that as part of the calculation of need for the purposes of this appeal.

37. Appropriate Buffer: The Council's housing moratorium between 2006 and 2011 may have had some impact on delivery during that period. Indeed, that was the view of the Inspector in the Shotton appeal in reporting to the Secretary of State,²⁸ who commented, in coming to the view that a 5% buffer was appropriate, that the moratorium would have been a significant constraint and was a strong factor in limiting delivery. However, I am more persuaded that, as argued by the appellant, the recession would also have played a significant part in the reduction in delivery, irrespective of the moratorium. My attention is drawn, in this regard, to the conclusions of the Council's own consultants, ERM, in their April 2013 Review of Housing Requirements for the District, which post-dates the Shotton decision. In particular, the Review notes that net dwelling completions and net in-migration, which had peaked in 2005/6, were already decreasing when the moratorium was introduced in 2006 and that, in the four years after the introduction of the moratorium, the number of completions was only 63% of the number under construction or committed in 2006. The Review comments that the economic crisis and downturn were the most likely causes of the reduction in completions and in-migrant numbers from 2007, and that the moratorium should not be seen as having created a build up of unmet demand for housing.
38. So, whilst the effects of the moratorium, such as they were, might have been felt for some while after it was lifted, I am more inclined to the view that, in all likelihood, the reduction in housing delivery was caused largely by the recession, as was typical of other similar authorities where no moratorium was in place. I recognise that this view differs from that of the Shotton Inspector. However, that Decision was issued in 2012, some two years ago now, and there has been a continued undersupply since then, when measured against the targets for the District.²⁹ In order to reflect the need to boost significantly the supply of housing by ensuring choice and competition in the market for land and by providing a realistic prospect of achieving the planned supply, I conclude that there is, for the purposes of this appeal, a requirement for a 20% buffer. I am supported in that view by a colleague, who determined a recent appeal at Hampton Lucy elsewhere within the District.³⁰

Five Year Supply

39. There was a difference of opinion between the parties about the inclusion of C2 uses in commitments and completions, whether windfalls should be included, and anticipated delivery rates on some sites.

²⁷ Appendix 1 to the Rebuttal Proof of Mr Gilder

²⁸ APP/J3720/A/11/2163206 (CD62)

²⁹ Fig 1 in the Proposed Submission Core Strategy (CD9)

³⁰ APP/J3720/A/14/2215757

40. C2 uses: The planning guidance confirms that housing provided for older people, including residential institutions in Use Class C2, can be counted against an authority's housing requirement. Although the guidance does not set out how authorities should count housing provided for older people against their housing requirement, it does indicate that the approach taken, which may include site allocations, should be clearly set out in the Local Plan.
41. The CWSHMA provides an assessment of housing needs across all age groups, including the elderly population. On that basis, the Council includes new commitments of C2 uses within the land supply, subject to a one third discount in recognition that new C2 units do not, necessarily, release a corresponding residential property on to the open market. The equivalent of 82 dwellings is included in the completions since 2011, and the equivalent of 100 dwellings from C2 residential institution spaces is included in the five year supply.
42. However, it seems to me that, in order to be counted as part of the supply, C2 accommodation needs to have been identified as a specific part of the need. I am not convinced that the evidence before me demonstrates a clear need in terms of the housing requirement specifically for the elderly population. Neither does it support the somewhat arbitrary reduction operated by the Council. Moreover, the guidance is clear that the approach to be taken should be determined as part of the Local Plan process - there is no policy in the existing development plan that deals with this, and my attention was not drawn to anything in the emerging Core Strategy in this regard. For the time being therefore, I consider that the Council's evidence does not provide a sufficiently robust basis for the C2 figures used in the calculations. I note that the Inspector who determined a recent appeal elsewhere in the District at Hampton Lucy came to a similar conclusion.³¹
43. Windfall: An allowance can be made for windfall sites in the five year supply where there is compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. The planning guidance indicates that any allowance should be realistic, having regard to the SHLAA, historic windfall delivery and expected future trends, and should not include residential gardens.
44. The Council includes some 240 dwellings (comprising sites of between 5-99 dwellings) as windfall supply. Whilst 'super sized' sites of more than 99 dwellings, and replacement dwellings, are excluded, with the windfall assumption only being applied to the last three years of the five year period (in an effort to avoid sites which are already in the planning system as commitments, and double counting) the Council is heavily reliant on past performance. I recognise that policies in the emerging Core Strategy provide greater scope for windfall schemes to come forward than might previously have been the case,³² but that remains to be tested. Whilst I understand the windfall allowance to be substantially less than was recommended by the SHLAA Panel, since it excludes residential garden land, the appellant points out that small sites are already included within the land supply through permissions on small sites, a matter that is explained in the 2008 SHLAA. I also share the concerns of the appellant at the inclusion of larger sites within the supply as a

³¹ APP/J3720/A/14/2215757 Erection of 28 dwellings with associated access, landscaping and infrastructure.

³² The emerging Core Strategy includes a more flexible policy position for development in a number of rural villages which is likely to increase delivery from windfall sites.

reliable source, given an up to date plan and an expectation that such sites would be included in an Allocations DPD or Neighbourhood Plan in due course.

45. The inclusion, or otherwise, of an allowance for windfall sites within the supply will, I am in no doubt, be debated at the forthcoming Core Strategy Examination, when the full extent of local circumstances will be considered. For now though, the evidence before me on this is not compelling and, for the purposes of this appeal, I am not persuaded that there is sufficient justification to include an allowance of 240 dwellings on windfall sites, as suggested by the Council, in the five year housing land supply.
46. Site Delivery: The parties were agreed that it is pragmatic to apply a discount to commitments, since not all permissions will be implemented: the Council applies a 5% lapse rate to all sites with planning permission, which increases to 10% in relation to other identified sites, including those with a resolution to grant planning permission. To my mind, that represents a robust approach.
47. As set out at the start of this Decision, the Council's position in relation to the five year supply is set out in a Policy Advice Note on Five Year Housing Land Supply, dated August 2014. It is accompanied by an Information Sheet No 030/2014, issued on 5 August 2014, which comprises a schedule of additional quarterly permissions (1 April – 30 June 2014). There was some debate at the Inquiry as to whether it is appropriate for the Council undertake what is, in effect, a piecemeal update to its housing land supply, whilst not also considering all relevant matters, undertaking a full review of sites and updating and advancing the housing requirement. The Council confirmed that the August update was not a full review of the land supply position (which had previously been undertaken on a quarterly basis). Rather, it was an update of the position as it should, in the Council's view, have been correctly shown as of 31 March 2014. I have treated the information on that basis.
48. Shottery: This is agreed to be a deliverable site with outline planning permission for 800 dwellings.³³ I understand the Council's updated figures, which have increased delivery from 300 to 450 in the supply calculations, to be lower than those suggested by the house builders active at the site. The permission was subject to more than 60 conditions: an update in relation to this site³⁴ confirms that whilst details pursuant to some of the pre-commencement conditions have been submitted to the Council, submissions in relation to others are not expected until November 2014, with reserved matters intended to be submitted by the end of the year. Be that as it may, at the time of the Inquiry, none of these conditions had been discharged and, whilst the update suggests that commencement is anticipated in 2015, there is no indication as to when during the year that might be. Moreover, conditions on the outline permission restrict the delivery of more than 350 dwellings until such time as an associated link road is fully open for use. I understand, in this regard, that there are unresolved land ownership issues that could affect delivery of the road. On balance, I believe the scale of delivery set out in the Council's figures to be overly optimistic and that a lower rate of delivery, reflecting a longer lead in time would be more realistic. I am supported in that view by the conclusions of the Bishops Itchington Inspector³⁵ and the Inspector

³³ CD62

³⁴ Doc 50

³⁵ APP/J3720/A/13/2202961

who determined the recent appeal at Hampton Lucy. I see no good reason, in this regard, to increase the delivery rate over and above that originally set out.

49. West of Coventry Road, Southam: As a consequence of comments by the agent expressing a desire to bring this development forward quickly, the figure for this site was increased by the Council by 35 units. Whilst there is no dispute that this is a deliverable site, there has been no material change in circumstances since 31 March that might warrant the increase adopted by the Council. Indeed, there may, if anything, potentially be some delay given that, at the time of the Inquiry, the outline planning permission had yet to be issued. All in all, I consider there to be no robust basis for the increase shown.
50. Pioneer Foodstore: This is a site that was described as 'stalled'. The previous 2006 planning permission has expired and no subsequent application is before the Council. Whilst ongoing discussions with the developer suggest to the Council a keenness to bring the site forward, that does not, to my mind, equate to robust evidence that it should have been included as contributing 20 dwellings in the five year supply as of March 2014, as is now asserted.
51. Long Marston Phase 1: The Council's increase of 17 units in the supply is based, in part, on up to date completion data. On that basis, I am satisfied that it would be appropriate to include the uplift in the supply.
52. Long Marston Phase 2: The Council has doubled the supply on this site, from 75 to 150 units. Outline planning permission has been granted and phase 1 of the scheme (see above) is under construction. However, whilst the developer envisages delivery commencing in 2017/2018, I share the reservations of the appellant in relation to the number of dwellings that are anticipated as coming onto the market. I am mindful, in this regard, that the joint Inquiry Note on Housing Land Supply Matters sets out an agreed rule of thumb that between 40-50 units per sales outlet is a reasonable approximation of annual delivery on a site. Although being delivered in two phases, this is a single site with a single house builder involved – Persimmon Homes and Charles Church being different arms of the same company. I also understand that a condition requiring a necessary upgrade to the foul sewerage infrastructure has yet to be resolved, which condition restricts development to 75 dwellings until such time as the upgrade has been carried out. On balance, I am not persuaded that the uplift included by the Council in its revised figures is justified.
53. Friday Furlong: This is a Local Plan allocation that I am advised was omitted from the original March calculations in error. There is now a resolution to grant outline planning permission and, as phase 2 of an ongoing development, there is no reason to suggest that it cannot be developed within five years, particularly since previous issues relating to land ownership and delivery have been resolved, with the land now in single ownership. A 10% discount rate has been applied in line with the approach outlined above. Since its omission appears to have been accidental, I am satisfied that the 61 dwellings allowed for by the Council should be included in the overall supply.

Conclusion on Housing Land Supply

54. It might be that the Core Strategy Inspector concludes, in due course, that the OAN is greater than that set out in the Proposed Submission Version and or that the shortfall in supply is greater. However, for the purposes of this

appeal, and in advance of that more detailed Examination, I find the figure used by the Council, as set out in the emerging Core Strategy (namely 540 dwellings, which equates to 2,700 for the five year period) to be reasonable, on the basis largely that its approach more closely reflects that advocated in the planning guidance than that adopted by the appellant. On that basis, the target number of dwellings that should have been delivered from 2011 to the start of the five year period in 2014 is 1620 (540dpa x 3). The number of completions in the three years from the start of the Plan period is stated by the Council as 847 dwellings, giving a shortfall of 773 over that period. The figure of 3473 (2700 + 773) plus a 20% buffer of 695 (which, for the reasons set out above I consider to be more appropriate here than the 5% applied by the Council) equates to a five year requirement of 4168 dwellings (834dpa).

55. The Council considers that 3951 dwellings should be included in the supply, compared with the appellant's figure of 3203 dwellings.³⁶ I have found, based on the evidence before me, that no allowance should be made for windfall sites at this time - a reduction of 240 dwellings. A further downward adjustment of some 280 dwellings (150 at Shottery; 35 at Coventry Road; 20 on the Pioneer Foodstore site; and 75 on Long Marston Phase 2) is also required to reflect the appellant's figures in relation to delivery on some of the sites included in the supply calculations. That would give a total supply of 3431 dwellings (3951 - 520 (240 + 280)) including C2 uses. That equates to a supply of some 4.1 years (3431/834). The supply would reduce further on exclusion of C2 uses. Accordingly, for the purposes of this appeal, I consider that the Council cannot demonstrate a five year supply of deliverable housing land at the present time.

Character and Appearance

56. The appeal site lies in the open countryside close to, but beyond, the built up edge of Welford. Whilst I can only afford the emerging Core Strategy little weight at this time, I am mindful that policy CS16 clearly envisages some growth in settlements such as this, which may need to take place beyond the existing boundary. However, consideration must also be given to the impact of such development on the character and appearance of the local area.
57. The centre of Welford on Avon is a designated Conservation Area. I note, in this regard, the comments of English Heritage that, whilst the appeal site does not adjoin the Conservation Area boundary, the development proposed would impact on its setting, in terms of the open landscape which surrounds the village and the approaches to it. Concern was also expressed at the danger that, in the long term, the development proposed would lead to the coalescence of Welford and Weston.
58. The Conservation Area, which encompasses 19th Century development together with the historic core of Welford, is based on the properties along High Street, Church Street and Chapel Street (many of which are listed) and includes the village greens at each end of High Street. The buildings, and their layout, reflect the organic evolution of this rural settlement from which its significance, as a heritage asset, derives. Notwithstanding the comments of English Heritage, I agree with the Council and the appellant, that the Conservation Area is not experienced or appreciated as a heritage asset in any views from, or across, the appeal site, and the site is not integral to an understanding or

³⁶ Paragraph 5.33 of the proof of Mr Tait

appreciation of the Conservation Area. As a consequence, I am satisfied that the development proposed would not result in any harm to its significance.

59. In terms then of more general character and appearance, the Core Planning Principles at Framework paragraph 17 include the requirement to '*take account of the different roles and character of different areas*'. Welford on Avon lies within National Character Area 106: Severn and Avon Vales (2012)³⁷ and in the Avon Valley Terrace Farmlands (Warwickshire Landscapes Guidelines (1993)).³⁸ In essence, the wider area is described therein as comprising an open, intensively farmed landscape on broad flat river terraces; tree cover is generally sparse, although individual wooded stream lines and isolated mature trees are prominent landscape features; built development includes small nucleated villages, glasshouses and other horticultural buildings.
60. The appeal site, which extends to some 7 hectares, is under arable cultivation. It is separated from the south-eastern edge of the village by a group of mature trees (which comprises a distinctive landscape feature here, defining the edge of the Conservation Area) and a mature laurel hedge that extends northward from Milcote Road to the tree group and which separates the appeal site from a strip of grassland that currently forms part of the private grounds to Weston House. A managed field hedge also runs along the roadside, behind a grassed verge. The hedge is generally continuous, other than a small gap opposite Mere Barn Farm, and a larger gap at the eastern end of the road frontage which is used as a field entrance and also marks the point where public footpath SD28 enters the site. The remaining boundaries are largely open, being defined, in the main, by ditches/watercourses
61. I saw that most of the settlement of Welford is not readily visible from the appeal site, or its rural surroundings. The nearest properties within the village are Weston House and dwellings in Orchard Close to the west (some 60 metres away) and houses in Pool Close to the northwest, some 25 metres away. Development there is generally low density, most properties having generous gardens. From the east/north-east, those individual properties that can be seen are typically viewed in a well treed setting. Even in winter months, whilst Weston House and some of the properties in Orchard Close are slightly more apparent in closer views from public footpath No SD28 (which runs diagonally across the appeal site from the south-eastern corner of the site frontage on Milcote Road, to the north-western corner, near to Pool Close) it tends just to be individual roofs that are seen, dotted amidst the trees and vegetation. As a consequence, there is no impression of a hard built up edge here. Rather, this part of the village is well contained visually, the current perception of the edge of the settlement being unobtrusive, rural in character and very much in keeping with the surrounding Avon Valley River Terrace Farmland landscape. Indeed, the Village Design Statement³⁹ specifically notes that this edge of the village is soft and well concealed.
62. It is proposed to construct up to 95 dwellings on some 3.7 hectares of the appeal site, to the south-west of public footpath SD28. The remaining land (largely, but not entirely to the east and north-east of the footpath) would comprise a community park, laid out to pasture, with wetland and a balancing pond and with a belt of tree planting around the eastern/north-eastern edges.

³⁷ CD42

³⁸ CD48

³⁹ Adopted as supplementary planning guidance in 1998

63. Whilst layout is a reserved matter, the density of development proposed would be in complete contrast to the established pattern at the edge of the village here and would create a hard edge up against footpath SD28. To my mind, intervisibility with the built form of the village is minimal, the appeal site being more readily seen as an integral part of the open countryside that embraces the east/south-eastern edge of the village. The existing strong vegetated boundary along the edge of the village here would prevent a development of the scale and density proposed from relating visually to the housing within the village. It would not be seen as a 'rounding off', or an appropriate or sympathetic expansion of the village. Rather, it would appear almost as a self-contained residential estate within an open countryside location.
64. Although planting could help mitigate the visual impact of the development in views from the north, that would take at least 15-20 years to mature and even then, there would still be visual permeability in the winter months. I am more concerned, however, that whilst the community park would include some natural landscape and ecological features, elements such as the woodland and wetland are not prevailing features of this open terraced farmland landscape. In particular, the planting proposed along the eastern and northern edges of the site would not replicate the existing planting pattern along the settlement boundary here. Moreover, whilst the tree planting may well link to an existing distinctive tree group, that group is, in effect, a local landmark, defining the edge of the Conservation Area: it would be blurred, if not lost in the context of the planting associated with the appeal scheme. The existing settlement does not require new planting to mitigate or soften its boundary with the adjacent countryside and I am not persuaded, in this regard, that the community park would, necessarily, enhance the landscape or successfully mitigate the effect of the development in views from the south, or on the final approach into Welford along Milcote Road.
65. A couple of fields away, to the north-east of the appeal site, lies the hamlet of Weston-on-Avon, which comprises a small cluster of houses, with a church and farmsteads. The open agricultural land between Welford and Weston is a feature of the historic and current relationship between the two settlements, which are linked by two public footpaths that cross the fields to the north of the appeal site. At its narrowest, the gap is some 200 metres wide and is partly occupied by the glass houses and chimney of a horticultural centre, a not uncharacteristic feature of the Avon valley. South of the centre, the gap widens to around 250 metres, beyond which it opens up to form a wedge of open arable farmland which merges into the wider landscape to the south and east. The appeal site forms a significant part of that gap, albeit within the wider part. The perception of openness between Welford and Weston would inevitably be reduced as a consequence of the development proposed, particularly when experienced from footpath SD28, from other footpaths between Welford and Weston to the north of the appeal site, and from Milcote Road, with consequent harm to the established character and appearance of the area. I share the concerns of local residents and English Heritage in this regard.
66. I have reservations too, about the visual impact of the proposed access arrangements. Existing views on entering and leaving the village along Milcote Road, are dominated by hedging and grassed verges, giving the road a very rural character. Indeed, as noted in the Village Design Statement, grass

verges are a characteristic feature of the settlement. As shown on Plan No TPMA1047_125B (generally agreed as the option that would have the least visual impact of those before me) the arrangement for the main vehicular access and the emergency access would necessitate the removal of at least 21.3 metres of the hedgerow, together with the translocation of some 40 metres of the hedgerow to the rear of the visibility splay, together with the pruning back of the 'canopy' of the remaining 75 metres within the visibility splay by anywhere between 0-0.6 metres. Even if the hedge survived the rigours of translocation and the pruning back, the gap created for the new road and the associated visibility splays would disrupt the continuity of the hedgerow, reducing its contribution to the rural character and appearance on this approach to the village.

67. With regard to the proposed footway, I am satisfied that the attractiveness of the route within the site for pedestrians is a matter that could readily be addressed as part of a detailed layout were the appeal to succeed. However, the footway would need to be sited within the highway verge for that length between the edge of the appeal site and the junction with Long Marston Road. Some 4 metres of hedgerow would need to be removed to facilitate the crossover. In addition, the hedgerow would need to be pruned back by between 0-0.4 metres. Even were that feasible, and I have some doubt in this regard based on the detailed examination of the hedge undertaken during the latter of the site visits, much of what would remain would be very sparse, and would need constant pruning to keep the footway clear, even allowing for the realignment of the carriageway edge as proposed.
68. I also share the concerns of the Council's landscape witness and local residents in terms of the longevity of the hedge, given the potential disruption to the root system during construction of the footway. Without more detail, I am not persuaded of the efficacy of the different construction methods mooted at the Inquiry in terms of protecting the root system and safeguarding the future of the hedgerow. To my mind, the replacement of a soft verge and largely continuous hedgerow with an urban footway, with views through to the close boarded fencing of the Weston House and Milcote, would undermine the rural character of the area.
69. Other concerns relate to footpath SD28, which is open along much of its length. Even though the footpath route would be retained through the development site, the quality of the experience would radically diminish, given the proximity and likely density of the housing proposed. In addition, the scale of the proposed planting would significantly foreshorten and obstruct views from the footpath of the wider landscape, including the Welford and Weston hills.
70. I have given careful consideration to the appellant's landscape evidence, including the LVIA and fully appreciate that the landscape to which the appeal site belongs is not rare, or of exceptional quality, and that the site itself has no particular landscape designation. However, it forms part of the wider open countryside to the east/south-east of the village and is an integral part of the gap that currently separates Welford and Weston, providing an open landscape setting to each. Importantly, the site is not well contained visually.
71. I recognise that a substantial proportion of the site would be devoted to green infrastructure. Even so, the development would introduce an overtly urban

form of development that would be very prominent in local views and would be seen as highly incongruous within its open rural setting. It would comprise a significant intrusion into the countryside, creating a new, hard edge along footpath SD28 in distinct contrast with the existing loose housing pattern that currently characterises this part of Welford. The development proposed would, I conclude, have a significant adverse effect on the open landscape character of the area and its intrinsic rural character. There would be conflict, in this regard, with policy PR.1 of the Local Plan Review, which requires that development should respect and, where possible enhance the quality and character of the area. The proposal would also be at odds with the Framework which establishes, at paragraph 7, that *'contributing to protecting and enhancing our natural, built and historic environment is an aspect of sustainable development'*.

Drainage

Foul Water

72. In response to local concerns, the appellant produced a foul drainage strategy.⁴⁰ The Strategy confirms that, in all likelihood, an on-site sewage pumping station would be required to enable foul flows to be directed to public sewers, either to the north-west or west of the site, via a rising main to a suitable gravity connection point. The most suitable point of connection would be a matter for agreement between the developer and Severn Trent Water. Whilst foul flows from the development to Pool Close (to the north-west) may exacerbate existing hydraulic sewer flooding problems there, Severn Trent has confirmed that, in the event of capacity problems, it would fund the cost of necessary works. However, the need for an on-site pumping station means that peak flows would be levelled out, enabling pumping at a rate that would, in all likelihood, be compatible with the capacity of the receiving network, negating the need for any works, particularly if the flows were directed to public sewers in Milcote Road or Long Marston Road. I find no harm, therefore, in this regard.

Surface Water

73. The appeal site comprises an area of agricultural land, with drainage ditches running along the northern and eastern site boundaries that connect to a wider network of watercourses to the north-east. Although neither Severn Trent Water nor the County Council's Drainage section raised concerns in this regard, the Environment Agency did object on the grounds that the appellant's Flood Risk Assessment did not provide a suitable basis for assessment. Following the submission of additional information, the Agency subsequently confirmed that, whilst the arrangement suggested did not reflect its preferred approach (namely that all areas of developed land, including green areas, be drained via the attenuation storage), the additional storage required could readily be accommodated within the site and could be secured by condition, were the application to succeed. In addition, sensitivity testing demonstrated to the Agency's satisfaction that, even with high levels of vegetation growth, the existing ditches had sufficient capacity for a 1 in 100 year event plus 30% allowance for climate change. As a consequence, the objection was withdrawn, subject to conditions.

⁴⁰ CD 2.14

74. However, local residents, particularly Messrs Scargill and Luntley, supported by others including Councillor Barnes, presented detailed evidence of localised surface water flooding and spoke vehemently about the consequential problems experienced over the years, especially in relation to properties in Weston-on-Avon.
75. The appeal site lies within Flood Zone 1 and is not, itself, at risk of fluvial flooding during storm events of up to 1 in 100 years. However, there is a high water table here and the land is subject to seasonal waterlogging. In addition, it is accepted by the appellant's drainage consultants (WYG Engineering Limited) that Weston suffers from surface water flooding following intense and long periods of rainfall, and that there are issues with undersized culverts and shallow watercourses within the area to the north and east of the appeal site.
76. Existing problems are a matter for the Lead Local Flood Risk Authority: what needs to be demonstrated at this stage is that it would be feasible to develop the site in the manner proposed, without placing future residents at risk, or increasing the risk of flooding elsewhere. Notwithstanding that this is an outline application, with all matters other than access reserved, the appellant has submitted a significant amount of detail in relation to the proposed drainage strategy. Having regard to the very detailed concerns of local residents, highlighting some apparent inconsistencies in the appellant's drainage submissions, I am in no doubt that further technical input into surface water drainage is required, including a more detailed review of watercourse A. More detailed site investigations to assess the viability of utilising infiltration techniques would also be required. However, from the evidence before me, I see no reason why, in principle, it would not be possible to develop here without necessarily increasing flood risk beyond the appeal site.
77. In coming to that view, I understand that the existing ditches/watercourses on the site would be re-graded, such that any flows from watercourse B towards the Weston-on-Avon catchment would be eliminated, and that an existing berm within the site could be extended to infill the gap between watercourses A and B to restrict the drainage of surface water from the application site to the north and east, which would result in a minor decrease in flood water draining towards Weston. Even were the berm not extended, I am advised that there would, in any event, be a 0.2 hectare reduction in the area of land that currently drains to the north and east towards Weston. Moreover, it is intended that the residential development proposed would drain into an attenuation pond located within the northern part of the site and that peak discharge rates from the developed area would be restricted to the existing greenfield run-off rate for a 1 in 2.33 year storm event. In effect, that would reduce the impact of flooding downstream as a consequence of greater storm events, as occurs at present. Whilst the Environment Agency considers that a larger attenuation pond should be provided than is suggested by WYG, there is no reason why this could not be accommodated as part of the detailed layout were the appeal to succeed.
78. Overall, I am satisfied that, subject to details that could be secured by condition, the appeal scheme would not be at risk of flooding and neither would it necessarily increase the risk of flooding elsewhere. I find no conflict with the objectives of the National Planning Policy Framework in this regard.

Agricultural Land

79. The appellant's Agricultural Use and Quality of Land Report⁴¹ confirms that some 97% of the site comprises best and most versatile agricultural land.⁴² This is a finite resource, with paragraph 112 of the Framework requiring that account should be taken of the economic and other benefits of such land.
80. I saw that the open, relatively level nature of the appeal site, which forms part of a larger agricultural holding, makes it suitable for cultivation both in its own right, and as part of a larger area. Moreover, other than seasonal waterlogging (the soils are heavy and slowly permeable, which results in wet conditions for prolonged periods in the winter) its use did not appear to be constrained in any way. The development proposed would, as a matter of fact, remove from production around 7 hectares of what is, for the most part, best and most versatile agricultural land. This consideration is weighed in the overall planning balance below, together with other considerations.

Connectivity and Social Cohesion

81. The development proposed would increase the number of dwellings in the village (as recorded in the 2011 Census) by almost 16%, delivered on a single site. To my mind, this would constitute a sizeable expansion. However, Welford-on-Avon has a number of facilities including a nursery and pre-school, a primary school, convenience store, a butcher, a hair and beauty salon, three public houses, church and a village hall. A wider range of services and facilities required by people on an everyday basis, including health care and employment opportunities, are also available in nearby Bidford on Avon and Stratford on Avon, all accessible by means of public transport, with the appeal scheme including provision for additional bus stops close to the site entrance. In acknowledgement of those facilities, Welford is identified in the emerging Core Strategy as a sustainable location for residential development of a not too dissimilar quantum of housing to that proposed, although I am aware that there have been a number of recent permissions for residential development in the village.⁴³ However, that is an emerging plan and the policies could well change. For instance, it might be, as suggested by the appellant, that the Examining Inspector finds that Welford should be classed as a Category 1 Local Service Village, which settlements are identified as being capable of accommodating 76-100 new dwellings.
82. Access is a matter that is identified as being for consideration at this stage: in relation to reserved matters, that means accessibility to and within the site for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes, and how these fit into the surrounding access network.⁴⁴ Paragraph 61 of the Framework also advises that planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
83. Although close to the village boundary, the appeal site is not only detached from it visually, but it is also largely divorced from it in terms of physical links. The illustrative masterplan for the appeal scheme shows footpath SD28 as a

⁴¹ CD 1.22

⁴² Some 67% comprises grade 2 agricultural land; around 30% comprises grade 3a; with the remainder (a small area along the eastern boundary comprising heavy wet soils) being grade 3b.

⁴³ Doc 46

⁴⁴ The Town and Country Planning (Development Management Procedure) (England) Order 2010 - Article 2(1)

pedestrian and cycle link with the village. At present however, the footpath is unsurfaced, uneven and unlit. It is narrow and constrained by vegetation and boundary enclosures at its northern end, where it also changes direction in a number of places, with 'dog legs' that limit forward visibility. As confirmed by local residents, it is also prone to flooding at the northern end, making it impassable at times.

84. I recognise that the vegetation could be cut back and that it could be surfaced. However, the installation of lighting along the route would conflict with the cherished 'dark village' environment that local residents have sought to protect here. I was advised, in this regard, that there is no street lighting in the village. In any event, the dog-legs would remain and it was not clear what solution might be available to resolve the flooding problems. All in all, it seems to me that, even were the necessary improvements and alterations undertaken, which could well be incongruous with its current rural character, I am not persuaded that the route would be attractive or appropriate for school children and other vulnerable persons, including those with restricted mobility, particularly during winter months or during the evening/night time. That there is little forward visibility for pedestrians emerging onto Pool Close, with no footway on that stretch of road either, adds to my concerns. It was accepted by the appellant at the Inquiry, that the route had limitations. On the basis that the footpath would not necessarily be seen as a safe and attractive route for pedestrians, I consider that it would not offer a practical route as one of the main ways to access the village facilities, limiting connectivity.
85. The alternative is the route along Milcote Road. As noted above, it is intended to create a new footway along Milcote Road where none exists at present. Notwithstanding that that creates its own problems in terms of visual impact, it increases the route to the village centre from 450 metres via footpath SD28, to around 800 metres. Although that is within the preferred maximum 2 kilometre walking distance referred to in the CIHT Guidelines,⁴⁵ it is beyond the desirable maximum distance of 500 metres. To my mind, that is likely to result in more people than might otherwise be the case using the private car to access village services and facilities.
86. All in all, I consider it likely that the lack of visual, but more importantly physical connectivity, would mean that the appeal scheme could form an isolated community that would fail to integrate well with the existing settlement. As a consequence, it would not equate to high quality design as required by the Framework. There would also be conflict with Framework paragraph 61, which advises that planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Other Matters

87. Whilst not a reason for refusal, local residents, supported by their District Councillor, spoke about their concerns in relation to highway safety, particularly on Milcote Road, and congestion issues on Binton Road, especially at the pinch points by the Bell Inn and the Binton bridges. I note, in this regard, that whilst the highway authority did have concerns initially, information submitted at the application stage, including speed surveys, meant that no objection was sustained, subject to conditions.

⁴⁵ Chartered Institute of Highways and Transportation

88. As set out earlier, the appeal scheme includes minor realignment of the carriageway in the vicinity of the site, and the provision of a footway to link with the existing footway on Long Marston Road, all within the limits of the public highway. Whilst the Transport Assessment proposed a reduction in speed on this part of Milcote Road to 30 mph, neither the highway authority nor the appellant's highway consultants suggest that any reduction in the speed limit is essential for delivery of the development proposed. I understand that the visibility splays proposed would be appropriate, even were there to be no change to the speed limit here. However, provision is made, via the planning obligation, to implement a 40 mph limit in the vicinity of the appeal site. Moreover, whilst the development proposed would clearly increase traffic movements on the local highway network, the evidence of the appellant's highway consultants is that the increase, even taking account of the cumulative effect of other committed development in the locality, would not be material in terms of exacerbating any delays at the existing pinch points. On balance, therefore, I am satisfied that there would be no unacceptable interference with the free flow of traffic on the local road network, or that the development would have a necessarily detrimental impact on highway safety in the locality.

Benefits of the Scheme

89. Given the likely shortfall in housing, the provision of up to 95 dwellings, some 35% of which would be affordable, is a material consideration to which substantial weight should be given.
90. The scheme would also offer a number of social, economic and environmental benefits. The Socio-Economic Impact Report submitted with the application⁴⁶ suggests that that the development would create some £11.9 million investment in construction, supporting an average of 79 full time equivalent construction jobs per annum over a three year build period. In addition, the development could give rise to £0.6 million total annual household expenditure supporting six jobs in the local area together with the continued viability of local retail and other businesses in Welford and the surrounding area. The New Homes Bonus is also a material consideration to be taken into account. Other benefits may include the attraction of people of a working age who are economically active, increasing the economic contribution of the community. Given the importance attached to economic development by the Framework, I afford the benefits in this regard, considerable weight too.
91. The planning obligation includes contributions to the mobile library service and to the maintenance and improvement of existing public footpaths in the vicinity, which could also benefit the wider community.
92. The provision of a community park, including a play area, would be available to new and existing residents, and could improve ecological diversity. However, that is outweighed, in my view, by the visual incongruity that would be consequential upon securing those benefits, and by the fact that the park would lie outside the development edge, remote from the majority of the existing village residents. Similarly, whilst the provision of a footway along Milcote Road could benefit existing residents by facilitating a circular walking route around this part of the village, that is tempered by the harm that would be caused in terms of its visual impact.

⁴⁶ CD1.21

Planning Balance and Conclusion

93. At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as the golden thread running both plan-making and decision-taking. I recognise, in this regard, that Welford is a relatively sustainable village. However, the Framework is based upon a much wider definition of sustainability, encompassing its economic, social and environmental dimensions, which go beyond a settlement's sustainable location.
94. I have set out above the benefits that would accrue from the development proposed. They are substantial and would resonate with the economic, social and environmental dimensions of sustainable development. However, the environmental dimension of sustainability is also concerned with protecting and enhancing the natural and built environment. I have found that there would be a significant adverse impact on the character and appearance of this part of the District, which impact would be compounded by difficulties in terms of connectivity and social cohesion. To be added to the balance is the loss of almost 7 hectares of best and most versatile agricultural land. There would be substantial environmental and social harm therefore, in allowing development here, and conflict with the economic dimension, which seeks to ensure, among other things, the delivery of land in the right place. To my mind, the totality of that harm is sufficient to significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole, even were it to transpire that the OAN is greater than suggested by the Council in this appeal, and/or that the shortfall in supply is greater than that set out above. As a consequence, I find that the appeal scheme is not sustainable development and thus, the presumption in favour, set out at Framework paragraph 14 of the Framework, does not apply.
95. For the reasons set out above I conclude, on balance, that the appeal should not succeed.

Jennifer A Vyse
INSPECTOR

Annex 1 – Appearances

Annex 2 – Core Documents

Annex 3 – Documents submitted during the Inquiry

Annex 1

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr Paul Shadarevian, of Counsel	Instructed by the solicitor to the District Council
He called	
Ms Bettina Kirkham DipTP, BLD, CMLI	Director of Kirkham Landscape Planning Limited
Mr Ian Gilder MA, DipTP, MRTPI, FRSA	Technical Director and Head of Planning for the UK and Ireland at Environmental Resources Management Limited
Mr Philip Smith BA(Hons), DipTP, MRTPI	Director of Brian Barber Associates, Chartered Town Planning Consultants

FOR THE APPELLANT:

Mr Peter Goatley, of Counsel	Instructed by Gladman Developments Limited
He called	
Mr Brett Coles BA(Hons), DipTP, DipLA, MRTPI	Director of FPCR Environment and Design Limited
Mr Robert Hindle BSc(Hons), MRICS	Director of Rural Solutions
Mr Alex Vogt BSc(Hons), MSc, MCIHT	Associate Transport Planner at Curtins
Mr George Venning MA(Cantab)	Associate Director at Levvel Limited
Dr Ricardo Gomez BA, MA, PhD	Director of Regeneris Consulting
Mr Jason Tait BA(Hons), DipTP, MRTPI	Director of Planning Prospects Limited

INTERESTED PERSONS:

Councillor Mike Brain	County Councillor
Councillor Peter Barnes	District Councillor
Councillor Simon Carter	Chairman Welford Parish Council
Councillor Peter Martin	Vice-Chairman Welford Parish Council
Councillor Jamie Hockaday	Welford Parish Council
Councillor Mrs Kate Winston	Welford Parish Council
Mrs Vanessa Lowe	Clerk to Welford Parish Council
Mr Peter White	Chairman Welford-on-Avon Neighbourhood Plan
Mr Nicholas Butler	Representing the CPRE

Mrs Sonia Hockaday	Governor Welford-on-Avon Primary School
Mr John Read	Local resident
Mr Malcolm Crump	Local resident
Mr Alan Neill	Local resident
Mr Brad Plimmer	Local resident
Mrs Norma Sweeney	Local resident
Mr Derek Johnson	Local resident
Mr Colin Scargill	Local resident
Br Bob Thomas	Local resident
Mrs Amanda Warhaftig	Local resident
Mr Paul Cooper	Local resident
Mr Luntley	Local resident
Mr Feeney	Local resident
Mrs Mary Machin (on behalf of Professor Michael Wright)	Local resident

Annex 2

CORE DOCUMENTS

CD 1	Submitted Planning Application Documents
1.1	Application Covering Letter, Application Form and Certificates
1.2	Site Location Plan (including Application Red Line)(Drawing Number 2013-002 Rev A @A3)
1.3	Development Framework Plan (Drawing Number 5553-L-02 Rev E @A3)
1.4	Proposed Site Access Plan (Drawing Number TPMA1047-101 @A3)
1.5	Landscaping Plan (Drawing Number 5553-L-04 Rev A @A3)
1.6	Design & Access Statement (September 2013 DAS 5553-01 rev C
1.7	Landscape & Visual Assessment (Ref 5553 LVIA rev B)
1.8	Transport Assessment (Ref TPMA1047 001A August 2013)
1.9	Travel Plan (Ref TPMA1047 002A August 2013)
1.10	Ecological Report (July 2013)
1.11	Arboricultural Assessment (September 2013 rev A)
1.12	Phase 1 Site Investigation Report (September 2013 A082160_DTS_V3)
1.13	Flood Risk Assessment (July 2013 Ref: A082160)
1.14	Air Quality Screening Report (Dated 21 May 2013)
1.15	Noise Screening Report (Dated 24 July 2013)
1.16	Archaeological Desk Based Assessment (August 2013 Ref: HS/15543)
1.17	Utilities and Infrastructure Report (September 2013)
1.18	Energy Statement (August 2013)
1.19	Statement of Community Involvement (September 2013)
1.20	Affordable Housing Report (August 2013)
1.21	Socio-economic Impact Report (May 2013)
1.22	Agricultural Use and Quality Report Ref: 853/1b August 2013)
1.23	Education Impact Assessment (September 2013)
1.24	Planning Statement (Ref: PPL/494 September 2013)
1.25	S106 Heads of Terms (September 2013)
CD 2	Additional and amended documents submitted after Validation
2.1	Amended Framework Plan (5553-L-02 Rev F)
2.2	Site in Village Context Plan (5553-L-06 Rev C)
2.3	Geophysical Survey Report (Ref: J6236) - Stratascan October 2013
2.4	Technical Note 1 - Response to Warwickshire County Council highway Comments. Curtins 26th November 2012
2.5	Technical Note 2 - Response to Warwickshire County Council highway Comments. Curtins 30th January 2014
2.6	Proposed Highways works plan (Drawing Number: TPMA1047_102)
2.7	Proposed Highways works plan (Drawing Number: TPMA1047_103)
2.8	Highways Plan - footpath and visibility splays (Drawing Number: TPMA1047_106)
2.9	Biodiversity Impact Assessment calculation (dated 14.02.2014)
2.10	Biodiversity offset pre-development (Figure 1 5553-E-02)
2.11	Biodiversity offset post-development (Figure 5553-E-02)
2.12	FRDA Addendum (January 2014 Ref: A082160)
2.13	Planning Prospects - additional flooding
2.14	Foul Drainage Strategy (January 2014)
CD 3	Additional documents not submitted
3.1	An Assessment of Current Future Sustainability - Welford-on-Avon (Rural Solutions)
CD 4	Correspondence with Stratford on Avon District Council
4.1	Email WYG - Flooding Enquiry for Site at Milcote Road 14 May 2013
4.2	WYG - STW pre development sewerage enquiry 14 May 2013

4.3	WYG - Severn Trent Pre Development Enquiry response 31 May 2013
4.4	Email WYG to WCC- RE Flooding Enquiry for Site at Milcote Road 20 June 2013
4.5	WYG - Response from WCC on Flooding Enquiry for Milcote Road 21 June 2013
4.6	WYG - Map for Flooding Enquiry for Milcote Road 21 June 2013
4.7	WYG - Response from WCC Re Flooding Enquiry for Milcote Road 21 June 2013
4.8	Planning Prospects - Email confirming SDC screening opinion 24 July 2013
4.9	Planning Prospects - Email to case officer (PPA response to highways/landscape/scale) 31 January 2014
4.10	Planning Prospects - Email and Letter to case officer confirming position on issues 25 February 2014
4.11	Planning Prospects - Email to and from case officer clarifying reports for further consultation 3 February 2014
4.12	Planning Prospects - Email to case officer sending amended framework plan (repositioning pond) 3 March 2014
4.13	Planning prospects - Email to case officer, attaching access plans 102 & 103 following topographic survey and flooding rebuttal 3 March 2014
4.14	Planning prospects - Email to case officer, biodiversity offsetting information 5 March 2014
4.15	Planning Prospects - Email to case officer, update request 6 March 2014
4.16	Planning Prospects - Email to case officer, summary position and highway update 10 March 2014
4.17	Curtins - Summary table of correspondence relating to highway matters
4.18	Curtins - Correspondence as summarised in table (4.17)
4.19	EPDS - Correspondence relating to a FoI request 21 February 2014
4.20	EPDS - Correspondence relating to a FoI request 17 April 2014
4.21	Delegated Report - 19 March 2014
4.22	Decision Notice - 19 March 2014
Statement of Case and Common Ground	
CD 5	
5.1	Draft Statement of Common Ground and Appendices
5.2	Appendix 1 Draft Core Documents List
5.3	Appendix 2 Draft List of Planning Conditions
CD 6	
6.1	Statement of Case and Appendices
6.2	Appendix 1 Responses to Third Parties
6.3	Appendix 2 Draft S.106 Heads of Terms
6.4	Appendix 3 CIL Compliance Table
Local Plan	
CD 7	SoS letter of 9th July 2009 & Extracts from Stratford Local Plan Review 2006
CD 8	Stratford on Avon District Local Plan review 2006 (and Proposals Map)
CD 9	Core Strategy Proposed Submission Version - June 2014
CD10 Statutory Consultation Responses	
10.1	SDC Building Control response - 8 November 2013
10.2	Clifford Chambers & Milcote Parish Council response - 14 November 2013
10.3	English Heritage -17 December 2013
10.4	English Heritage 2 - further comments - 11 February 2014
10.5	Environment Agency - 7 November 2013
10.6	Environment Agency 2 - Further comments - 28 January 2014
10.7	Environment Agency 3 - 10 March 2014
10.8	Highways Agency - 31 October 2013
10.9	Marston Sicca PC - 20 November 2013
10.10	Natural England - 21 October 2013
10.11	Natural England2 - Further comments - 6 February 2014

10.12	Ramblers Association - 31 October 2013
10.13	SDC Environmental Health - Noise and Air Quality, undated
10.14	SDC - Leisure Centre Contributions, undated
10.15	SDC Conservation Officer - 22 November 2013
10.16	SDC Environmental Health - Contamination, undated
10.17	Severn Trent Water - 21 November 2013
10.18	Severn Trent Water2 - further comments, undated
10.19	South Warwickshire NHS Foundation - 22 October 2013
10.20	WCC - Ecology - 6 November 2013
10.21	Ecology Biodiversity, undated
10.22	Ecology Biodiversity2, undated
10.23	Ecology 2 - 22 November 2013
10.24	Ecology 3 - 22 November 2013
10.25	Ecology 4, undated
10.26	WCC - Fire and Rescue Services - 24 October 2013
10.27	WCC - Libraries - 8 November 2013
10.28	WCC - PROW, undated
10.29	WCC - PROW2, undated
10.30	WCC Archaeology - 25 November 2013
10.31	WCC Archaeology2 - 14 February 2014
10.32	WCC Archaeology3 - 14 February 2014
10.33	WCC Drainage, undated
10.34	WCC Education - 15 November 2013
10.35	WCC Highways - 13 March 2013
10.36	WCC Highways 2 - 21 November 2013
10.37	WCC Highways 3 - Additional note, comments on appellants info 6 Dec 2013
10.38	WCC Police - 31 October 2013
10.39	WCC Police 2 - 4 February 2014
10.40	Welford Parish Council - 4 November 2013
10.41	Welford Parish Council 2 - 5 November 2013
10.42	Welford Parish Council 3 - 18 February 2014
10.43	Weston on Avon Parish Council & Councillor Barnes - 3 November 2013
10.44	Weston on Avon Parish Council 2 - 25 February 2014
Core Documents - Planning (General)	
CD 11	Welford extracts from Stratford on Avon District SHLAA
CD 12	Government Statement on Housing Growth (September 2012)
CD 13	District Council SHLAA Review Final Report & Appendices - 2012
CD 14	Welford-on-Avon Parish Plan 2007
CD 15	Welford-on-Avon Housing Needs Survey - September 2008
CD 16	Welford-on-Avon Housing Needs Survey Addendum - 2012
CD 17	Welford-on-Avon Village Design Statement - 1998
CD 18	Extracts from WMRSS Phase 2 Panel Report 2009
Core Documents - Sustainability	
CD 19	Living Working Countryside - The Taylor Review of Rural Economy and Affordable Housing. 2008 (Pages 1-14)
CD 20	Securing the Future. UK Sustainable development Strategy. Annex A Definition and Components of Sustainable Communities.
CD 21	Mosaic Understanding Demographics Report, January 2014 - Welford on Avon in relation to Stratford on Avon District
CD 22	Toolkit for Sustainable Rural Communities,
CD 23	Extract from UCL Colin Buchanan. Research into Rural Housing Affordability Exec Summary
CD 24	Planning Practice Guidance - Rural Housing
CD 25	The Times - Article, Tenants helped to start own business

CD 26	TUC - Working from home article
CD 27	ONS Household expenditure at a glance - 2012
CD 28	Welford Primary School Ofsted Report - 2006
CD 29	Welford Primary School Ofsted Interim Assessment - 2010
CD 30	Cornwall Small Settlement Strategy, Cornwall Council, 2009
CD 31	Positive Planning for Rural Settlements, Shropshire Council 2010
Core Documents - Land Supply	
CD 32	Stratford-on-Avon: Objectively Assessed Housing Need. A report by Regeneris Consulting. July 2014
CD 33	Policy Advice Note 5 Year Housing Land Supply - August 2014.
CD 33.1	31 March 2014 - 5 Year Supply Calculation (Superseded)
CD 34	Stratford-on-Avon District Council Housing Provision Options Study Final Report June 2011 - GL Hearn
CD 35	Housing Provision Option Study: 2012 Update January 2013 - GL Hearn
CD 36	Review of Housing Requirements for Stratford-on-Avon District Council Final Reports April 2013 - ERM
CD 37	Update to Review of Housing Requirements for Stratford-on-Avon District Council December 2013 - ERM
CD 38	Coventry and Warwickshire Joint Strategic Housing Market Assessment Final Report November 2013 - GL Hearn
CD 39	Stratford on Avon Strategic Housing Market Assessment - Update January 2013
Core Documents - Landscape	
CD 40	Landscape Institute Advice Note 01/2011. Photography and photomontage in Landscape and Visual Impact Assessment.
CD 41	Landscape Character Assessment: Guidance for England and Scotland (The Countryside Agency and Scottish Natural Heritage) 2002.
CD 42	Landscape Character Assessment: Guidance for England and Scotland (The Countryside Agency and Scottish Natural Heritage). Topic Paper 6: Techniques and Criteria for Judging Capacity and Sensitivity.
CD 43	Relevant Extracts from Guidelines for Landscape and Visual Impact Assessment Third Edition published April 2013
CD 44	Stratford on Avon District. Landscape Sensitivity Assessment for Villages. 2012
CD 45	Stratford on Avon District. Landscape Sensitivity Assessment (Welford). 2012
CD 46	Natural England Character Area 106, Severn and Avon Vales
CD 47	Stratford-on-Avon District Council - District Design Guide, April 2001
CD 48	Warwickshire Landscape Guidelines
CD 49	Stratford-on-Avon District Council - Conservation Area Map of Welford-on-Avon
CD 50	Special Landscape Area Study
CD 51	Landscape Sensitivity Study 2011 - Main Towns & Rural Centres (Stratford and Wellesbourne extracts)
Core Documents - Highways	
CD 52	Warwickshire Guide to Road Design. 2001
CD 53	Design Manual for Roads and Bridges. Dept of Transport: TD 42/95 Geometric Design of Major/ Minor Priority Junctions
CD 54	Manual For Streets, Department of Transport (2007)
CD 55	Providing for Journeys on foot, The Chartered Institute of Highways and Transportation (2000)
CD 56	LTN 1-04 Policy, Planning and Design for Walking and Cycling – Front Page and Pages 3, 10 and 11
CD 57	Good Practice Guidelines Delivering Travel Plans through the Planning Process – Front Page and Page 12
CD 58	Warwickshire Guide to Road Design. 2001
CD 59	Design Manual for Roads and Bridges. Dept of Transport: TD 42/95 Geometric

	Design of Major/ Minor Priority Junctions
CD 60	Welford-on-Avon Neighbourhood Plan Draft V9 (2014) – Front Page and Page 19
Core Documents - Appeal Decisions	
CD 61	APP/J3720/A/13/2202961 Land at Gaydon Rd, Bishops Itchington allowed 29 January 2014
CD 62	APP/J3720/A/11/2163206 Shottery, Stratford upon Avon allowed 24 October 2012 and Court of Appeal Judgement
CD 63	APP/J3720/A/13/2205108 Former Stratford Cattle Market Site, Alcester Rd, Stratford-upon-Avon. Allowed 7th May 2014
CD 64	APP/J3720/A/13/2207830 Land at 42 Avon Crescent and north of Milestone Rd, Stratford-upon-Avon. Allowed 30th April 2014
CD 65	APP/J3720/A/10/2139071 Land South of Kipling Rd, Stratford-upon-Avon. Allowed 13th May 2011
CD 66	APP/J3720/A/11/2157126 Land East of Kinwarton Farm Rd, Kinwarton, Alcester. Allowed 3rd February 2012
CD 67	APP/J3720/A/12/2181956 Land west of Hornsby Close, Shipston-on-Stour. Allowed 29th January 2013
CD 68	APP/J3720/A/12/2185727 Former IMI Norgren Site, Campden Rd, Shipston on Stour Warks allowed 27th June 2013
CD 69	APP/J3720/A/13/2202101 Land north of Allimore Lane, Alcester. Allowed 5th March 2014
CD 70	APP/J3720/A/14/2217247 Land South of Campden Rd and west Oldbutt Rd, Shipston-on-Stour. Allowed 4th April 2014
CD 71	[2013] EWCA CIV 1610 Hunston Court of Appeal Judgement
CD 72	[2013] EWHC 2678 (Admin) Hunston Court of Appeal Judgement
CD 73	APP/ A0665/A/11/2167430 Land off Nantwich Rd, Tarporley. Allowed 29th August 2013
CD 74	APP/C3105/A/13/2189896 Barford Rd, Bloxham allowed 23 September 2013
CD 75	APP/R0660/A/13/2192192 Land opp Rose Cottages, Holmes Chapel Rd, Brereton Heath allowed 12th February 2014
CD 76	APP/R0660/A/13/2190651 Land adj to no 4 Audlem Rd, Hankelow. Allowed 5th February 2014
CD 77	App/C3105/A/12/2184094 Bourne Lane, Hook Norton SoS Allowed 23 September 2013
CD 78	APP/Z2830/A/12/2183859 Towcester Road, Silverstone allowed 24 July 2013
CD 79	APP/H1840/A/12/2171339 Land between Station Road and Dudley Road, Honeybourne, Worcestershire allowed 24 August 2012
CD 80	APP/G1630/A/11/2146206 and APP/G1630/A11/2148635 Bishops Cleeve, Tewkesbury allowed 16 July 2012
CD 81	APP/F1610/A/10/2130320 Todenham Road, Moreton in Marsh allowed 12 April 2011
CD 82	APP/H1840/A/13/2203924 Land between Leasowes Rd and Laurels Rd, Offenham, Worcestershire allowed 7th February 2014
CD 83	Appeal Ref: APP/C1625/A/13/2207324 Land off Bath Road, Leonard Stanley allowed 21 July 2014
CD 84	APP/L3245/A/13/2204304 Land East of "Sunnydale" Bank Drive, Dorrington, Shropshire allowed 3 February 2014
CD 85	Appeal Ref: APP/W0530/A/13/2209166 Land north of Bannold Road, Waterbeach, Cambridgeshire allowed 25 June 2013
CD 86	APP/H1840/A/13/2202364 Site at Land Adjacent to SIMS Metals UK (South West) Ltd, Long Marston, Pebworth allowed 2 July 2014
CD 87	APP/H1840/A/13/2199085 and APP/H1840/A/13/2199426 Pulley Lane, Droitwich. Allowed 2nd July 2014
CD 88	APP/R0660/A/13/2204971. Land to the rear of 144 Audlem Rd, Nantwich. Allowed 4th August 2014
CD 89	APP/R0660/A/14/2213304. Land off Crewe Rd, Haslington. Allowed 15th August

	2014
CD 90	APP/P1133/A/122188938 Land south of Shutterton Lane, Dawlish Allowed 10 September 2013
CD 91	APP/M2325/A/13/2192188 and APP/M2325/A/13/2196027 Land at Tarnbrick Farm, Blackpool Rd, Kirkham. Allowed 7th November 2013
CD 92	APP/J3720/A/12/2176743 Land rear of 18 Salford Road, Bidford-on-Avon, Alcester Allowed 9 January 2013
Core Documents - Committee Reports	
CD 93	14/00503/OUT Banbury Road, Southam - Stratford on Avon District Council Planning Committee 3rd September 2014
CD 94	Stratford on Avon District Council Planning Committee (East) 24th September 2014
Core Documents - Recent Publications	
CD 95	2012-based Sub-National Population Projections & Economic Forecasts: Implications for Housing Need in Coventry & Warwickshire, Sept 2014

Annex 3

DOCUMENTS HANDED IN DURING THE INQUIRY

Doc 1	Appearances for the Appellant
Doc 2	Appearances for the Council
Doc 3	Statement of Common Ground
Doc 4	Suggested conditions
Doc 5	South Warwickshire NHS Foundation Trust Submission
Doc 6	Gladman rebuttal to NHS submission
Doc 7	South Warwickshire NHS additional comments
Doc 8	Appeal notification letters
Doc 9	Outline opening submissions on behalf of the Appellant
Doc 10	Opening submissions for the Council
Doc 11	Statement of Councillor J Hockaday
Doc 12	Statement of Mr White
Doc 13	Statement of Mr Read
Doc 14	Statement of Mr Crump
Doc 15	Statement of Mrs Lowe
Doc 16	Statement of Mr Neill
Doc 17	Statement of Mr Plimmer
Doc 18	Statement of Mrs Sweeney
Doc 19	Statement of Councillor Mrs Winston
Doc 20	Statement of Mr Johnson
Doc 21	Statement of Mr Scargill re Flooding
Doc 22	Statement of Mr Thomas
Doc 23	Statement of Mrs Warhaftig
Doc 24	Statement of Mrs Hockaday
Doc 25	Statement of Councillor Brain
Doc 26	Statement of Mr Scargill re Highways
Doc 27	Statement of Councillor Martin
Doc 28	Statement of Mr Cooper
Doc 29	Statement of Councillor S Carter
Doc 30	Statement of Professor Wright read by Mrs Machin
Doc 31	Statement of Mr Luntley
Doc 32	Statement of Mr Butler
Doc 33	Statement of Mr Feeney
Doc 34	Statement of Councillor Barnes plus supporting photographs and plans
Doc 35	Council's Statement addressing the tests for planning obligations and contributions
Doc 36	Travel to Work Area Map (evidence of Ian Gilder)
Doc 37	Inquiry Note on key differences and areas of agreement between the main parties on the OAN for the District
Doc 38	Joint Supplementary Note on Housing Land Supply Matters
Doc 39	Core Strategy Inspector Initial Points and Questions (14 October 2014)
Doc 40	Draft Section 106
Doc 41	Supplementary Agreed Note to clarify the nature of the development proposed and the basis on which it was considered by the Council (includes additional suggested conditions)
Doc 42	Core Strategy Inspector's initial points and questions – further comments and queries (27 October 2014)
Doc 43	Photographs submitted by Councillor Barnes
Doc 44	Briefing Notes re WYG Flood Risk Assessment addressing objections raised by Mr Luntley, Mr Scargill and others and a Note from Utility Law

- Solutions re foul water drainage objections.
- Doc 45 Schedule of appeals in progress within the District as of 23 October 2014
- Doc 46 Schedule of residential commitments in Welford with planning permission as of 27 October 2014
- Doc 47 Council's response (24 October 2014) to the Core Strategy Inspector's initial points and questions
- Doc 48 Extract from GL Hearn SHMA Update January 2013 – see also CD39
- Doc 49 Summary of January 2013 SHMA figures over five years
- Doc 50 Confirmation from Boyer planning re progress on pre-commencement conditions in relation to Appeal Ref 2163206
- Doc 51 Revised suggested highways condition
- Doc 52 Appellant's response to the Council's CIL Compliance Statement
- Doc 53 Revised suggested conditions 3a and 3b
- Doc 54 Appellant's final comments on South Warwickshire NHS contribution request
- Doc 55 Closing submissions on behalf of the Council
- Doc 56 Office Copy Entries in relation to the Planning Obligation
- Doc 57 Additional Note re Unilateral Undertaking following Hearing Session
- Doc 58 Outline closing submissions on behalf of the Appellant
- Doc 59 Signed Unilateral Undertaking

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