

SECTION 78 OF THE TOWN AND COUNTRY PLANNING ACT 1990 [AS AMENDED].

APPEAL BY BLOOR HOMES SOUTHWEST.

LAND AT SODBURY ROAD, WICKWAR, SOUTH GLOUCESTERSHIRE, GL12 8PG.

PUBLIC INQUIRY COMMENCING ON THE 31 OCTOBER 2023.

THE OPENING SUBMISSIONS OF THE APPELLANT.

1. Housekeeping:

1.1. List of Appearances:

1.1.1. Sasha White – Kings Counsel – Instructed by:

1.1.2. Claire Hawkes MRTPI of Turleys, Bristol

1.1.3. Calling the following witnesses:

1.1.3.1. Mr Jeff Richards (BA Hons), MTP MRTPI – Planning and HLS.

1.1.3.2. Mr David Knight BEng (Hons) CTPP, FCILT, MCIHT, MTPS – Highways and Sustainability.

1.1.3.3. Mr Will Gardner BSc (Hons), Msc, CLMI – Landscape and Visual Impact.

1.1.3.4. Mr Robert Skinner BA (Hons), MA, ACIfA – Heritage.

1.1.3.5. Mr Jamie Roberts MPlan MRTPI – Affordable Housing.

1.2. The structure of this opening speech is as follows:

1.2.1. Section 1 – Introduction – The key case for the Appellant.

1.2.2. Section 2 – What the proposal is for.

1.2.3. Section 3 – The Factual Background.

1.2.4. Section 4 – Those matters not in dispute.

1.2.5. Section 5 – The key issues for determination at this appeal.

1.2.6. Section 6 – The legal and policy framework.

1.2.7. Section 7 – Why planning permission should be granted?

1.2.7.1. Appendix 1 – Chronology.

1.2.7.2. Appendix 2 – Relevant policies in the development plan

1.2.7.3. Appendix 3 – Comparison of the main parties position on the tilted balance.

Section 1 – Introduction – The key case for the Appellant.

1. This is a suitable and appropriate location for housing and will be delivered.
2. Indeed the LPA has granted in the past 6 years 170 houses at Poplar Lane and Horwood Lane in this policy context.
3. The Council has a significant under-delivery track record:
 - 3.1. To date it has an under-delivery of 2,737 homes against its Core Strategy housing requirement.
 - 3.2. On its own claimed supply figures in the 5 years period (2022 to 2027) which corresponds with the end of the Core Strategy plan period it will fall short of its minimum housing requirement by 1,819 homes.
 - 3.3. It is clear that there has and will be a significantly under-delivery and failure of the Council's housing delivery strategy.
4. This Council has a significant and high requirement to provide 1434 houses per annum or 7,172 homes in the next five years.
5. This target is onerous because:
 - 5.1. This is not voluntary but a mandatory requirement of extant government policy in October 2023.
 - 5.2. The development plan is accepted to be out of date for the purposes of its housing policies.
 - 5.3. There is simply no emerging policy whatsoever currently on which gives any steer on how housing will be delivered into the future.
 - 5.4. There exists no other emerging housing policy to show how this LPA intends to meet this need like an interim policy statement which Chichester DC or Lewes DC have employed.
 - 5.5. There is no other interim policy, resolution or SPD of any kind in place in South Gloucestershire currently.
 - 5.6. Therefore the only way in which that housing requirement can be met is through existing sites allocated and ad hoc planning applications of which this is one.
 - 5.7. Therefore this application should be approved because without such applications housing supply cannot be met.

Section 2 – What the proposal is actually for

6. The proposal is for:

- 6.1. Outline planning permission for all matters save access with of layout, scale, appearance and landscape reserved for future determination.
- 6.2. For up to 180 dwellings.
 - 6.2.1. Which could provide homes for 432 residents [CD 4.9, para 5.172]
 - 6.2.2. Of which 35% or up to 63 will be affordable housing [72% social rent and 28% shared ownership]
 - 6.2.3. Of which 5% or up to 9 will be custom housing or self-build.
- 6.3. For the provision of a shop.
- 6.4. For the provision of open space.
- 6.5. For the provision of new landscaping and planting.
- 6.6. For the provision of two new simple priority junction accesses onto Sodbury Road.
- 6.7. For the provision of various improvements through the Section 106:
 - 6.7.1. a new bus stop on Sodbury Road [CD 2.4].
 - 6.7.2. Zebra crossing on Sodbury Road to the north of the southern access.
 - 6.7.3. A village gateway feature.
 - 6.7.4. Formalisation of on-carriageway bus cages for north and south bound services north of the northern access.
 - 6.7.5. Relocation of the current pedestrian refuge on Sodbury Road.
 - 6.7.6. Upgraded signals at the B4060/B4059 junction with MOVA software.
 - 6.7.7. 3 changes to assist safe route to the primary school.
- 6.8. There are 3 application plans for determination [SoCG 4.1]
- 6.9. And two illustrative – A illustrative framework masterplan [CD 6.2] and a landscape strategy plan [CD 6.7]

Section 3 – The factual background.

7. The following matters are material to this appeal and hopefully not in dispute:
 - 7.1. Bloor Homes Southwest are a division of the national housebuilder who build many thousands of homes throughout the UK and therefore is one of the biggest development companies in the UK currently.
 - 7.2. This is a proposal which seeks to bring forward a housing development on the edge of the village of Wickwar.
 - 7.3. The site is shown on Figure 1 in the SoCG and lies to the southwest of the settlement.
 - 7.4. It is approximately 7.89 hectares of agricultural land currently divided into 4 fields.
 - 7.5. There are six willows on the boundary with Sodbury Road covered by TPO 1113.

- 7.6. The development plan is currently the Core Strategy and Policies, Sites and Places Plan.¹
- 7.7. There is no neighbourhood plan for Wickwar.
- 7.8. It lies beyond the existing settlement boundary as set out in the development plan.
- 7.9. The site does not contain any designated heritage assets.
- 7.10. The site does not contain any local or national landscape designations [SoCG Landscape 5]
- 7.11. The relevant heritage assets for this appeal are:
 - 7.11.1. Wickwar Conservation Area which is located circa 335 m north of the site.
 - 7.11.2. Frith Farmhouse [Grade II*] lies 440 metres to the southwest.
 - 7.11.3. South Farmhouse [Grade II] lies 28 metres north.
- 7.12. In landscape terms it falls within the following character areas:
 - 7.12.1. NCA 118 – Bristol, Avon Valleys and Ridges.
 - 7.12.2. South Gloucestershire LCA 5 – Wickwar Ridge and Vale.
- 7.13. The matter was appealed for non-determination.
- 7.14. The LPA then took it to two Committees in August 2023 to determine the putative reasons of refusal.
- 7.15. On both occasions officers recommended approval to members but that was rejected both times and the members resolved to impose two reasons of refusal – one relating to the overall planning balance and the other to the failure to provide a suitable section 106 obligation.

Section 4 – Those matters not in dispute.

8. The following matters are agreed:
 - 8.1. MoA 1 – The 35% Affordable housing contribution is compliant with Policy CS 18 [SoCG 7.9] and is a benefit to weigh in the planning balance.
 - 8.2. MoA 2 – The 65% Market housing is a benefit of the scheme to be weighed in the planning balance [SoCG 7.11]
 - 8.3. MoA 3 – The proposal proposes 5% self-build and custom build plots and that is a benefit that should be afforded significant weight in the planning balance [SoCG 7.15]
 - 8.4. MoA 4 – Great weight should be given to a Designated Heritage's Assets conservation. [SoCG 7.19]

¹ Also includes the West of England Joint Waste Core Strategy [2011] but no one contends that any policies are of relevance to the determination of this appeal.

- 8.5. MoA 5 – The only heritage assets under consideration are South Farm [Grade II], Frith Farm [Grade II*] and the Wickwar Conservation Area
- 8.6. MoA 6 – It is agreed that the proposal would cause less than substantial harm to the significance of South Farm at the lower end of the spectrum of NPPF 202 [SoCG 7.20]
- 8.7. MoA 7 – It is now agreed there would be no harm to the special architectural or historic interest of the Wickwar CA [SoCG 7.21 and HSoCG 1.5 and 2.26]
- 8.8. MoA 8 – An acceptable drainage solution can be achieved [SoCG 7.23]
- 8.9. MoA 9 – The proposed access points on Sodbury Road are safe and suitable [SoCG 7.24]
- 8.10. MoA 10 – There is no convenience shop facility in the Village currently and if delivered would provide one [SoCG 7.25]
- 8.11. MoA 11 – The proposal can secure a new PROW which would link to PROW LWR/25 [SoCG 7.26] and this is a benefit to weigh in the planning balance.
- 8.12. MoA 12 – There is no Natural England objection [CD3.45] to the proposal and that is also the position of the Council's Ecological Planning Adviser [CD3.5] [SoCG 7.27].
- 8.13. MoA 13 – The housing requirement and the settlement boundaries that depend on it are out of date due to non-compliance with the NPPF [SoCG 7.31].
- 8.14. MoA 14 – Consequently NPPF paragraph 11d applies and the tilted balance is in operation [SoCG 7.32].
- 8.15. MoA 15 – Therefore in compliance with the NPPF the Appeal should be determined on the basis that it should be allowed, and planning permission granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole [SoCG 7.32].
- 8.16. MoA 16 – The proposal will bring forward the delivery of BNG [SoCG 7.33].
- 8.17. MoA 17 – There is no objection on noise. [SoCG 7.33]
- 8.18. MoA 18 – There is no objection on air quality. [SoCG 7.33]
- 8.19. MoA 19 – There is no objection on impacts on residential amenity. [SoCG 7.33]
- 8.20. MoA 20 – There is no objection on ground contamination. [SoCG 7.33]
- 8.21. MoA 21 – There is no objection on impacts on PROWs. [SoCG 7.33]
- 8.22. MoA 22 – There is no objection on impacts of archaeology [SoCG 7.33]
9. Although not dealt with expressly in the SoCG it is also contended by the Appellant that the LPA do not contend:
 - 9.1. MoA 23 – That the tilted balance is disengaged for any reason set out in Footnote 7 of the NPPF. [As confirmed by the Fitzgerald rebuttal]
 - 9.2. MoA 24 – That the Appellant has not got the ability to deliver the planning permission.

- 9.3. MoA 25 - That the site is not a sustainable location for further housing. [CD 4.9, para 4.4]
- 9.4. MoA 26 - That the proposals are acceptable in terms of highway capacity.

Section 5 – The key issues for determination at this appeal.

- 10. There are consequently 7 matters that remain in dispute for your determination namely:
 - 10.1. Dispute 1 – Whether the LPA have a five-year HLS position or not [SoCG 8.2]
 - 10.2. Dispute 2 – What is the level of heritage harm to Frith Farm, does it engage NPPF 202 and if it does what is the extent of harm? [SoCG 8.3]
 - 10.3. Dispute 3 – What is the level of harm to landscape impacts – Should they be afforded significant weight [LPA's case] or moderate weight [Appellants case]? [SoCG 8.3]
 - 10.4. Dispute 4 - What is the weight to be given to the Economic Benefits? The LPA say limited and the Appellant significant. [SoCG 8.4]
 - 10.5. Dispute 5 – What grade is the Agricultural land on site? This appears now to be resolved.
 - 10.6. Dispute 6 – What level of bus service contribution should the Appellant make in the Section 106? [SoCG 8.6]
 - 10.7. Dispute 7 – Consequently do the impacts alleged by the LPA significantly and demonstrably outweigh the benefits as required by NPPF 11d?

Section 6 – The legal and policy framework.

- 11. The statutory starting point for the determination of the appeal is set out in Section 38(6) of the Planning and Compensation Act 2004 which requires the determination to be made in accordance with the development plan unless other material considerations indicate otherwise.
- 12. The relevant documents are therefore the CS [2013] and the PSPP [2017].
- 13. The relevant policies are set out in the following table in Appendix 2.
- 14. It will be the contention of the Appellant that overall the development plan supports the grant of permission in this appeal as can be seen from Appendix 2.
- 15. Then one needs to consider the other material considerations which principally amount to the NPPF.
- 16. It is the contention of the Appellant that also supports the grant of planning permission as will be explained by Mr Richards in evidence.

Section 7 – Why planning permission should be granted?

17. It will be the case at this appeal that planning permission should be granted because of the following propositions:

18. Proposition 1 – There is a huge housing crisis currently in the UK.

18.1. There is a recognised and long-standing housing crisis in the UK now due to a failure to adequately provide and build enough houses.

18.2. Nationally the UK needs to build not 50,000 or 100,000 houses but actually 300,000 per annum which is an onerous and substantial requirement. It is also material that failure to provide that need does not affect those living in housing currently but it affects the most vulnerable and poorest in society priced out of the housing market. They are the ones who suffer by having to endure no housing, inadequate housing or substandard housing. Their voice is the one that is not heard at planning inquiries or planning committees.

18.3. Nowhere is this more relevant than in South Gloucestershire where the average house price is now frighteningly beyond many due again to non-provision.

18.4. That crisis in provision is causing material harm on a daily basis to those most in need of accommodation.

19. Proposition 2 – The government seek the meeting of housing need.

19.1. The Government could take many different approaches to that need – it could take the approach of not seeking to meet it, acknowledging its existence but saying constraints preclude it being met or seeking to meet it.

19.2. Be in no mistake that the current NPPF says in the strongest terms that the key Government objective is to meet that need by making it a key objective to significantly boost the supply of housing in NPPF 60.

20. Proposition 3 – This LPA cannot meet its housing need.

20.1. It will be the contention of the Appellant that this is an LPA who has not and cannot meet their housing need as will be set out by Mr Richards.

20.2. There are also two critical factors to consider additionally:

20.2.1. Firstly there is unlikely to be any new development plan document solving this problem in the short or medium term. It is only to be solved by the granting of additional permission now either at local level or by appeal. However as you can see

from Mr Richard's evidence this is an LPA whose members do not grant housing permissions as a pavlovian response particularly when the recommendation of officers is that planning permission should be granted as shown twice in August 2023 in this case.

20.2.2. Secondly there is an acceptance that Greenfield sites will be required. Over the longer term and in the development plan greenfield sites have been allocated to meet housing need. The simple point is that in order to meet the need greenfield sites will be required.

21. Proposition 4 – This LPA cannot meet its affordable housing need.

21.1. The CS acknowledges in terms that the LPA has a significant need for more affordable housing.

21.2. The LPA have a dramatically long housing waiting list currently sitting at 4,228 households, not individuals, at the last count.

21.3. The affordability in South Gloucestershire is many times average salary so one can see in the starkest terms how difficult it is to provide adequate housing for those in need.

22. Proposition 5 – There is a crisis in housing delivery in this LPA consequently.

22.1. Therefore when one adds the HLS shortfall and the Affordable Housing need there is a critical crisis that needs to be addressed as a matter of urgency.

22.2. The “Do Nothing” is not an option to be followed by anyone in the planning system who cares about fairness, civility and those most in need.

22.3. But that is apparently where the LPA sit – there is no proposal, plan, interim policy or any other solution promoted or drawn to this inquiry attention in the planning proof of Ms Fitzgerald.

22.4. The simple fact is that the only solution to the shortfall is the grant now as a matter of urgency of new permissions.

23. Proposition 6 – The development plan is out of date.

23.1. The development plan is now more than 5 years old.

23.2. It does not meet its local housing need which is now in play which is that of the Standard Methodology.

24. Proposition 7 – The tilted balance is in play and has practical and real consequences.

- 24.1. Therefore the Government make it clear what the consequences of not having a five year HLS is and/or not having an up-to-date development plan.
- 24.2. The tilted balance is therefore in play.
- 24.3. The tilted balance must have practical, real and powerful consequences.
- 24.4. That is therefore a shift in essence in the planning balance to require the LPA to satisfy you that there are impacts, and those impacts outweigh significantly and demonstrably the benefits that planning permission will bring.
- 24.5. It will be the strong contention of the Appellant (as corroborated in the two August PORs) that the benefits of developing this site materially outweigh any potential harms.
25. Proposition 8 – There will be material benefits if planning permission is granted.
- 25.1. Benefit 1 – The provision of market housing should be given significant weight.
- 25.2. Benefit 2 – The provision of affordable housing should be given significant weight.
- 25.3. Benefit 3 – The provision of self-build/custom build should be given significant weight.
- 25.4. Benefit 4 – The provision of a shop should be given significant weight.
- 25.5. Benefit 5 – The provision of Economic benefits should be given significant weight which accords with NPPF 81.
- 25.6. Benefit 6 – On site environmental benefits should be given moderate weight with a current estimate of 55% BNG increase [See Appendix JR4].
- 25.7. Benefit 7 – Environmental benefits for Lower Woods SSSI – Moderate weight.
- 25.8. Benefit 8 – Additional social benefits – Moderate weight.
- 25.9. Cumulatively those benefits should be given significant weight.
26. Proposition 9 – The impacts alleged by the LPA are minor and not weighty.
- 26.1. Reason of Refusal 1 now has 7 impacts [LPA weighting/Appellant weighting]:
- 26.1.1. Impact 1 – Harm to South Farm [Great/Great]
- 26.1.2. Impact 2 – Harm to Frith Farm [Great/None]
- 26.1.3. Impact 3 – Increased reliance on Car Borne Transport [Substantial/None]:
- 26.1.3.1. The only matter raised under this impact is the contribution to support bus services. This really is not an impact because the Section 106 allows for two scenarios dependent on the conclusions of the Inspector having heard the evidence. Both the Appellants contribution or the LPA/WECA sought

contribution are catered for in the Section 106 so it is not an impact with that provision offered which would satisfy the LPA.

26.1.4. Impact 4 – Landscape Harm [Significant/Moderate]:

26.1.4.1. The Appellants says the evidence will show the harm should only be moderate because of the following factors:

26.1.4.1.1. There are no relevant landscape designations.

26.1.4.1.2. No one contends that the land falls within a valued landscape as defined by the NPPF 174.

26.1.4.1.3. It is inevitable under GVLIA that if one changes a greenfield site to a housing development there will be harm.

26.1.4.1.4. However the level of harm is not long distance but local to both landscape character and visual receptors of note.

26.1.4.1.5. The site has the ability to provide significant mitigation that will lessen the impacts at Year 15.

26.1.5. Impact 5 – Conflict with spatial strategy [limited/limited]

26.1.5.1. The plan's approach to the provision of housing, the settlement boundaries and the spatial strategy is out of date and should have been reviewed many years ago.

26.1.5.2. It has not so the weight is agreed to be reduced to limited.

26.1.6. Impact 6 – Loss of Grade 3 agricultural land [None/None]:

26.1.6.1. This appears no longer to be in issue.

26.1.7. Impact 7 – Recreational pressure on SSSI [Limited/None] – Again this is a matter which is simply not an impact. Provision is made in the Section 106 for a financial contribution and there is no objection from the Ecology officer or Natural England on this ground.

27. Proposition 10 – Overall the planning balances imposed by Section 38(6) and the NPPF are in favour of the Appellant.

27.1. The evidence will show that in the light of the need, the out of date development plan and the crisis in housing supply in South Gloucestershire planning permission will be shown to be an equitable and fair decision on this site in view of its characteristics and the small amount of harm that will accrue in this instance because of the subjective measured mitigation proposed in this development.

APPENDIX 1 – CHRONOLOGY.

- 17 September 1952 – Frith Farmhouse designated as Grade II*. [CD 4.15]
- 1973 – Wickwar Conservation Area designated [Nicholson 4.4]
- 5 June 1984 – South Farm listed Grade II. [CD 4.16]
- 1998 – Wickwar Conservation Area Advice Note SPG adopted.
- 11 December 2013 – South Gloucestershire Core Strategy Adopted. [CD4.4]
- March 2014 – NPPG published.
- 2017 – Outline planning permission granted for land south of Poplar Lane [See DK Plan]
- November 2017 – South Gloucestershire Policies, Sites and Places Plan adopted [CD4.5]
- 2018 – Outline planning permission granted for land south of Horwood Lane [See DK Plan]
- April 2020 – Joint Spatial Plan for the West of England withdrawn.
- October 2021 – Applicant submits a request for EIA screening [Application ref: P21/030/SCR]. [CD 6.1]
- November 2021 – LPA confirm that EIA not required [CD4.1]
- 23 February 2022 – Outline Planning Application for up to 180 dwellings and a local shop made to LPA with all matters reserved save for access.
- 21 March 2022 - Validated by the LPA. [CD 4.2]
- 31 March 2022 – SCG’s Conservation Officer [Rob Nicholson] provides consultation response [CD 3.35]
- 22 June 2022 – Target Date for determination of the OPA.
- 29 June 2022 – Design West Review Panel visit the site and receive a presentation.
- December 2022 – Government publish proposed changes to the NPPF.
- 2 March 2023 – Period for submission of consultation responses to draft NPPF closes.
- 27 February 2023 – Amendments to the OPA submitted [Richards 2.10]
- March 2023 - Further consultation on the amendments carried out by the LPA.
- 7 March 2023 – SGC’s Conservation Officer [Rob Nicholson] provides consultation response to revised submissions [CD 4.14]
- 29 March 2023 – SGC’s Ecological Planning Adviser [Boodger] final view of no objection [CD 3.5]
- 21 April 2023 – Extension of deadline for determination of the application agreed between the parties.
- 9 June 2023 – Appeal submitted to PINS by the Appellant.
- 12 July 2023 – Start Letter to the Appeal issued by PINS.

- 20 July 2023 – Natural England confirm in final email comments that there is no objection subject to the measures included in the Ecological Addendum being secured [CD 3.45]
- 21 July 2023 – Gloucestershire Wildlife Trust raise concern about recreational impact of the development [CD 3.31]
- 22 July 2023 – LPA inform developer that WECA would be seeking contribution to enhance bus provision.
- 24 July 2023 – Members of the Strategic Sites Delivery Committee undertake a site visit.
- 3 August 2023 – The OPA reported to the Strategic Sites Delivery Committee with an officer recommendation for approval. Members resolved to refuse the application. [CD 4.9]
- 8 August 2023 – The OPA reported to the Spatial Planning Committee with an officer recommendation for approval. Members resolved to refuse the application. [CD4.10]
- 23 August 2023 – Appellant contacts the LPA to notify of submission of updated illustrative masterplan.
- 5 September 2023 – Publication of NPPF 5. [CD 4.7]
- 6 September 2023 – LPA confirm no objection to submission of amended illustrative masterplan.
- 7 September 2023 – CMC held by Inspector Prentis.
- 19 September 2023 – Turleys submit a Technical Note on HLS position [CD 7.5]
- 3 October 2023 – Heritage SoCG signed and exchange of the proofs of evidence.
- 6 October 2023 – SoCG signed.
- 11 October 2023 – Housing SoCG, Landscape SoCG and Highways SoCG signed.
- 17 October 2023 – Exchange of the rebuttal proofs of evidence.
- 31 October 2023 – Commencement of Public Inquiry at SGDC offices.

APPENDIX 2 – THE RELEVANT POLICIES IN THE DEVELOPMENT PLAN [AS

AGREED IN SOCG 6.3]

	POLICY	MOST IMPORTANT [SOCG 6.4]	OUT OF DATE	APPELLANT POSITION
THE CORE STRATEGY				
1.	POLICY CS ₁ - HIGH QUALITY DESIGN			COMPLIANT
2.	POLICY CS ₂ – GREEN INFRASTRUCTURE			COMPLIANT
3.	POLICY CS _{4A} – PRES IN FAVOUR OF SUST DEV	YES		COMPLIANT
4.	POLICY CS ₅ – LOCATION OF DEVELOPMENT		YES	NON – COMPLIANCE- LTD WEIGHT [SOCG 7.7]
5.	POLICY CS ₆ – INFRASTRUCTURE CONTRIBUTIONS			COMPLIANT
6.	POLICY CS ₈ – IMPROVING ACCESSIBILITY	YES		COMPLIANT
7.	POLICY CS ₉ – MANAGE THE ENV AND HERITAGE	YES	YES	NON-COMPLIANCE
8.	POLICY CS ₁₄ – TOWN CENTRES AND RETAIL			COMPLIANT
9.	POLICY CS ₁₅ – DISTRIBUTION OF HOUSING		YES	PART COMPLIANCE
10.	POLICY CS ₁₆ – HOUSING DENSITY	YES		COMPLIANT
11.	POLICY CS ₁₇ – HOUSING DIVERSITY	YES		COMPLIANT
12.	POLICY CS ₁₈ – AFFORDABLE HOUSING	YES		COMPLIANT [SOCG 7.10]
13.	POLICY CS ₂₄ – GREEN INFRASTRUCTURE			COMPLIANT
14.	POLICY CS ₃₄ RURAL AREAS	YES	YES	NON-COMPLIANCE
15.				
POLICIES, SITES AND PLACES PLAN				
1.	POLICY PSP ₁ – LOCAL DISTINCTIVENESS	YES		COMPLIANT
2.	POLICY PSP ₂ – LANDSCAPE	YES		COMPLIANT
3.	POLICY PSP ₃ – TREES AND WOODLAND	YES		COMPLIANT
4.	POLICY PSP ₆ – ONSITE RENEWABLE			COMPLIANT
5.	POLICY PSP ₈ – RESIDENTIAL AMENITY			COMPLIANT
6.	POLICY PSP ₁₀ – ACTIVE TRAVEL ROUTES			COMPLIANT
7.	POLICY PSP ₁₁ – TRANSPORT IMPACT	YES		COMPLIANT
8.	POLICY PSP ₁₆ – PARKING STANDARDS			COMPLIAN ₄₄
9.	POLICY PSP ₁₇ – HERITAGE ASSETS	YES	YES	NON-COMPLIANCE
10.	POLICY PSP ₁₈ – STATUTORY WILDLIFE SITES			COMPLIANCE
11.	POLICY PSP ₁₉ – WIDER BIODIVERSITY			COMPLIANCE
12.	POLICY PSP ₄₀ – RESIDENTIAL DEV. IN THE C/SIDE	YES		NON-COMPLIANCE
13.	POLICY PSP ₄₂ – SELF BUILD AND CUSTOM HOUSE			COMPLIANT
14.	POLICY PSP ₄₃ – PRIVATE AMENITY STANDARDS			COMPLIANT

APPENDIX 3 – COMPARISON OF THE MAIN PARTIES POSITION ON THE TILTED BALANCE

		LPA STATEMENT OF CASE [SEE CD 7.2]	FITZGERALD PROOF AND REBUTTAL	RICHARDS PROOF	AGREEMENT OR NOT BETWEEN PLANNING WITNESSES
IMPACTS AND WEIGHT					
1.	LANDSCAPE HARM	SIGNIFICANT	SIGNIFICANT [LF 6.70 AND REBUTTAL 5.44]	MODERATE	NO
2.	INCREASE RELIANCE ON CAR BORNE TRANSPORT	SUBSTANTIAL	SUBSTANTIAL [LF 6.111 AND REBUTTAL 5.45]	NONE	NO
3.	LOSS OF AGRICULTURAL LAND	LIMITED	NONE [LF REB 5.18 OR LIMITED [LF REB 5.41]	NONE	POSSIBLY
4.	RECREATIONAL PRESSURE ON SSSI	LIMITED	LIMITED [LF 7.16 AND REBUTTAL 5.30]	NONE	NO
5.	CONFLICT WITH SPATIAL STRATEGY	LIMITED	SIGNIFICANT [LF 7.22]	LIMITED	NO
6.	HARM TO WICKWAR CA	GREAT	NONE [LF 6.73]	NONE	AGREED
7.	LTSH TO SOUTH FARM	GREAT	GREAT [LF 6.79]	GREAT	AGREED
8.	LTSH TO FRITH FARM	GREAT	GREAT [LF 7.17]	NONE	NO
BENEFITS AND WEIGHT					
1.	MARKET HOUSING	SIGNIFICANT	SIGNIFICANT [7.12 AND REBUTTAL 5.38]	SIGNIFICANT	AGREED
2.	AFFORDABLE HOUSING	SIGNIFICANT		SIGNIFICANT	
3.	PROVISION OF SELF BUILD PLOTS	SIGNIFICANT		SIGNIFICANT	
4.	PROVISION OF NEW JOBS	LIMITED	NOT ADDRESSED	SIGNIFICANT	NO
5.	OTHER BENEFITS [POTENTIAL FOR SHOP, REDIRECTED PROW, HIGHWAY IMPROVEMENTS AND CONNECTIONS	LIMITED	LIMITED [LF 7.13 AND REBUTTAL 5.39]	SHOP - SIGNIFICANT	NO
6.	BNG	NONE	NONE	MODERATE	NO
7.	LOWER WOODS SSSI	NONE	NONE	MODERATE	NO
8.	SOCIAL	NONE	NONE	MODERATE	NO
OVERALL TILTED BALANCE		REFUSE	REFUSE	GRANT	NO