



STATEMENT OF COMMON GROUND

APPEAL REFERENCE: APP/M1520/W/22/3310483

DATE OF HEARING: 29 March 2023

SITE ADDRESS AND DESCRIPTION OF THE DEVELOPMENT

ADDRESS: Land Rear of 248 Hart Road, Thundersley, Benfleet, Essex, SS7 3UQ

PROPOSAL: Demolish existing building and stables and construct 44. Affordable dwellings including open space, playspace, landscaping and associated access, infrastructure and parking arrangements (the Appeal Proposal)

APPELLANT: L&G Affordable Homes (the Appellant)

LOCAL PLANNING AUTHORITY: Castle Point Borough Council (the Council / LPA / CPBC)

PLANNING APPLICATION REFERENCE: 21/1137/FUL (the Application)

This statement addresses the following areas of common ground:

1. Appeal Site
2. Surrounding Area
3. Planning History
4. Appeal Proposal
5. Development Plan
6. Material Considerations
7. Housing Land Supply
8. Highways
9. Landscape
10. Green Belt
11. Planning Balance
12. Conditions and Obligations
13. Matters of Disagreement
14. Other Matters

1. Appeal Site

- 1.1. The Appeal Site currently consists of an existing dwelling, stables and a manège towards the northern boundary. This area constitutes previously developed land, and accounts for approximately 14% of the total Appeal Site area. The remainder is greenfield land last in equestrian use.
- 1.2. The Appeal Site is bordered by trees and hedgerows to the southern, eastern and western boundaries, providing containment. Additionally, a drainage ditch runs along the southern boundary.
- 1.3. Access to the Appeal Site is to be taken from the existing access off Hart Road to the north of the Appeal Site.
- 1.4. Residential development borders the Appeal Site to the north and north-east. Cedar Hall Primary School borders it to the west, with an open agricultural field bordering it to the south. There is further residential development to the south-east and south-west of the Appeal Site.
- 1.5. No TPOs are present on the Appeal Site.
- 1.6. Land at the southern end of the Appeal Site is designated as a Local Wildlife Site.
- 1.7. There are no Scheduled Ancient Monuments, Listed Buildings or Conservation Areas within or adjacent to the Appeal Site or that would be affected by the Appeal Proposal.
- 1.8. The Appeal Site is entirely within Flood Zone 1.
- 1.9. The Appeal Site is not the subject to any landscape designation and in context to para. 17(a) of the NPPF is not considered to be a valued landscape.
- 1.10. The Appeal Site is largely (c.97%) located within the Green Belt as per the current 1998 adopted Local Plan. An extract from the 1998 Local Plan Policies Plan Map with relevant aspects of key and site location plan overlaid is shown below as Figure 1.

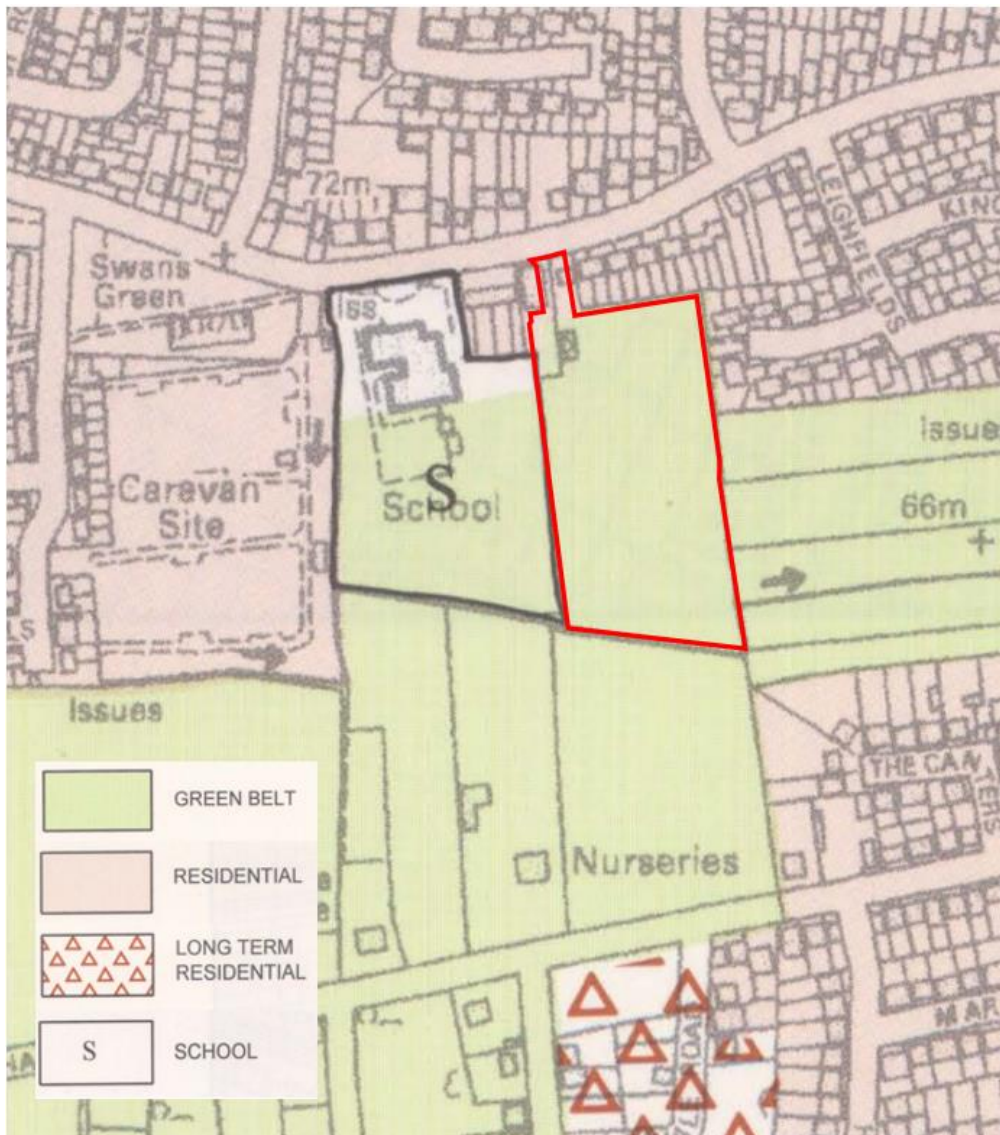


Figure 1 – Extract from 1998 Local Plan Policies Map with Appeal Site location overlaid

1.11. The Appeal Site is located within walking distance of the nearby local shops and facilities, primary school, and public transport (bus stops on Rayleigh Road), with specific distances set out in Section 2 of this Statement of Common Ground.

2. Surrounding Area

- 2.1. The Appeal Site is located on the south western edge of Thundersley, south of Hart Road.
- 2.2. Immediately to the west of the Appeal Site is a school (Cedar Hall). Existing residential development is located to the north (along Hart Road); east (Greenleas); to the south-west (residential development granted permission in March 2020, reference 19/0549/FUL); and south-east (the Canthers). Immediately to the south of the Appeal Site is an open field, beyond which lies residential development which is located along the southern side of The Chase.
- 2.3. Figure 2 below shows an aerial view of the Appeal Site, showing its immediate context albeit it does not show the new two storey teaching block at Cedar Hall school to the west currently under construction.



Figure 2 – Aerial view of the Appeal Site

- 2.4. Thundersley is a settlement located within the local authority area of Castle Point Borough Council (CPBC).
- 2.5. Castle Point is a small predominantly Green Belt borough served by a number of towns including South Benfleet, Hadleigh and Canvey Island, and a number of large villages that provide services to their respective catchment areas. The current Green Belt boundary is “tightly drawn around the urban areas¹” of the Borough.
- 2.6. Thundersley is located approximately 1.5 miles south of Rayleigh, 6 miles north west of Southend-on-Sea and 15 miles south of Chelmsford. Southend Airport is located 6 miles to the east. There are a number of smaller villages and hamlets surrounding the settlement which benefit from services and facilities offered within Thundersley.
- 2.7. The site is located approximately 1.5 miles from Rayleigh Railway Station, which provides direct and frequent services to London Liverpool Street (42 minutes), Southend Victoria (18 minutes) and Southend Airport (11 minutes) amongst other destinations.
- 2.8. Thundersley is located on the A129 and forms part of a continuing urban area with Rayleigh and Hadleigh. The A149 also connects Thundersley to the wider road network of the A13 (towards Southend and London) and the A127 (towards Southend and Basildon). The settlement is also well frequented by a number of buses, providing destinations to Rayleigh, Southend-On-Sea and Chelmsford.
- 2.9. Thundersley has a good range of local services and facilities including the Manor Trading Estate a major employment estate (as illustrated in Section 2 of the Design and Access Statement which accompanied the application). The Appeal Site is located within walking distance of the following:
- Special Primary and Secondary School – 100m
 - Primary School – 800m
 - Northbound Bus Stop – 320m
 - Southbound Bus Stop – 320m
 - Convenience Shop – 320m
 - Sports Centre – 800m
 - Common Park – 800m
- 2.10. Rayleigh, which is linked by a direct bus route to Thundersley, provides alternative ritual, employment and leisure options.

¹ Paragraph 9 of the Report on the Examination of the New Castle Point Local Plan, 3 March 2022

3. Planning History

3.1. There is a series of relevant planning history on the site, as set out in the following table:

<u>Reference</u>	<u>Description</u>	<u>Decision</u>	<u>Date of Decision</u>
CPT/1150/89/OUT	Outline – five detached five bedroomed houses and garages	Refused	27.02.1990
CPT/311/88/OUT	Outline- five detached houses and garages	Refused	12.04.1988
CPT/923/87/OUT	Outline – twelve houses and garages	Refused	28.07.1987
BEN/512/73/OUT	Outline – residential development	Refused	15.08.1973

3.2. The Appeal Site was proposed to be allocated for residential development as part of the subsequently withdrawn New Local Plan through Policy HO20.

4. Appeal Proposal

Description

- 4.1. The description of the proposed development (the Appeal Proposal) is:

“Demolish existing building and stables and construct 44. Affordable dwellings including open space, play space, landscaping and associated access, infrastructure and parking arrangement”.

- 4.2. This description has varied since the submission of the original application and the following changes have been made throughout the course of the application:

Original application form – *“46 dwellings with open space, playspace, landscaping, access and associated infrastructure”.*

Council made change (agreed by applicant) – *“Demolish existing building and stables and construct 46. Affordable dwellings including open space, play space, landscaping and associated access, infrastructure and parking arrangement”.*

Revised application form – *“44 dwellings with open space, playspace, landscaping, access and associated infrastructure”.*

Revised Council made change (agreed by applicant) – *“Demolish existing building and stables and construct 44. Affordable dwellings including open space, play space, landscaping and associated access, infrastructure and parking arrangement”.*

- 4.3. The difference between the two application descriptions is the reduction of the number of dwellings from 46 to 44

The Proposal

- 4.4. The proposed development comprises 44 affordable dwellings encompassing a mix of two and three bedroom, affordable rent and shared ownership homes, as follows:

Dwelling Tenure/Size	Number of Dwellings
Affordable Rent	
2-bed house	7
3-bed house	2
Shared Ownership	
2-bed house	12
3-bed house	23

- 4.5. The Council has raised no objections to the layout and design of the proposed development.

- 4.6. The development consists of two-storey dwellings, arranged as semi-detached and terraced dwellings, all with private amenity space placed along the central spine round running north to south, and three off-shoots running west to east.
- 4.7. All dwellings have rear gardens, with street access allowing for the storage of cycles, garden and household waste.
- 4.8. Each dwelling has 2 parking spaces. A total of 11 additional visitor spaces are proposed.
- 4.9. The proposal incorporates amenity space as well as sustainable drainage systems. Playspace provision is proposed to the south of the site, north of the attenuation basin which sits adjacent to the southern boundary. Also proposed is a 'tiny forest' and wildflower meadow to add ecological benefit to the development.
- 4.10. Subsequent to the determination of the application, the following revised plans were submitted as part of the appeal:
- 519/19/FUL/PL1004 B Proposed Site Layout Plan
 - 519/19/FUL/PL2001 B Proposed Street Scenes
 - 519/19/FUL/PL10.00 B Plots 1-2, 10-11, 21-24, 31-32 & 39-40 Proposed Plans
 - 519/19/FUL/PL10.01 B Plots 1-2, 10-11, 21-24, 31-32 & 39-40 Proposed Elevations
 - 519/19/FUL/PL20.01 B Plots 3-6, 19-20 & 41-42 Proposed Elevations
 - 519/19/FUL/PL20.00 B Plots 3-6, 17-20, 27-30, 33-34 & 41-42 Proposed Plans
 - 519/19/FUL/PL40.01 B Plots 12-14 Proposed Elevations 1 of 2
 - 519/19/FUL/PL40.02 B Plots 12-14 Proposed Elevations 2 of 2
 - 519/19/FUL/PL40.00 B Plots 12-14 Proposed Plans
 - 519/19/FUL/PL50.00 B Plots 15-16, 37-38 & 43-44 Proposed Plans
 - 519/19/FUL/PL50.01 B Plots 15-16, 37-38 & 43-44 Proposed Elevations
 - 519/19/FUL/PL20.02 B Plots 17-18, 27-30 & 33-34 Proposed Elevations
 - 519/19/FUL/PL60.00 B Plots 25-26 & 35-36 Proposed Plans
 - 519/19/FUL/P60.01 B Plots 25-26 & 35-36 Proposed Elevations

- 4.11. These are identical to those determined by CPBC, with the exception of the introduction of photovoltaic solar panels (PSP) on the roofs of proposed dwellings.
- 4.12. The Appellant advises that these have been introduced as part of measures to seek to achieve 'net zero carbon' for the appeal proposal and were explicitly identified in the Appellant's Statement of Case at paragraph 4.2.6 and Appendix 15. The introduction of these measures are supported in principle by the Council without prejudice to their objection to the proposed development. It is agreed there is no prejudice to third parties if the appeal is determined on the basis of the inclusion of the photovoltaic panels within the revised plans as listed above at paragraph 4.10 showing the PSP.

Means of Access

- 4.13. Both vehicular and pedestrian access will be taken from the existing access to the north of the site from Hart Road.
- 4.14. The proposed vehicular access will be partially lined with new tree planting.
- 4.15. Additional future pedestrian access may be gained in the future from the footpath that leads to the ditch lying to the south of the site.

Application Documentation

- 4.16. A full list of documents for which permission is sought are listed in Appendix 1 of this Statement of Common Ground.

Dates

- 4.17. The application for planning permission (REF: 21/1137/FUL) was registered as valid on 13th December 2021.
- 4.18. The application was considered at Planning Committee on 14th June 2022 with an Officer recommendation for approval. The Committee resolved to refuse the application, and the decision notice was issued on 21st June 2022.

Reasons for Refusal

- 4.19. The application was refused for two reasons:

- 1) The proposal represents inappropriate development in the Green Belt as defined by the National Planning Policy Framework. Such development will only be permitted if very special circumstances exist to justify its inappropriateness. It is not considered that very special circumstances have been demonstrated in this case which either in isolation or combination carry sufficient weight to outweigh the harm to this part of the Green Belt. The proposed development is therefore contrary to Government advice as contained in the National Planning Policy Framework.
- 2) The proposed development is premature in that it seeks to secure the development of land in the face of unresolved objections to Policy HO20 of the unadopted Castle Point Local Plan (2018-2033).

4.20. CPBC confirmed on 7th February 2023 that it will not be pursuing the second reason for refusal. The reasons are set out in Section 6.

The Appeal

4.21. The appeal was lodged on 4th November 2022.

5. Development Plan

Basics for Determining Planning Applications

- 5.1. S38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

The Development Plan

- 5.2. The Development Plan comprises:
- Saved policies from the Castle Point Local Plan, adopted 1998 and intended to cover the period to 2001
 - The Essex Minerals Local Plan, adopted 2014
 - The Essex and Southend-on-Sea Waste Local plan, adopted 2017
- 5.3. In this case only the saved policies of the 1998 Local Plan are pertinent to this Appeal.
- 5.4. There is no Neighbourhood Plan relevant to the Appeal Site.
- 5.5. The saved policies in the adopted 1998 Local Plan relevant to this Appeal include:
- EC2: Design
 - EC3: Residential Amenity
 - EC4: Pollution
 - EC13: Protection of Wildlife and their Habitats
 - EC14: Creation of new Wildlife Habitats
 - EC22: Retention of Trees, Woodland and Hedgerows
 - H7: Affordable Housing
 - H9: New Housing Densities
 - H10: Mix of Development
 - T8: Car Parking Standards
 - H17: Housing Development – Design and Layout
 - RE4: Provision of Children's Playspace and Parks
 - CF1: Social and Physical Infrastructure and New Developments
 - CF14: Surface Water Disposal

- 5.6. The Appeal Site is primarily located within the Green Belt. Former Policy GB1 (Green Belt) covering development in the Green Belt was not saved by the Secretary of State. Policies GB2- GB7 were saved but are not considered relevant to this appeal. Policy H1 of the 1998 Local Plan set out the CPBC's strategic policy on housing development, but was also not saved. CPBC therefore applies Government policy on Green Belts as set out in the NPPF.
- 5.7. The reason for refusal does not cite conflict with any saved Development Plan policies, and the Council is not advancing a case of any conflict with saved Development Plan policies as part of this appeal.
- 5.8. As such none of the policies within the Development Plan are considered to be the 'most important' for the purposes of determining this Appeal.
- 5.9. Castle Point Borough Council prepared a New Local Plan which was found sound by the examining Inspector in March 2022 but was not adopted and was withdrawn by the Council on 15th June 2022.

6. Material Considerations

National Policy and Guidance

- 6.1. The National Planning Policy Framework (2021) (NPPF) is a material consideration. It is agreed that the appeal proposal represents inappropriate development within the Green Belt and that very special circumstances need to be demonstrated.
- 6.2. Planning Practice Guidance (PPG) on Green Belts is a material consideration.

Withdrawn New Local Plan

- 6.3. Castle Point Borough Council withdrew the New Local Plan on 15th June 2022 just following the determination of the appeal application by Committee on the 14th June 2022.
- 6.4. It is agreed that the many of the evidence base documents remain relevant as does the Examining Inspector's post hearing letter of the 6th September 2021 and his later Report dated 3rd March 2022.
- 6.5. The emerging New Local Plan was withdrawn and the Council agreed to prepare a new Local Plan that protected the Green Belt and with a priority to produce a housing target that 'genuinely reflected local need'. It was envisaged that a new lower 'housing target' would be lower than previous proposals and housing development should prioritise brownfield development. As a result of the withdrawal of the emerging Local Plan, reason for refusal 2 on the decision notice is no longer applicable, and CPBC has confirmed that the Council will no longer be pursuing this reason for refusal.

7. Housing Supply

Five Year Housing Land Supply

- 7.1. CPBC cannot demonstrate a 5 Year Housing Land Supply (5YHLSd). It is agreed that the Council is able to demonstrate no more than a 1.86-year housing land supply based on a housing need of 355 per annum for the period 2022-2027. (The Appellant is of the view that the Borough only has a 1.39-year supply). Whether or not the Appellant's assessment is correct, the parties agree that there is a very substantial housing land supply shortfall.

Housing Delivery

- 7.2. As a result of poor performance in housing delivery in both the market and affordable housing sectors there is a significant unmet housing need.
- 7.3. CPBC's Housing Delivery Test (HDT) measurements since its introduction have been as follows:
- 2018: 48%
 - 2019: 54%
 - 2020: 48%
 - 2021: 49%
- 7.4. The HDT measurements demonstrate that each and every year since its introduction, CPBC's housing delivery has been substantially short of meeting its housing requirements, and amongst the worst in the country in this respect.

Affordable Housing

- 7.5. The South Essex Housing Market Assessment Addendum (2017) ('the SHMA') formed part of the evidence base of the examined but subsequently withdrawn New Local Plan. This calculated a net annual affordable housing need for Castle Point Borough of 353 affordable dpa (Table 3.2 of the SHMA).
- 7.6. The Appeal Proposal's provision of 44 affordable dwellings would make a significant contribution towards the Borough's affordable housing land supply, particularly so in the context of CPBC's recent affordable housing delivery record. The proposed supply of 100% affordable housing should be afforded at least substantial weight in the planning balance in respect of this Appeal (the Appellant considers it should be afforded *very* substantial weight).

8. Highways

- 8.1. The application is for full planning permission with no matters reserved.
- 8.2. Access to the Appeal Site is taken from the existing access on Hart Road. A Transport Assessment (TA) was submitted with the application.
- 8.3. Essex County Council did not raise any objection to the proposed access to the Appeal Site, subject to conditions.

9. Landscape

- 9.1. The Appeal Site is not a 'valued landscape' in the context of NPPF paragraph 174(a).
- 9.2. A Landscape and Visual Appraisal (LVA) accompanies the Appeal (Appendix 1 to the Appellant's Statement of Case). The LVA concludes that the effects on both landscape and visual amenity are limited to, and are experienced at, a local and site based level. CPBC does not challenge these conclusions as it is not advancing a case of landscape or visual impact in relation to this Appeal.

10. Green Belt

- 10.1. The Appeal Site is located within the Green Belt.
- 10.2. Paragraph 11 of the NPPF states that where there are no relevant development plan policies, permission should be granted unless (para. 11(d)(i)) the application of policies within the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or (para. 11(d)(ii)) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.
- 10.3. Footnote 7 of the NPPF confirms that the policies referred to in para. 11(d)(i) include those relating to the Green Belt.
- 10.4. Paragraph 147 of the NPPF states that inappropriate development in the Green Belt (including residential development) is by definition harmful and should not be approved, except in 'very special circumstances'.
- 10.5. Paragraph 148 requires that substantial weight should be given to any harm to the Green Belt and that 'very special circumstances (VSC)' will not exist unless the harm resulting from the proposal, is clearly outweighed by other considerations.
- 10.6. The parties agree that the Appeal Proposal constitutes inappropriate development in the Green Belt (NPPF paras. 149 and 150) and that substantial weight should be given to this harm. The extent and weight to be given to any further harm is not fully agreed. VSC need to be demonstrated in order for the Appeal Proposal to be considered acceptable (NPPF para. 148).
- 10.7. The main issues between the parties is whether VSC have been demonstrated.

11. European Sites

- 11.1. The Appeal Site is located within the Zone of Influence of two Essex coast Habitats sites: the Blackwater Estuary Special Protection Area (SPA) and Ramsar sites; and the Benfleet and Southend Marshes SPA and Ramsar sites.
- 11.2. The Zone of Influence relates to areas in which additional population growth has the potential to engender greater recreational disturbance on Essex coast Habitats sites through increased visitor numbers.
- 11.3. The Essex coast Recreational disturbance Avoidance and Mitigation Strategy (the 'Essex coast RAMS' has been prepared by Essex County Council in partnership with Essex Local Authorities including *inter alia* Castle Point Borough Council.
- 11.4. The Essex coast RAMS provides a strategic approach to ensuring effective mitigation of residential development proposals within the Essex coast Habitats sites' Zones of Influence. Its purposes include *inter alia* to provide developers, agents and Local Planning Authorities with a comprehensive, consistent and efficient way to ensure that appropriate mitigation for residential schemes within the Zones of Influence is provided in an effective and timely manner.
- 11.5. The Essex coast RAMS has been endorsed by Natural England.
- 11.6. The parties agree that the Essex coast RAMS sets out the appropriate mitigation for residential development of the scale of this Appeal Proposal, in the form of a per dwelling tariff of £122.30 to be paid towards funding strategic mitigation measures set out in the Essex coast RAMS. The tariff is the same figure per dwelling irrespective of the particular Essex coast Habitats site's Zone of Influence, or the number of Essex coast Habitats sites' Zones of Influence, a site falls within.
- 11.7. The parties agree that the development will not result in other Likely Significant Effects for the following reasons:
- Habitat loss and fragmentation / land take as a result of development
- 11.8. The Appeal Site is not a wetland area and consequently the development of the Appeal Site would not result in habitat loss or fragmentation likely to have an adverse effect on the designated sites
- Loss of functionally linked land (land outside the SPA and Ramsar site).
- 11.9. The Appeal Site is considered sufficiently inland to be confident that the land would not be functionally linked to the designated sites.
- Changes in water availability or water quality as a result of development and increased demands for water treatment, and changes in groundwater regimes due to increased impermeable areas.
- 11.10. Anglian Water has not identified a deficiency in capacity within the WRCs to accommodate the proposed growth. This, coupled with the requirement for all new development to limit pollution through the implementation of Construction Environmental Management Plans and to secure sustainable drainage methods which limit the quantity and/or speed of water reaching the WRCs, will sufficiently mitigate impacts to avoid significant effects.

Changes in atmospheric pollution levels due to increased traffic, waste management facilities etc.

- 11.11. The Appeal Site is considerably further than 200m from the designated sites and it is not considered that any pollution generated by the normal use of the site would lead to significant impacts on those sites. In terms of indirect impacts, the Construction Environment Management Plan sets out measures to control air borne pollution and would sufficiently mitigate any potential impacts
- 11.12. It is thus agreed by the Parties that, subject to the payment of the Essex coast RAMS tariff, the Appeal Proposal would not result in likely significant effects on any of the Essex coast Habitats sites, either alone or in combination with other development

12. Planning Balance

Tilted Balance

- 12.1. The parties agree that, as a result of CPC being unable to demonstrate a 5YHLS (see Section 7 above), and having failed the HDT, the 'tilted balance' set out in the NPPF (para. 11(d)) would normally be engaged.
- 12.2. CPBC contends that very special circumstances have not been demonstrated so that the tilted balance is not engaged.
- 12.3. The Appellant contends that very special circumstances have been demonstrated and thus that the NPPF does not provide "a clear reason for refusing the development proposed" (NPPF para. 11(d)(i)) so that the tilted balance is engaged.

13. CIL, Conditions and Obligations

CIL

- 13.1. CPBC is not currently a CIL charging authority. However, it proposes to introduce CIL on the 1st April 2023 (subject to the outcome of the examination of the Draft Charging Schedule).
- 13.2. Further to the publication of the CIL Draft Charging Schedule Examiner's Report, CPBC may implement the CIL Charging Schedule. On the 21st February 2023 the Council received a report on the examination of the Castle Point Council Community Infrastructure Levy Draft Charging Schedule which concluded that subject to specified modifications set out in Appendix A Castle Point Council Community Infrastructure Levy Draft Charging Schedule satisfies the requirements of section 212 of the Planning Act 2008 and meets the criteria for viability. On this basis the Examiner recommended the Draft Charging Schedule be approved with the specified modifications. Full Council will consider this at their next meeting on March 22nd 2023. It is agreed that it is anticipated that a report recommending the approval of CIL will be considered at that meeting.
- 13.3. It is agreed that it would not be appropriate for the S106 in respect of the Appeal to seek financial contributions towards infrastructure items that are intended to be funded through CIL, in the event that the CIL Charging Schedule is approved and implemented.

Conditions

- 13.4. Without prejudice to the outcome of the Appeal, draft conditions were set out in the Committee Report and form the basis of discussions between the Appellant and CPBC. Discussion is taking place separately to this SOCG.

Obligations

- 13.5. The Appellant and CPBC are seeking to agree a S106 Planning Obligations Agreement.

14. Matters of Disagreement

14.1. The parties agree that there is, essentially, a single matter of disagreement, i.e.:

Whether or not there are very special circumstances that justify the granting of planning permission.

14.2. The parties' position vis-à-vis very special circumstances and weight that should be afforded to the various considerations in respect of this Appeal are as follows:

Consideration		View on weight to be afforded	
		Appellant	CPBC
Harms	Harm to the Green Belt by way of being inappropriate development and harm to openness	Substantial	Substantial
	Any other harm to the Green Belt	No more than moderate	Substantial
	Impact on landscape	Limited	Limited
Benefits	Provision of affordable housing	Very substantial	Substantial
	Provision of net zero carbon housing	At least substantial	Limited
	Increase in Biodiversity Net Gain	At least moderate	Moderate
	Residual positive economic, social and environmental impacts	At least moderate	None

15. Other Matters

- 15.1. To confirm, the Parties agree that, other than the issue of VSC above, there are no Development Plan policies or other material considerations (including the NPPF) that suggest the Appeal Proposal should not be allowed.

Signed

Signed on behalf of the Appellant:	
	
Name: Sam Hollingworth	
Position: Associate Director, Savills (UK) Ltd	
Date: 21 March 2023	
Signed on behalf of CPBC:	
A E Hutchinson	
Name: Alison Hutchinson	
Position: Consultant	
Date: 21 March 2023	

STATEMENT OF COMMON GROUND

Appeal Reference: APP/M1520/W/22/3310483

Appendix 1 – List of plans for which permission is sought

- 519/19/FUL/PL1000 Site Location Plan – Ashby Design
- 519/19/FUL/PL1003 Rev A Proposed Block Plan – Ashby Design
- 519/19/FUL/PL1004 Rev B Proposed Site Layout Plan – Ashby Design
- 519/19/FUL/PL1005 Rev A Proposed Access Strategy Plan – Ashby Design
- 519/19/FUL/PL1006 Rev A Proposed Dwelling Types Plan – Ashby Design
- 519/19/FUL/PL1007 Rev A Materials & Boundary Treatments Plan – Ashby Design
- 519/19/FUL/PL20.02 Rev B Plots 17-18, 27-30 & 33-34 Proposed Elevations – HTA – Ashby Design
- 519/19/FUL/PL30.01 Plots 7-9 – Proposed Elevations 1 of 2 – HTA & HTB – Ashby Design
- 519/19/FUL/PL30.02 Plots 7-9 – Proposed Elevations 2 of 2 – HTA & HTB – Ashby Design
- 519/19/FUL/PL30.00 Plots 7-9 – Proposed Plans – HTA & HTB – Ashby Design
- 519/19/FUL/PL40.00 Rev B – Plots 12-14 Proposed Plans – HTA & HTB – Ashby Design
- 519/19/FUL/PL40.01 Rev B Plots 12-14 – Proposed Elevations 1 of 2 – HTA & HTB – Ashby Design
- 519/19/FUL/PL40.02 Rev B Plots 12-14 – Proposed Elevations 2 of 2 – HTA & HTB – Ashby Design
- 519/19/FUL/PL50.00 Rev B Plots 15-16, 37-38 & 43-44 – Proposed Plans – HTB – Ashby Design
- 519/19/FUL/PL50.01 Rev B Plots 15-16, 37-38 & 43-44 – Proposed Elevations – HTB – Ashby Design
- 519/19/FUL/PL60.00 Rev B Plots 25-26 & 35-36 – Proposed Plans – HTB – Ashby Design
- 519/19/FUL/PL60.01 Rev B Plots 25-26 & 35-36 – Proposed Elevations – HTB – Ashby Design
- 519/19/FUL/PL20.00 Rev B Plots 3-6, 17-20, 27-30, 33-34 & 41-42 – Proposed Plans – HTA – Ashby Design
- 519/19/FUL/PL20.01 Rev B Plots 3-6, 19-20 & 41-42 – Proposed Elevations – HTA – Ashby Design
- 519/19/FUL/PL40.00 Rev B Plots 12-14 – Proposed Plans – HTA & HTB – Ashby Design
- 519/19/FUL/PL10.00 Rev B Plots 1-2, 10-11, 21-24, 31-32 & 39-40 – Proposed Plans – HTB – Ashby Design
- 519/19/FUL/PL10.01 Rev B Plots 1-2, 10-11, 21-24, 31-32 & 39-40 – Proposed Elevations – HTB – Ashby Design
- OS 2244-21.2 Rev B Tree Protection Plan – Open Spaces
- OS 2244-21.3 Rev B Soft Landscaping Plan – Open Spaces
- OS 2244-21.4 Rev A Hard Landscaping Plan – Open Spaces
- 21328-HYD-XX-XX-DR-C-2600 P05 Drainage Layout – Hydrock
- 21328-HYD-XX-XX-DR-C-2600 P04 Drainage Layout – Hydrock
- 21328-HYD-XX-XX-DR-C-2600 P02 Drainage Layout – Hydrock