
Appeal Decision

Inquiry Held on 11-13 June, 18–20 June and 25 October 2024

Accompanied site visit made on 12 June 2024 & unaccompanied site visits made on 10 and 19 June 2024

by Clive Coyne Dip ERM BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd June 2025

Appeal Ref: APP/B1930/W/24/3338501

Bricket Wood Sports and Country Club, Paintball Site & Bricket Lodge, Lye Lane, St Albans, AL2 3TF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Mr Ken Rudkin (JK Rudkin Builders Ltd) against St Albans City and District Council.
 - The application Ref 5/2022/2443 is dated 30 September 2022.
 - The development proposed is described on the application form as 'the demolition of existing buildings, the construction of up to 115 dwellings, the creation of a new access and associated highways improvements'.
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Decision

1. The appeal is dismissed and planning permission is refused.

Applications for costs

2. An application for costs was made by St Albans City and District Council against Mr Ken Rudkin (JK Rudkin Builders Ltd). This application is the subject of a separate Decision.

Preliminary Matters

3. The application is for outline planning permission, with all matters except for access reserved for future consideration. An indicative set of plans were submitted with the application, and I have taken these into account only in so far as determining the acceptability, in land use principle terms, of erecting up to 115 dwellings on the site.
4. A Case Management Conference was held on 18 April 2024. The purpose of the conference was to provide a structure for the ongoing management of the case and the presentation of evidence. There was no discussion of the merits of the respective parties' cases.
5. At the Inquiry the Council confirmed that due to updated advice from Natural England, it would no longer be defending the sixth putative reason for refusal relating to impacts on two Sites of Special Scientific Interest. I therefore do not address this matter in my reasoning below.

6. Before me is a signed and dated Section 106 legal agreement. It makes various provisions which include: health; education; waste; sustainable transport; affordable housing; self-build and custom build housing; open space; and biodiversity net gain. The Council has confirmed that this overcomes its concerns in respect of the seventh putative reason for refusal. However, as I am dismissing for other reasons, it is not necessary for me to consider this obligation in detail.
7. On 12 December 2024 a revised version of the National Planning Policy Framework (the Framework) was published and on 27 February 2025 the section of the Planning Practice Guidance relating to Green Belt was updated. I have given the main parties an opportunity to comment on these matters and have taken these comments into account in making my decision.
8. In their respective submitted evidence relating to the planning balance, both main parties have ascribed terms for the weight they give to harms and benefits using differing scales. For the avoidance of doubt and bearing these scales in mind I have ascribed weight in my reasoning below based on the following scale in ascending order: no weight, limited, moderate, significant, substantial, very substantial.

Main Issues

9. The main issues are:
 - whether the proposal would represent inappropriate development in the Green Belt having regard to the Framework and any relevant Development Plan policies;
 - the effect of the proposed development on the landscape character of the area;
 - the effect of the proposed development on highway safety;
 - whether the proposed development would support active and sustainable modes of travel;
 - the effect of the proposed development on flood risk and drainage; and
 - if the proposed development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

10. The appeal site is situated between the settlements of How Wood and Bricket Wood and close to the M25 motorway. On two sides the site is bounded by high mature woods some of which is classified as ancient and semi-natural woodland. On one of the other site boundaries is a tall row of mature conifer hedging that separates it from the residential garden of Lye House. The site's other boundary which fronts Lye Lane comprises a combination of high mature trees and lower height hedging in front of the existing residential properties in situ.
11. Apart from the part of it which crosses the M25, Lye Lane itself is a relatively narrow and verdant tree lined road which runs from its junction with the A405 all the way to the crossroads at its intersection with West Riding, Oak Avenue and Park Street Lane. The site is also located within the Metropolitan Green Belt.

12. There are several residential dwellings that front onto Lye Lane. This end of the site, close to Lye Lane, also has a few dilapidated vacant buildings. Towards the middle and opposite end of the site there is currently a paintball activity centre with some associated outbuildings, containers, ad hoc structures and a large area of hardstanding situated towards the site's boundary with Blackgreen Wood. There is also one outbuilding towards the other side of the site. An overgrown gravel track associated with the paintballing enterprise also loops round the middle of the paintballing part of the site.

Whether inappropriate development

13. The National Planning Policy Framework (the Framework) at paragraph 153 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
14. Saved Policy 1 of the adopted St Albans District Local Plan Review (SALP) identifies the extent of the Metropolitan Green Belt in the District. It also does not permit development within the Metropolitan Green Belt except for specified purposes, certain types of development in Green Belt settlements (referred to in saved Policy 2) or in very special circumstances. The specified purposes referred to in the policy broadly align with those set out in the Framework as not being inappropriate development. This combined with the fact that it refers to a 'very special circumstances' test like that outlined by national policy means that it is broadly consistent with the aims of the Framework. As a result, I afford this policy full weight.
15. Policy S1 of the made St Stephen Neighbourhood Plan (SSNP) does not support development outside the built-up area boundary of Bricket Wood as identified on its proposals map unless: it is on a site allocated by the SALP (or its successor plans); it relates to necessary utilities infrastructure and where no reasonable alternative location is available; or it relates to uses that are not inappropriate in the Green Belt. Policy S1 also refers to the 'very special circumstances' test outlined by national policy. Therefore, in relation to the Green Belt, this policy broadly aligns with national policy. It is also an up-to-date policy that is part of the statutory development plan. Accordingly, I afford this policy full weight.
16. The construction of new buildings is regarded as inappropriate in the Green Belt save for several specified exceptions under paragraphs 154 to 159 of the Framework. Paragraph 155 sets out several exceptions, in addition to those set out in paragraph 154, which all need to be met for development to be deemed as not inappropriate.
17. Firstly, I will deal with the exception set out in paragraph 154 g) of the Framework. This relates to the limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt. Both parties agree that the appeal site comprises previously developed land (PDL).
18. The Framework states that PDL is '*land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed)*.' It also states

that PDL excludes '*land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape*' amongst other things.

19. As set out above, good portions of the appeal site contain buildings, houses, outbuildings and fixed surface infrastructure such as the hardstanding and the gravel path. Therefore, while the ad hoc structures associated with the current paintballing activity are temporary, I find that overall, the entirety of the appeal site is PDL as defined by the Framework. As a result, I agree with the main parties on this matter, and I therefore consider paragraph 154 g) to be relevant in this case.
20. As set out in paragraph 142 of the Framework, the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It also highlights that the essential characteristics of Green Belts are their openness and their permanence.
21. In terms of the openness of the appeal site itself, whilst the whole of the site is considered PDL, a significant portion of it is devoid of buildings, as shown by the submitted site plan. Indeed, on my visit I observed this and got a real and tangible sense of the spatial and visual openness within that part of the site even though there was fixed surface infrastructure such as the hardstanding nearby.
22. As for the land in the vicinity of the appeal site, a good portion of this consists of mature woodland, some of which is ancient, and low-density residential development such as the adjacent Lye House. This low-density residential development runs along much of this part of Lye Lane and apart from it, a lot of the land around the appeal site is also devoid of built development. As a result, I consider the land around the appeal site to be predominately open in spatial terms.
23. In relation to its spatial impact on openness the indicative proposal for all intents and purposes would install a modern development of over a hundred houses on the appeal site. According to the evidence¹, the indicative proposal would comprise around 115 dwellings with an approximate density of 34 dwellings per hectare. This would be significantly higher than that of the existing residential development nearby. Furthermore, the evidence also shows that the indicative proposal would also represent an increase in gross internal floor area of around 860% and an increase in spatial footprint of about 304%.²
24. Therefore, in simple spatial terms it would have a clear and demonstrable effect on the openness of the Green Belt by introducing built development to land which is for the most part presently permanently open. Furthermore, given the proposal's size and scale, I consider that this adverse impact on the spatial openness of the appeal site to be significant thereby causing very substantial harm. For similar reasons I also consider that it would have an adverse impact on the spatial openness of the Green Belt land surrounding the appeal site thereby causing substantial harm in this regard.
25. Moreover, given its location and scale, the proposal would also spatially reduce the strategic gap between the two settlements of How Wood and Bricket Wood thereby having an adverse impact on the spatial openness of the Green Belt in this regard

¹ CD 2.4

² CD 9.2

as well. Indeed, according to the evidence³, the gap between the existing buildings on the appeal site and the built-up area of How Wood would be reduced by approximately 200 metres. The proposal would therefore also have an adverse impact on the spatial openness of the wider Green Belt in this respect causing substantial harm.

26. Turning to the proposal's impact on visual openness, the main parties agree that the appeal site is well-screened by mature woodland and/or high hedging on its boundaries except for the part of it which fronts onto Lye Lane. It is therefore clear that the proposal would be similarly well-screened but that it would be visible at least in part from Lye Lane. The indicative proposed site plan – Revision C shows that there would be open frontage space on the site boundary at this location, with a row of houses sitting behind it. The plan also shows that these houses would be facing towards this open frontage space and Lye Lane beyond it.
27. The proposal would install an upgraded vehicular entrance on Lye Lane and given the nature and scale of the indicative proposal this would mean an increase in vehicular activity along the lane. The appellant has stated that currently, given the presence of about 33 dwellings on the appeal site which '*already generate round-the-clock activity and nighttime lighting*'⁴. However, on my visit I observed that most of the existing buildings on the site are dilapidated and vacant with only around two or three being in use. As a result, I consider it unlikely that the current activity on the site is '*round-the-clock*'.
28. Furthermore, even if there were 33 dwellings in use, their residential nature would not likely generate activity 24 hours a day and even if they did, the proposal's increase to around 115 dwellings would mean an intensification of such activity. In any event, regardless of the level of activity on the site currently, the proposal's significant increase in the number of dwellings and built development on the site would, in my view, lead to a great intensification of human activity both within it and in its immediate vicinity, nonetheless. This increased activity would have both spatial and visual components.
29. Moreover, while the proposal would be largely visually enclosed this is not the same as it not being visible at all. It also does not mean that there would be no impact on visual openness. Indeed, it has been held by the courts that the concept of openness means land being free from built development i.e. the absence of built form as opposed to the absence of visual impact.⁵ They have also held that while visual impact is implicitly part of the openness of the Green Belt, the absence of visual intrusion does not in itself mean that there is no impact on this openness.⁶
30. Therefore, and in the context of the above, it is clear to me that the proposal would have a significant adverse impact on the visual openness of the Green Belt causing substantial harm. It is also clear to me that given my findings above, the proposal would represent a permanent change to the openness of the Green Belt both spatially and visually. I therefore conclude that the proposal would fail to preserve the openness of the Green Belt thereby causing very substantial harm. As a result, it fails to meet the exception set out in paragraph 154 g) of the Framework.

³ CD 9.2

⁴ CD 2.4 paragraph 8.14

⁵ CD 6.2

⁶ CD 6.3 - Turner v SSCLG [2016] EWCA Civ 466

31. As set out above I consider that the portion of the appeal site devoid of built development to be open. In addition, while I acknowledge that it is used for paintballing, this is not a constant or intensive use. Furthermore, I find that due to the lack of built form in situ, that this part of the site also encompasses countryside characteristics such as grassland, plants, shrubs, trees and when not in use, tranquillity, as I saw and experienced on my visit.
32. Consequently, and while I note that my visit was a snapshot in time, I consider that these aspects combined with its openness give the part of the appeal site without any buildings a real sense of rurality, particularly as the high mature trees screen out any urban or suburban influences such as the M25 or nearby residential development. I therefore also consider that this part of the site comprises open countryside.
33. As a result, I find that the proposal would also represent a clear and significant encroachment into the countryside in conflict with Green Belt purpose c) and paragraph 143 of the Framework thereby causing substantial harm in this regard.
34. I now turn to the exception set out in paragraph 155 a) that relates to whether the proposal would utilise grey belt land and not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. Grey Belt land is defined by the Framework as *'land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143'* of the Framework.
35. Green Belt purpose a) as set out in paragraph 143 of the Framework is *'to check the unrestricted sprawl of large built-up areas'*. The Green Belt Review Purposes Assessment⁷ (GBRPA) identifies the appeal site as being part of parcel GB26. In relation to purpose a) it places the parcel in the 'limited or no' contribution category as it is located away from the large built-up areas of London, Luton, Dunstable and Stevenage. As a result, I find that the appeal site does not strongly contribute to purpose a), and that as a result the proposal would cause very limited harm in this regard.
36. Green Belt purpose b) as set out in paragraph 143 of the Framework is *'to prevent neighbouring towns merging into one another'*. The GBRPA states that in combination with parcels GB25, GB27, GB28, GB29 and GB30, parcel GB26 forms part of the strategic gap between St Albans and Watford and that it therefore partially contributes to preventing these large built-up areas from merging.
37. However, the main parties agree that the settlements of How Wood and Bricket Wood are villages and not towns. This is backed up by saved Policy 2 of the SALP which states that they are 'large villages'. In addition, the appeal site forms only a small part of the overall gap between these villages which means that as per the updated Planning Practice Guidance⁸, the site does not currently make any contribution to purpose b).
38. Green Belt purpose d) as set out in paragraph 143 of the Framework is *'to preserve the setting and special character of historic towns'*. The appeal site is not very far from the historic town of St Albans. However, the main parties agree that the

⁷ CD 8.10 & CD 8.10.1

⁸ Paragraph: 005 Reference ID: 64-005-20250225

appeal site does not form part of its historic setting, and that the proposal would not have an adverse impact on its significance. Based on the evidence I also agree with this conclusion. I therefore find that the appeal site does not strongly contribute to purpose d).

39. Purpose e) relates to assisting in urban regeneration and the main parties agree that the proposal will have no impact on this purpose and from the evidence before me I see no reason to disagree.
40. At paragraph 156 the Framework also sets out several contributions or 'Golden Rules' that are required of major development proposals on Green Belt land for them to be looked on favourably in terms of them being granting planning permission. These rules are explained further in paragraphs 157 to 159 and where a major proposal meets these golden rules i.e. it provides the required contributions, significant weight should be given in favour of granting planning permission.
41. The first Golden Rule is for a contribution of affordable housing that either reflects an affordable housing policy requirement for major development formulated under this version of the Framework or if not in place, then in accordance with paragraph 157 of the Framework. Paragraph 157 stipulates that the affordable housing contribution required to satisfy the Golden Rules is 15 percentage points above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of 50%. It also states that if there is no pre-existing policy requirement then a 50% affordable housing contribution applies by default.
42. Policy 8 of the SALP relates to affordable housing in the Metropolitan Green Belt but only applies to small sites in identified Green Belt settlements with Policy 7A applying to sites in Towns and Specified Settlements with a requirement of 35%. Given the appeal site's location neither of these policies are applicable to it. The only other requirement is that set out in the adopted Affordable Housing Supplementary Planning Guidance document⁹ (SPG) which seeks to apply the 35% requirement from Policy 7A across the District. The proposal would provide 35% affordable housing thereby meeting this nominal requirement. It would however not provide the required 15% uplift.
43. The updated PPG¹⁰ also specifically states that in relation to land subject to the Golden Rules, a site-specific viability assessment should not be undertaken or taken into account for the purpose of reducing developer contributions, including affordable housing and that this guidance will be reviewed. The appellant has argued that this means that the affordable housing required under the Golden Rule could be secured via the imposition of a suitably worded condition in the interim. However, in my view, such an approach would not be reasonable in the context of the above and it would also be contrary to paragraph 157 of the Framework in this regard. As a result, I find that the proposal does not meet the 'Golden Rules' requirement set by paragraph 156 a).
44. In term of the Golden Rule requirement set by paragraph 156 b), the proposal includes improvements to local infrastructure including the provision of a new footpath with consequential changes to the highway along Lye Lane and a new vehicular/pedestrian access to the development. However, as set out below, I have

⁹ CD 4.4

¹⁰ Paragraph: 029 Reference ID: 10-029-20241212

found that the proposal would cause unacceptable harm to highway safety. As a result, I find that the proposal would not improve local highway infrastructure and so would not meet the Golden Rule requirement as per paragraph 156 b).

45. As for the Golden Rule requirement set by paragraph 156 c) the proposal would provide an area of open space, and a play area as set out in the submitted indicative proposed site layout plan (Rev C) and this would be dealt with at reserved matters stage and secured via an appropriately worded condition as set out in inquiry document ID21. As a result, I am satisfied that the proposal would meet this Golden Rule requirement.
46. Paragraph 155 of the Framework states that all the criteria (a to d) set out within it must be met for development to not be regarded as inappropriate development in the Green Belt.
47. In relation to criterion a) of paragraph 155, I have found that the appeal site does not contribute strongly to Green Belt purposes a), b), or d). The other limb of the exception set out by paragraph 155 a) is whether the proposal would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the plan area as whole, to which I now turn.
48. As set out above the proposal would not have an impact on purpose e). However, I have found that it would have a significant adverse impact on purpose c) causing substantial harm. It would also have a limited impact on purpose a). The proposal would therefore fundamentally undermine the purposes (taken together) of the remaining Green Belt across the plan area as whole. As a result, the proposal would not utilise grey belt land as per paragraph 155 a) of the Framework.
49. Furthermore, even if it did utilise grey belt land, as set out in greater detail later in this decision, the proposed development would not be in a sustainable location. As a result, I find that it fails to meet the requirement set by paragraph 155 c).
50. Moreover, as set out above, the proposal fails to meet all of the Golden Rules requirements meaning that it also fails to meet the requirement set by paragraph 155 d).
51. Consequently, given the proposal's failure to meet all the requirements set by paragraph 155 and the exception set by 154 g) of the Framework, I conclude that it would represent inappropriate development in the Green Belt thereby causing substantial harm.
52. Accordingly, and for the reasons set out above, I also conclude that the proposal would cause very substantial spatial and visual harm to the openness of the Green Belt by not preserving it in conflict with paragraph 142 of the Framework. Additionally, I conclude that it would represent an encroachment of development into the countryside in conflict with paragraph 143 of the Framework. The proposal would therefore conflict with the aims of saved policy 1 of the SALP and policy S1 of the SSNP.

Landscape Character

53. The residential development closest to the appeal site along Lye Lane comprises detached dwellings with a low-density development pattern the only exception being the existing housing on the appeal site itself which is of a slightly higher density. The site is also between the higher density settlements of Bricket Wood

and How Wood. While the existing housing on the appeal site is of a slightly higher density than the housing on the portion of Lye Lane to which it belongs, it is by no rational measure of a density as high as that in the nearby built-up areas of How Wood and Bricket Wood.

54. Lye Lane is lined on both sides with trees for the entirety of its length except for where there are entrances to residences at various points. This is particularly noticeable at the appeal site with the portion fronting onto Lye Lane containing only a few trees along its frontage which comprises mostly hedging with a modest height. However, land opposite the appeal site which fronts onto Lye Lane is lined with trees.
55. Taken in the round, and in the context of the above, I consider that the verdant nature of Lye Lane overall, the relatively low-density housing that runs along it, the trees and open land on the opposite side of the lane to the appeal site and the relative lack of high-density development in the locality does give Lye Lane, the appeal site, and the land around it a rural look, feel and character. As a result, and as set out above, I consider that the portion of the appeal site without built development does have an intrinsically rural character.
56. On my visit I observed that several of the buildings on the appeal site were vacant and dilapidated. The portion of the site not used for paintballing was also quite overgrown in places with unused items and rubbish also being present in certain parts of it. As for the part of the site lacking buildings, while it did not have any rubbish within it, it did have other items such as wooden pallets and rolled up netting which gave it a somewhat untidy appearance in places. That said, this untidiness does not detract from the rural character of this portion of the appeal site. I also consider that overall, given its largely open and verdant nature, that the appeal site makes a positive contribution to the intrinsic countryside qualities of the area.
57. The submitted Landscape and Visual Impact Assessment¹¹ (LVIA) concludes that *'there will be no long term significant adverse effects arising as a result of a proposed residential development and it can be considered as being beneficial due to the landscape enhancements that will be brought into a site which, apart from its retained boundaries, is currently limited in any valuable vegetation or ecological diversity'*.
58. However, as set out above the appeal site does have a rural character and a sense of tranquillity as does the land in its vicinity. The area is also characterised by sporadic low-density development. The proposal would introduce a large housing development of over 100 homes to the area with a relatively high density in comparison to what is currently there. As such I consider that the magnitude of change that the proposal would bring about to the appeal site and to Lye Lane to be significant. As a result, I also consider that it would have a clear adverse impact on the intrinsic rural character of the appeal site and local landscape.
59. Furthermore, even though the proposal would be well screened on three sides and that the removal of the current paintballing paraphernalia would be of some benefit, it would still be visible from Lye Lane, as acknowledged by the appellant. Moreover, as set out in the LVIA, any proposed landscaping would take about 15 years to

¹¹ CD 1.11

mature and provide any benefit in terms of mitigating any adverse visual impact. Consequently, even though the proposed dwellings would likely be set back from Lye Lane, I consider that they would for the most part be visible from the public highway on Lye Lane for a considerable period of time, nonetheless.

60. In addition, according to the evidence the proposed new vehicular access and its associated footpaths would measure around 10 metres in width. Its construction would also necessitate the removal of existing trees and vegetation from the appeal site's boundary with Lye Lane with this being replaced by an area of open frontage which would only be partially screened by a portion of the proposed 3-metre-high acoustic barrier on the other side of the proposed access.
61. The proposed new footpath to link the proposal with Bricket Wood would, as acknowledged by the appellant, have an adverse landscape impact due to the necessary culverting of the ditch on one side of the motorway and replacement of the verge on the other which would lead to the loss of a landscape feature. That said, I agree that the initial brand-new appearance of the footpath would be softened over time.
62. However, I consider that this adverse impact would be limited and not neutral since it would run along a significant portion of Lye Lane thereby altering how it would be visually perceived. I also consider that the removal of access to the ancient woodland/local wildlife site would also be of some benefit but in the absence of substantive evidence to show the extent of any current damage to it, I consider that any such benefit would be negligible.
63. Consequently, and taking all the above into account, I find that the proposal would have a significant adverse impact on local landscape character overall thereby causing very substantial harm. Accordingly, it would conflict with saved policies 1 and 74 of SALP, policy S3 of the SSNP and paragraph 187 of the Framework.

Highway Safety

64. The fifth putative reason for refusal relates to several junctions and whether large vehicles would be able to safely pass each other following the development of the appeal scheme. The Council also raised a concern that insufficient information has been provided in relation to the submitted swept path analysis, revised stage 1 Road Safety Audit (RSA) and the associated designer's response to demonstrate that there would not be further unacceptable harm in terms of highway safety.
65. An updated swept path analysis¹² and a revised RSA¹³ were submitted during the Inquiry. Over the course of the Inquiry, the highway safety concerns of the Council have been refined in that they now specifically refer to conflicts between larger refuse trucks and large cars on the part of Lye Lane between the proposed site access and the proposed passing bay.
66. The original swept path analyses¹⁴ show how an average private car (about 4.5m long and 1.8m wide) and a large refuse truck (around 12m long and 2.6m wide) would pass each other in terms of accessing/egressing the proposed development and traversing along Lye Lane towards its junction with West Riding. They do not

¹² CD 2.11 Appendix D

¹³ ID 2

¹⁴ CD 1.33 to CD 1.37

provide an analysis of whether a large refuse truck could pass a large car safely at the point of Lye Lane before the proposed passing bay.

67. The updated swept path analyses show similar passing movements for a medium refuse truck (about 9m long by 2.4m wide) and an estate car (around 4.8m long by 1.7m wide). It also provides an analysis of a medium refuse truck and a panel van (about 7m long by 2.2m wide). They also do not provide any analysis of whether a large refuse truck could pass a large car safely at the point of Lye Lane before the proposed passing bay.
68. None of the submitted swept path analyses provide an analysis of whether a large refuse truck could pass a large car safely at the point of Lye Lane before the proposed passing bay. They also do not show how cyclists could traverse along Lye Lane in the absence of a dedicated cycle lane. Consequently, I cannot be certain that the proposed development would not have an unacceptable adverse impact on highway safety.
69. As a result and bearing in mind paragraph 116 of the Framework I conclude that the proposed development would materially harm highway safety. It would therefore conflict with policies 34 and 35 of the SALP, and paragraph 116 of the Framework.

Active and sustainable modes of travel

70. The appeal site is situated in between the settlements of How Wood and Bricket Wood. It is also not currently well-served by public transport only having modest levels of accessibility to such services and is not currently in a sustainable location. This is agreed by both main parties.
71. The appeal scheme proposes a new footpath that would run along Lye Lane to its junction with West Riding thereby connecting it to Bricket Wood and services there such as the train station. The appellant contends that this would be sufficient to make the appeal site '*a very sustainable location for new housing*'. It is also agreed by the main parties that whether the proposal would be in a sustainable location or not is entirely dependent on the provision of the proposed footpath.
72. The provision of the proposed footpath is itself dependent on the culverting of the existing ditch along much of the length of Lye Lane for about 370 metres. As highlighted in the evidence, consent would need to be obtained from the Lead Local Flood Authority (LLFA) for any such culverting work to be undertaken. In her oral evidence, Ms Waters made the point that the granting of such consent for the appeal scheme would be very unlikely.
73. While I note this point, I also have no reason to second-guess or pre-judge any decision which the relevant authority will make in this regard. Indeed, the counter position is also true i.e. it is not certain that the relevant consent would not be given should outstanding matters be resolved.
74. Furthermore, as set out above, issues such as potential additional flood risk, ecological issues and water quality issues will be fleshed out and examined in detail at reserve matters stage with the backstop of relevant conditions (Grampian and otherwise) ensuring that no development proceeds until these matters have been satisfactorily resolved. Moreover, the evidence of Mr Hartfree¹⁵ shows that

¹⁵ CD 2.17

there are no engineering reasons why the proposed culverting work could not be undertaken. This evidence has not been challenged by the Council.

75. The Council have also argued that the proposed footpath would have an unacceptable adverse impact on protected trees and ancient woodland with extensive number them would be adversely affected. However, apart from comments from the Council's arboricultural officer, no substantive evidence such as a tree survey or impact assessment has been submitted to support this.
76. The evidence submitted by the appellant¹⁶ states that all existing trees will be accommodated by the proposed footpath and that all trees would be retained and that this is set out in the submitted Arboricultural Method Statement (AMS)¹⁷. The AMS was prepared following a visual walking assessment of the full length of the proposed footpath and takes into account the general principles for the work with the majority of significant trees being set back from the ditch which is to be culverted.
77. The evidence also highlights that while the proposed footpath would be close to some of these trees, that the methodology and specifications have been adapted to address such issues. It also sets out that, where necessary, arboricultural supervision will be undertaken to ensure that the proposed works would not damage any trees via the introduction of localised adaptations based on the adapted methodology and specifications. The only tree management required would be to lift crown canopies above the footpath with only a negligible impact on the long-term amenity viability value or amenity of the trees. It also addresses any potential post development pressure on the trees and woodland with pedestrian users having a transient relationship with the trees with the majority of these trees being subject to protection.
78. The General Arrangement Plans¹⁸ state that any existing trees would be protected during the backfilling of the ditch and that any of them within or adjacent to the proposed footpath and surface water drain would be reviewed with the LHA and an arboriculturalist as would tree root protection. Furthermore, while a good deal of the trees on these plans are close to the proposed footpath the plans also clearly show proposed retaining areas around existing tree trunks. These are shown in further detail in the section drawing of the proposed footpath¹⁹ where the width of the footpath has been reduced and a unilog pro retaining element being inserted to avoid clashing with existing trees. While I note an inconsistency in one of the revisions of the section drawings, they do not appear to show that any trees would be removed or that an extensive amount of them would be damaged.
79. Consequently, and taking all the above into account, it is clear to me that at this stage the in-principle construction of the proposed footpath would not intentionally remove or damage any protected trees or ancient woodland. I am therefore satisfied that any potential impact of the proposal on protected trees or ancient woodland can be addressed via the imposition of suitably worded conditions.
80. The construction of the footpath would also require work to be undertaken on land outside the appellant's control. That said, in the context of the above, I am satisfied

¹⁶ CD 2.13.1 & CD 12.13.2

¹⁷ CD 2.4.3

¹⁸ CD 2.11.1 to CD 2.11.4

¹⁹ CD 2.11.13

that there would be at least some prospect of the proposed footpath being implemented. Therefore, similar to the culverting work, I am also satisfied that the third-party land issue could be dealt with via the imposition of a suitably worded Grampian condition.

81. Concerns have also been raised about the usability of the footpath. The proposed footpath would not include a cycling lane and would be used by pedestrians only. According to the evidence²⁰, at its widest it would measure about 2 metres and at its narrowest around 1.2 metres. It would also switch sides in terms of its location on Lye Lane due to the provision of the necessary passing bay. The General Arrangement Plans and section drawings also show several pinchpoints along the route of the proposed footpath. The appellant's witness Mr Hartfree agreed that these drawings represented a detailed illustration of what was proposed.
82. Services and facilities in Bricket Wood that could be accessed include shops, a post office, a pharmacy a nursery school and an infant/junior school. There are also bus stops on West Riding and a train station further into the settlement. In terms of distances to these services in Bricket Wood from the proposal via the proposed footpath, according to the appellant's evidence these range from around 800 metres (a 12 minute walk or 2 minute cycle) to about 1.8 kilometres (a 24 minute walk or 5 minute cycle). The evidence also states that there are two bus-stops on West Riding which are about 560 metres away from the appeal site with the Bricket Wood train station being about a kilometre away from it.
83. However, these distances are all above the 400 metres typical neighbourhood walking distance for bus stops and 800 metres typical walking distance for train stations set out in the Chartered Institution of Highways and Transportation's 'Planning for Walking' guidance.²¹ At the Inquiry the appellant tried to use London's Public Transport Accessibility Levels (PTAL) as a comparator, but there is a clear difference between London and Lye Lane/Bricket Wood, as in the city people are able and willing to walk much further than in more rural areas given the varied public transport options, wide footpaths and better lighting there.
84. The proposed footpath would have low-level lighting provided by surface level solar uplighters²², it would also only have 2 metres at its widest point for pedestrians and other users to pass each other safely. In addition, as I saw on my visit, Lye Lane is a very narrow carriageway and as set out above the proposed footpath would have several clear pinchpoints along its route. Consequently, and taking all the above into account, I am not convinced that the proposal's future residents or the existing residents near the appeal site would habitually or regularly use the footpath to access the services in Bricket Wood.
85. Furthermore, given the above distances, lack of a dedicated cycle lane, the pinchpoints and the very tight safe passing zones for vehicles, as highlighted by the submitted swept path analyses, I am also not convinced that they would be willing to regularly cycle to them either. As a result, and bearing in mind the differences between rural and urban areas as highlighted by paragraph 110 of the Framework, it is my view that the proposal's future residents as well as the existing residents near the appeal site would be heavily reliant on travel by private car to access the

²⁰ CD 2.11 Appendix B

²¹ DC 10.6

²² CD 2.9

services and facilities in Bricket Wood. Therefore, I find that the proposal would not be in a sustainable location.

86. I therefore conclude that the proposed development would not support active and sustainable modes of travel. Accordingly, it would conflict with policies 34 and 35 of the SALP, Policy S14 of the SSNP and paragraphs 109, 110 and 115 of the Framework.

Flood Risk and Drainage

87. It is a matter of dispute between the parties as to whether the evidence submitted by the appellant in relation to flood risk and drainage is sufficient and proportionate for the determination of the outline proposal before me. Specifically, the putative reason for refusal states that *'insufficient information has been provided to demonstrate that a sustainable surface water drainage strategy can be delivered on the site and whether the proposed development will increase flood risk either onsite or elsewhere'*.
88. Planning Practice Guidance (PPG) states that *'applicants need to submit a sustainable drainage strategy containing proportionate information on the proposed sustainable drainage systems as part of their planning application (including outline applications), having regard to the nature and scale of the development proposed'*²³. In other words, the amount of information and level of detail of such a strategy has to be proportionate to the proposal being determined.
89. The submitted Flood Risk Assessment²⁴ (FRA) states that it is a concise interpretive report which includes a review that has been undertaken of national environmental data sets to assess the flood risk to the site from all sources of flooding in accordance with national policy and guidance. It goes on to discuss the site, the proposed development, hydrological features in the area, relevant infrastructure in the area, the area's geology, historical flood risk in the area, surface, fluvial and coastal flood risk, amongst other things including drainage. Data sources for the assessment include commercial flood maps, local policy guidance, the Environment Agency, Thames Water and Ordnance Survey data. It also refers to national policy and national guidance requirements. It also explains the methodology used to prepare the assessment and provides references and a glossary.
90. The submitted Sustainable Drainage Assessment²⁵ (SDA) assesses the feasibility of a range of Sustainable Drainage Scheme (SuDS) options for the proposal and proposes SuDS strategy to ensure that surface water runoff can be managed effectively over the lifetime of the development. It summarises the proposal, analyses the site's infiltration potential, discharge routes/volumes, run-off rates and attenuation requirements. To do this topographical data, EA data, ordnance survey data, British Geological survey data area used. It also refers to national policy and national guidance requirements and provides an analysis of policy compliance. It also explains the methodology used to prepare the assessment and provides references and a glossary.

²³ PPG Paragraph: 059 Reference ID: 7-059-20220825

²⁴ CD 1.8

²⁵ CD 1.9

91. In addition, an addendum to both these assessments was submitted as part of the appeal process²⁶ to address the concerns raised by the Council including: the need for a site-specific topographic survey; further investigation of the ground levels and connectivity of the nearby watercourses; further investigation of the site's permeability potential; the submission of a comprehensive drainage strategy; further onsite infiltration testing to identify the actual permeability potential and to obtain the permeability rate to inform future design; an analysis of existing flow characteristics to establish where the site is currently being drained to; an assessment of the feasibility of utilising existing topography and natural flow paths for the proposal; and rainfall data calculations, amongst other things.
92. An updated SDA was also submitted during the Inquiry which includes details of run-off rates and attenuation requirements for the appeal site as well as further details on the proposed SuDS strategy and the maintenance of the drainage network.²⁷ A Sustainable Drainage Strategy update was also submitted²⁸ which provided details of a further potential site drainage option as well as a further SDA update²⁹.
93. In the context of the above, and based on the evidence, I consider that the FRA and SDA (plus update) are both relatively comprehensive both in terms of the type of data analysed and in terms of the level of detail of this analysis. I also consider that they provide a clear overview of the methodology used as well as the policy and other requirements they meet in making their respective assessments and that the addendum report also addresses the concerns raised by the Council in a sensible, comprehensive and proportionate manner. I therefore find that the evidence submitted in relation to this matter to be proportionate to the outline scheme before me.
94. The Council also raise a concern that this evidence does not satisfactorily demonstrate that the appeal scheme would not increase off-site flood risk or that sustainable drainage could be accommodated within the development. The Council also argues that this evidence shows that infiltration is not viable and that there are no watercourses, surface water sewers or combined sewers to which surface water runoff discharge could be made in the immediate vicinity of the site.
95. The evidence shows and the main parties agree that the appeal site has low potential for infiltration due to its underlying geology. It is also agreed that, as a result, even though it is within flood zone 1 with the risk of surface water flooding being 'very low to low', that the proposal due to the type and scale of its development would lead to a good deal of surface water runoff requiring around 1409 cubic metres of attenuation. It is further agreed that there is a public foul sewer but no public surface water or combined sewers nearby and that due to the site's topography pumping would likely be required to enable discharge.
96. As highlighted by the appellant's SDS documents, flow attenuation using infiltration SuDS (discharge to ground) is generally the preferred option for managing runoff. In addition, if discharge to ground is not available, runoff discharge to surface water is the other preferred method and only if these two options are impractical should discharge to the sewer network be considered.

²⁶ CD 2.4.6

²⁷ ID 18

²⁸ ID 17

²⁹ ID 25a

97. The appellant's evidence also outlines three potential surface water runoff drainage options. Firstly, the primary SuDS strategy as set out in core document 1.9 would involve discharging to a drainage ditch located about 260 metres north-west of the appeal site. Then a secondary SuDS strategy is proposed should the primary one not be feasible. This secondary strategy would discharge to the public foul sewer.
98. A third option has also been set out which would, it is argued, potentially allow drainage to a formal watercourse near Park Street Lane on land controlled by the County Council. This discharge to the watercourse adjacent to Park Street Lane would be via drainage ditches in the vicinity of the appeal site and potential connectivity to River Ver.
99. The SuDS manual (ID 6) also states that discharge of surface water runoff to a foul sewer should not be considered as a possible option. As a result, the secondary SuDS strategy option is not sustainable, deliverable or desirable. As for the other two potential options for discharging to a watercourse via drainage ditches, these would require undertaking work across land outside of the appellant's control and could also potentially impact on nearby ancient woodland.
100. In terms of any adverse impact of these two potential drainage options on nearby ancient woodland, the evidence shows that Blackgreen Wood is subject to a Tree Preservation Order which would prevent the approval of any potential sustainable drainage scheme at reserved matters stage. As a result, I consider that this combined with the suggested conditions to protect the ancient woodland, as per the suggested conditions³⁰, would provide sufficient safeguards at this outline stage.
101. The evidence also shows drainage ditches, a catchpit (albeit blocked) and associated pipework in the vicinity of the appeal site which indicate the presence of a formal drainage system, at least at some point in the past. The evidence also shows that part of the site was historically used as a cricket pitch which would likely have required some drainage infrastructure to be in place of which this recently discovered formal drainage system could have been a part. It is also possible that subject to further investigations that the drainage system could potentially be restored.
102. As a result, I am satisfied that there would at least be some prospect of a sustainable surface water drainage solution being designed and implemented at reserved matters stage. Furthermore, in terms of imposing a relevant 'Grampian' condition given the third-party land issue, I need only be satisfied that the required actions have some prospect of being done within the specified timeframe³¹ and not 'no prospect at all'. Therefore, and based on the evidence before me, I am satisfied that there would be at least some prospect of this issue being addressed and that the imposition of such a condition would be necessary in this case.
103. Furthermore, as set out above, the proposal is in outline with all matters except for access reserved for future consideration. Therefore, matters such as the detailed design of potential drainage systems, including their capacities, the culverting of the ditch, the capacity of relevant watercourses, potential ecological issues, potential water quality issues and any potential impacts in flood risk terms of discharging additional water into such watercourses can be considered at the

³⁰ ID 21

³¹ PPG Paragraph: 009 Reference ID: 21a-009-20140306

reserved matters stage. Moreover, as set out above some of these issues such as any potential ecological or water quality impacts of the culverting work would also be addressed via the imposition of suitably worded conditions.

104. Therefore, in the context of all the above, I find that the appellant has submitted proportionate evidence in relation to the management of surface water flood risk and site drainage which outlines at least the potential for a sustainable drainage solution to be found at reserved matters stage.
105. Consequently, I am satisfied that, at least in principle, a potential sustainable drainage option has been established by the submitted evidence. Accordingly, I conclude that the proposed development would not cause unacceptable harm in relating to flood risk and drainage. It would therefore not conflict with policy 84 of the SALP, policy S9 of the SSNP and paragraph 181 of the Framework.

Other considerations

106. The main parties agree that the housing supply situation in St Albans is currently dire with there being an acute shortfall in delivery and from the evidence before me I see no reason to disagree. The proposal would provide up to 115 dwellings with up to 40 of these being affordable. As a result, I consider that the provision of these dwellings to be a significant benefit to which I afford very substantial weight.
107. The proposal would develop the appeal site which the parties agree is PDL. It is also agreed that this benefit should be afforded moderate weight. Again, based on the evidence I see no reason to disagree.
108. The proposal would also provide about 10% biodiversity net gain, and this would be secured via a legal agreement. This biodiversity net gain provision is above any policy requirement such as that in paragraph 193 of the Framework. The appeal also pre-dates the Environment Act, so there is no legal requirement to provide it. As a result, I afford this benefit moderate weight in the planning balance.
109. It is clear from the evidence before me that the proposal would give rise to economic and social benefits both from the construction of the dwellings and their subsequent occupation. However, given the scale of the proposal in relation to the wider economy I afford these benefits moderate weight in the planning balance.
110. The appellant has also advanced the benefit that the cessation of paintballing activities would have by removing wider public access to the ancient woodland thereby reducing recreational pressure on it and by providing an associated landscape benefit. However, I have no evidence before me to show how much damage this pressure currently does to the woodland either in a physical/spatial or visual sense. As a result, I afford these benefits no weight.
111. It has also been suggested that the proposed footpath would provide a benefit to the wider public who would use it. However, as I have already set out, I consider that it would be very unlikely that residents, never mind the wider public, would use the footpath as their primary means of accessing services and facilities in Bricket Wood. I do however acknowledge that there would potentially be a small potential recreational benefit arising from the footpath to which I afford limited weight.

Other Matters

112. Interested parties have raised concerns relating to several matters including air pollution and the climate crisis. However, I have no substantive evidence before me to suggest that the proposal would cause unacceptable harm in relation to these matters.
113. In relation to wildlife and ecology, the appellant has submitted an Ecology Appraisal³² which found evidence of bats and the possibility of reptiles on the appeal site. This led to additional bat and reptile surveys³³ being undertaken and these made recommendations such as the need to apply for protected species licences after planning permission has been granted and prior to the commencement of works. As a result, I am satisfied that this issue could be satisfactorily addressed via the imposition of suitably worded conditions.
114. The living conditions of future occupiers having regard to noise and disturbance has also been raised. The submitted noise assessment³⁴ concludes that *'acceptable internal and external noise levels can be achieved at this site in accordance with the criteria set out in BS 8233 ... final details of any mitigation to be installed, however, would be subject to detailed design.'* This conclusion was based on the analysis of an illustrative concept plan including a 3-metre-high acoustic screen.
115. This assessment also includes day and night sound level analysis from locations within the appeal site, one of which is around 26 metres from the M25 and noise ingress calculations. The illustrative concept plan also bears a resemblance to the updated proposed site plan revision D (CD 2.4.5). As a result, I am satisfied that any potential impact could be mitigated via the imposition of suitably worded conditions such as those suggested in inquiry document ID 21.

Planning Balance and Conclusion

116. In the context of the above and the evidence before me, I consider that the most important policies for determining this appeal relate to the outstanding matters of Green Belt, landscape character, flood risk and drainage, highway safety and sustainable modes of transport. These are saved policies 1, 34, 35, 74 and 84 of the SALP and policies S1, S3 and S14 of the SSNP.
117. In the absence of a five-year supply of housing land, the most important policies for determining this appeal are out of date as set out in paragraph 11 d) of the Framework.
118. However, just because a policy is deemed out of date does not mean that any conflict with it should be ignored. It also does not mean that it carries no weight. As set out by paragraph 232 of the Framework, the degree of weight given to any policy deemed to be out of date depends on its consistency with the Framework. The greater the consistency, the greater the weight. It is therefore a possibility that a policy deemed out of date due to a lack of housing land supply can carry substantial weight, nonetheless.

³² CD 1.5

³³ CD 1.6, CD 1.7 and CD 1.30

³⁴ CD 1.12

119. As highlighted above, I consider that saved policy 1 of the SALP to be broadly consistent with the Framework and afford any conflict with it very substantial weight as it relates to the Green Belt.
120. Saved policies 34 and 35 of the SALP also broadly align with the aims of the Framework in maintaining highway safety and providing sustainable modes of transport. Likewise saved policies 74 and 84 broadly align with the aims of preserving landscape character and preventing flood risk and as set out in the Framework. As a result, I afford substantial weight to any conflict with these policies.
121. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 of the Framework also sets out that any harm to the Green Belt should be afforded substantial weight. In this context, very special circumstances will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations. Consequently, other considerations weighing in favour of the development must clearly outweigh any harm.
122. I have found that the proposal would amount to inappropriate development in the Green Belt to which I afford substantial harm. It would also harm the openness of the Green Belt to which I afford very substantial weight in the planning balance. The proposal would also not meet all of the Golden Rules requirements as set out in paragraph 156 of the Framework. I have also found that it would cause very substantial harm to the area's landscape character as well as substantial harm to highway safety. In addition, I have found that it would not support active and sustainable modes of travel in conflict with the development plan and the Framework to which I also afford substantial harm.
123. I have afforded very substantial weight to the appeal scheme benefit in relation to housing provision. I have afforded moderate weight relating to the appeal site being PDL, to the provision of BNG and to the appeal scheme's economic benefits. I have also afforded limited or no weight to the other benefits put forward in favour of the proposal such as the wider public benefit of the proposed footpath and the cessation of paintballing activities on the appeal site.
124. Consequently, overall, I conclude that the harm by reason of inappropriateness, the harm to openness and the other harm, is not clearly outweighed by the identified other considerations so as to amount to the very special circumstances required to justify the proposal.
125. For this reason, I also consider that there is a strong reason for refusing the proposal meaning that the presumption in favour of sustainable development as set out in Framework paragraph 11d) is not engaged.
126. Furthermore, given the above, I also consider that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Development Plan and the Framework when read as a whole. Moreover, there are no material considerations which indicate a decision otherwise than in accordance with the development plan.
127. Accordingly, I conclude that the appeal should be dismissed.

Clive Coyne INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Paul Stinchcombe KC instructed by Brian Parker of MRP Planning called:

Brian Parker, BA (Hons) MSc MRTPI, Director of MRP Planning

Rachel Williams, BA (Hons) MA Dip UD CMLI, Director at Ubu Design Ltd.

Nick Ferguson, BA (Hons) MCIHT, Director at Paul Mew Associates

Paul Hartfree, IEng MICE MCIHT, Director of Conisbee

FOR THE LOCAL PLANNING AUTHORITY:

Matthew Dale-Harris instructed by SADC legal services called:

Philip Hughes, BA (Hons) MRTPI FRGS Dip Man MCIM, Director of PHD Chartered Town Planners Limited

Katherine Waters, MCIWEM C.WEM, Technical Director at WSP

Chris Carr, CMILT, Highways Development Officer, Hertfordshire County Council

INTERESTED PARTIES:

Cllr Bill Pryce, St Stephens Parish Council

Shirani St Ledger McCarthy, Keep Chiswell Green

DOCUMENTS SUBMITTED AT OR SHORTLY AFTER THE INQUIRY

ID0 - Appellant Opening Statement
ID01 - LPA Opening Statement
ID1 – Lye Lane Ecology Statement by Hertfordshire County Council, initially submitted as Core Document (CD10.7)
ID2 – Road Safety Audit Response Report prepared by Paul Mew Associates
ID3 – South West Hertfordshire Level 1 Strategic Flood Risk Assessment (SFRA) Final Report
ID4 – South West Hertfordshire Level 1 SFRA map
ID5 - South West Hertfordshire Level 1 SFRA appendix C
ID6 - The SuDS Manual (C753) version 2
ID7 – Hertfordshire County Council Strategy for the Management of Local Sources of Flood Risk 2019-2029 (LFRMS 2)
ID8 – PPG Flood Risk and coastal change extracts
ID9 – Copy of the Land Drainage Act 1991 Section 23
ID10 – Flood Risk Assessment application ref. 5/2021/3194
ID11 - Flood Risk Assessment application ref. 5/2021/3194 (appendices)
ID12 – Sustainable Drainage Assessment application ref. 5/2021/3194
ID13 – Highways Statement of Common Ground
ID14 – Copy of statement submitted on behalf of Keep Chiswell Green
ID15 - MRP Survey of Blackgreen Wood
ID16 - SDP Drainage Ditch Survey
ID17 - MRP Sustainable Drainage Strategy Update
ID18 - GeoSmart Sustainable Drainage Assessment update July 2024
ID19 - LPA Response to New Flooding Evidence July 2024
ID20 - MRP Sustainable Drainage Strategy Update - Response to Council
ID21 - Updated set of suggested planning conditions following round table discussion
ID22 - Local Flooding Authority Proof of Evidence update addendum (September 2024)
ID23 - LPA Statement on Consultation Draft National Planning Policy Framework and Written Ministerial Statement September 2024
ID24 - Appellant submission on Consultation National Planning Policy Framework and Written Ministerial Statement September 2024
ID24a - Appendix 1 Proposed Revised National Planning Policy Framework
ID24b - Appendix 2 Written Ministerial Statement – ‘Building the homes we need’.
ID24c - Appendix 3 Open Consultation document
ID25 - MRP Planning - rebuttal of Local Flooding Authority Proof of Evidence update addendum (September 2024)
ID25a - Appendix 1 Sustainable Drainage Assessment Update October 2024
ID 26 - LPA Closing Statement
ID 26a - R (Hillingdon LBC) v Transport Secretary
ID 26b - Griffiths v Tui (UK) Ltd
ID 27 - Appellant Closing Statement
ID28 – Appellant submission on revised Planning Practice Guidance (Green Belt)
ID29 - LPA submission on revised Planning Practice Guidance (Green Belt)
ID30 – Appellant rebuttal of LPA submission on revised Planning Practice Guidance