



Appeal Decision

Inquiry held on 6, 8, 9, 13 and 14 June and 3, 4, 5 and 7 July 2023

Site visit made on 6 July 2023

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 10 October 2023

Appeal Ref: APP/D3125/W/23/3315391

Land east of Hill Rise, Woodstock

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission on a hybrid application for full and outline planning permission.
 - The appeal is made by Mr Roger File of Blenheim Estate against the decision of West Oxfordshire District Council.
 - The application Ref 21/00189/FUL, dated 17 December 2020, was refused by notice dated 13 December 2022.
 - The development proposed was originally described as hybrid planning application consisting of full planning permission for the erection of 74 dwellings, 60sqm of community space (Class E), a parking barn, means of access from the A44, associated infrastructure, open space, engineering and ancillary works; outline planning permission for up to 106 dwellings, up to 60sqm of community space (Class E), a parking barn, with associated infrastructure, open space, engineering and ancillary works.
-

Decision

1. The appeal is allowed and planning permission is granted for a hybrid planning application consisting of full planning permission for 48 dwellings, 57 sqm of community space (Class E), a parking barn, means of access from the A44, associated infrastructure, open space, engineering and ancillary works; and outline planning permission for up to 132 dwellings, up to 57 sqm of community space (Class E), a parking barn, with associated infrastructure, open space, engineering and ancillary works at Land east of Hill Rise, Woodstock in accordance with the terms of the application, Ref 21/00189/FUL, dated 17 December 2020, subject to the 30 conditions set out in the attached schedule.

Applications for costs

2. During the Inquiry, an application for costs was made by Mr Roger File of Blenheim Estate against West Oxfordshire District Council. The application is the subject of a separate decision.

Preliminary Matters

3. The original application was submitted in hybrid form with full planning permission sought for 74 dwellings, and outline permission sought for 106 dwellings with all matters reserved apart from access. Amended plans were submitted during the lifetime of the application which reduced the maximum number of dwellings sought under the full planning application to 48 and increased the maximum number of dwellings sought under the outline application to 132. The red line boundary of the appeal site was also reduced

as part of the amended plans. Parameter plans address the outline parts of the proposal. Additional public consultation took place on the amended plans.

4. In addition to the accompanied site visit on 6 July 2023, I visited the site and surrounding area on 7, 8 and 12 June 2023. These visits were unaccompanied and followed an agreed itinerary. They incorporated viewpoints in the grounds of Blenheim Palace and others from the wider countryside including the Oxfordshire Way. The visits also involved walking between the site and Woodstock Town Centre along the A44 at different times of day and looking at various locations and sites within the town.
5. The Campaign to Protect Old Woodstock (C-POW) was awarded Rule 6 status early in the appeal process but decided to withdraw from this status the day before the Inquiry opened. C-POW participated as an interested party throughout the Inquiry.
6. A completed and executed Section 106 agreement (S106) dated 19 July 2023 was submitted before the Inquiry closed. This is assessed below. The Inquiry closed in writing on 19 July 2023 following the receipt of the S106 and the completion of the costs application process.
7. A revised version of the National Planning Policy Framework (NPPF) was published in September 2023. The only substantive changes relate to wind energy development which are not applicable to this proposal. Therefore, it has not been necessary to seek the views of the parties on the revised NPPF. For the avoidance of doubt, there have been no changes to the numbering of any of the NPPF paragraphs cited below from the 2021 version to the 2023 version.

Main Issues

8. The application was refused for 2 reasons. At the case management conference on 31 March 2023, it was agreed that the first reason for refusal could be split into separate issues while the second reason for refusal was capable of being resolved via the submission of a S106 agreement. C-POW and other interested parties raised concerns about effects on heritage assets and local infrastructure. Therefore, the main issues are as follows:
 - 1) the effect of the proposed development on landscape character and the setting of Woodstock;
 - 2) the effect of the proposed development on the significance and setting of Blenheim Palace World Heritage Site;
 - 3) whether the proposed development would represent high quality design and provide an integrated, safe and connected community;
 - 4) the effect of the proposed development on local infrastructure; and
 - 5) the overall planning balance having regard to the development plan and any proposed benefits.

Reasons

Policy Background

9. The appeal site broadly aligns with the boundaries of a site allocation in the West Oxfordshire Local Plan 2031 (LP) known as Land North of Hill Rise, Woodstock. LP Policy EW4 refers to 'land to the north of Hill Rise, Woodstock to

accommodate around 120 dwellings as a well-integrated and logical extension of the existing built form of the town'. The policy then says that proposals for development should be consistent with the criteria set out in (a) to (m). Of particular relevance to this appeal are criteria (b) to (e).

10. Criterion (b) requires development to be consistent with LP Policy EW9 in respect of the protection, promotion and conservation of the Blenheim Palace World Heritage Site and its setting. Criterion (c) seeks a landscape dominated design with the provision of appropriate measures to mitigate the potential landscape, visual and heritage impact of the development, including the retention and strengthening of existing hedgerows, use of appropriate building heights and materials, retention of key views and the provision of structural planting and extensive areas of semi-natural green space, with built development kept away from the eastern and northern parts of the site including where it adjoins the A44.
11. Amongst other things, criterion (d) requires the provision of appropriate pedestrian and cycle connections including the appropriate accommodation of the existing public right of way, while criterion (e) seeks the provision of supporting transport infrastructure including a comprehensive network for pedestrians and cyclists.
12. There are two other Woodstock site allocations in the LP. Land to the east of Woodstock is allocated by LP Policy EW3 for around 300 homes and development is already underway. Land to the north of Banbury Road, Woodstock is allocated by LP Policy EW5 for around 180 homes. The Council has resolved to grant planning permission for up to 235 dwellings on this site.
13. As part of the LP evidence base, the Council commissioned Chris Blandford Associates to produce a report in October 2017 ('the CBA report') providing landscape and heritage advice for several proposed site allocations. For Land North of Hill Rise, the CBA report set out several landscape sensitivities, constraints and opportunities as well as heritage issues and constraints. Figure 8.3 of the CBA report provides a summary of the opportunities and constraints. I have had regard to the report as part of my decision.

Landscape character and the setting of Woodstock

The existing context

14. The appeal site comprises part of a large field located on the northern edge of Woodstock. There is a children's play area and junior football pitch in the south-west corner of the site. The southern and western site boundaries adjoin late 20th century housing at Hill Rise, Rosamund Drive and Vanbrugh Close as well as the A44, with the built-up area of Woodstock continuing further south. Further to the west on the other side of the A44 is the historic parkland of Blenheim Palace with dense tree planting along the road boundary.
15. The northern and eastern site boundaries are not defined by any physical features but are set back from the edge of the field. The northern edge of the field contains a mature hedgerow while the eastern edge contains a tree belt along a track known as Balliol Lane. The remainder of the field beyond the red line site boundary to the north and east is proposed to be an off-site biodiversity area as shown by a blue line on the relevant plans. The wider

countryside lies to the north and east of the field with an undulating network of fields and valleys lined with trees and planting.

16. The site along with the wider field has been used for arable purposes but is currently uncultivated with wild plants. There is no evidence to show that arable use could not resume in the future. The topography falls gradually across the site from west to east towards the valley of the River Glyme. There are permissive paths along the western edge of the site as well as heading eastwards to Balliol Lane and the river valley.
17. A public right of way 413/1/10 (the PROW) runs north-south through the site and field, continuing north to the Oxfordshire Way long distance walking route and the village of Wootton-by-Woodstock. The PROW has been in existence for several centuries. It provides views south from within the site and wider field towards the church tower of St Mary Magdalene in the centre of Woodstock as well as views south of part of the roof at Blenheim Palace including its distinctive finials. It also enables views of the countryside to the north and east.
18. Local landscape character is addressed by West Oxfordshire Landscape Assessment 1998 (the WOLA) and the Oxfordshire Wildlife and Landscape Study 2004 (the OWLS) prepared by the District and County Councils respectively. The appellant and the Council disagree on which document is more relevant.
19. In the WOLA, the site lies within the large Eastern Parks and Valleys landscape character area (LCA) described as a rolling limestone landscape dissected by river valleys and distinguished by a concentration of parks, designed landscapes and estate farmland. Within this landscape character area, the site is covered by the Open Limestone Wolds landscape character type. This incorporates large-scale fields and arable farmland with relatively little vegetation and an open, exposed and elevated character with sweeping views and high visibility.
20. The WOLA also contains analysis of the landscape surrounding key settlements. The site is within Area A: North of Woodstock which comprises the larger scale open farmland to the north of Woodstock with few trees, a weak hedgerow structure, and a hard urban edge.
21. In the OWLS, the site falls within the Wooded Estatelands landscape type characterised by rolling topography, blocks of woodland planting, large parklands and regularly shaped field patterns dominated by arable farming. It is also located within the Blenheim Park local character area which amongst other things noted that fields are enclosed by woodland and thorn hedges.
22. While it is apparent that the appellant did not take into account the WOLA at the application stage other than referring to the key settlement analysis, both the WOLA and the OWLS have been extensively referenced as part of the appeal and during the Inquiry itself. Both are relevant and there is overlap between the two documents in terms of some of the key characteristics and how many apply to the site.
23. In that respect, the site as part of a dormant arable field occupies relatively open and high ground above the river valley with no woodland planting unlike Blenheim Park to the west. The views across the countryside to the north and

east are partly truncated by the mature planting along the northern and eastern boundaries of the field. The sense of enclosure within the site is reinforced by the hard urban edge of the Hill Rise, Rosamund Drive and Vanbrugh Close properties with fencing and structures clearly visible.

24. It is agreed that the site is not part of a valued landscape for the purposes of NPPF paragraph 174(a). However, it has value based on a range of factors set out in technical guidance documents from the Landscape Institute¹. These include cultural heritage connections with the proximity of Blenheim Palace and its historic parkland. There are views of the church and the palace from the PROW, while the PROW itself has cultural and recreational value. However, the influence of the hard urban edge means that the landscape value of the site is no more than moderate and the overall landscape sensitivity is medium as noted by supporting paragraph 9.5.84 to LP Policy EW4.
25. Turning to visual matters and the setting of Woodstock, a range of viewpoints have been assessed by the parties. From the parkland at Blenheim Palace to the south and west, and from locations on the eastern side of Woodstock, the site is hidden by extensive vegetation and existing buildings even in winter. From the Oxfordshire Way to the north, there are glimpses of the site as one walks along the route. Properties at Hill Rise and the Column of Victory at Blenheim Palace are discernible but some distance away within a wide panorama. There are views of the site approaching Woodstock from the north on the A44, but these are largely screened by the hedgerows along the roadside and between fields.
26. The principal views of the site and its relationship with the setting of Woodstock are from the PROW. Heading south from the Oxfordshire Way, the hedge along the northern boundary of the field reduces the visibility of the urban edge although there are gaps where existing properties can be seen. Crossing into the field, the urban edge is much more apparent. Heading north along the PROW, one leaves the urban edge behind and moves into the countryside.
27. The church tower can be seen along most of the PROW apart from short sections where trees or buildings obscure the view. The tower appears more impressive from the section of the PROW between the northern boundary of the field and the northern boundary of the site because it is set away from the housing at Vanbrugh Close unlike further south where it projects above modern roofs. The views of the roof at Blenheim Palace are less prominent than the church tower and depend on the time of year and weather conditions. Nevertheless, it is possible to identify the palace walking along the PROW albeit set behind modern housing.

The effect of the proposed development

28. Figure 8.3 of the CBA report shows potential for low density development either side of the PROW as far north as 1 Hill Rise. Beyond that and along the northern and eastern sides of the site, Figure 8.3 shows potential for accessible natural greenspace and structural planting along with a zone of higher sensitivity that overlaps with the north-eastern corner of the low density development area. Potential views from the north require structural planting to provide softening/filtering of any development. A view cone to the church

¹ Guidelines for Landscape and Visual Impact Assessment 3 (Box 5.1); Technical Guidance Note 02/01 (Table 1)

tower is shown from the PROW approximately in the middle of the site. The appellant and the Council have agreed that the view cone in Figure 8.3 is not in the optimum location in terms of the key view of the church tower which occurs further north on the PROW between the site and field boundaries.

29. The CBA report suggests a transition in settlement form and pattern from medium to low density moving north and west through the site. No density figure is provided although the report notes that nearby urban development is of low-medium density. The report also indicates that development should be restricted to mostly 2 storeys (maximum c.8m roof ridge height) or 2.5 storeys (maximum c.9m roof ridge height) with the opportunity for 1.5 storey development towards the eastern boundary of the site. The report concludes that approximately 120 homes could be successfully accommodated on the site ensuring that development is generally low density.
30. The proposed parameter plans indicate areas of open space along the site boundaries and within the centre of the site. The development would extend into the northern and eastern parts of the site. Densities would range from 25 to 50 dwellings per hectare (dph). Apart from the single storey parking barns, the buildings would be 2 storeys ranging in height from 9.15m to 11.5m. The PROW would remain on the same alignment through the site as existing and would be flanked by buildings and open space. A view corridor would be provided through the eastern side of the site towards the church tower from the amended key view location identified by the parties.
31. There are evidently differences between the proposed plans and the CBA report. However, the CBA report does not form part of the adopted LP and does not constitute a site-specific planning brief for development as envisaged by LP paragraph 5.33. The report makes clear that its recommendations on dwelling numbers, site layout and extent of development are illustrative only and represent one potential approach to provide development that address landscape and heritage matters.
32. The proposed development of up to 180 dwellings with parking barns and other associated infrastructure would result in a substantial change to the landscape character of the site through the loss of the arable land use and a reduction in its openness and the extent of views towards Woodstock in the south and the wider countryside to the north and east. The effect of this change would be offset to some extent by the proximity of the hard urban edge which already influences the character of the site. The site area would also accommodate extensive public open space particularly to the west and south where it would help to integrate the development with existing housing.
33. The development would not be kept away from the northern and eastern parts of the site as required by LP Policy EW4(c) except for the land adjoining the A44 where there would be a considerable setback. It is correct that the CBA report and the LP Inspector's report both refer to this requirement only in relation to heritage matters. However, these are both background documents not referenced in the supporting text to the policy. Having regard to case law² on this matter, the policy should be read clearly and unambiguously. Therefore, the development would conflict with this part of LP Policy EW4. Nevertheless, it remains necessary to assess the landscape and visual effects of development in these locations.

² *Tesco Stores Ltd v Dundee City Council* [2012] UKSC 13; *Gallagher Ltd v Cherwell DC* [2016] EWHC 290 (Admin)

34. Looking at the northern part of the site, there is no requirement in policy terms to round-off the existing settlement edge. Thus, the proposed extension of the settlement edge beyond 1 Hill Rise is not unacceptable in principle. Woodland planting within the site boundary either side of the site access and locating built development further into the site would limit the effect on views from the A44. Tree planting along the northern boundary would also filter and soften views approaching the site on the PROW from the north. In views from the Oxfordshire Way, the extent of development beyond 1 Hill Rise would be barely noticeable due to the distances involved.
35. The parties differ on whether land within the off-site biodiversity area is relevant to the consideration of landscape and visual effects, particularly to the north of the site. The area would encompass considerable woodland planting above the northern site boundary and along the A44. However, the Planning Practice Guidance³ states that the red line application boundary should include all land necessary to carry out the proposed development including land required for landscaping. Although the S106 agreement requires the delivery of biodiversity net gain, the exact details have yet to be agreed in terms of any biodiversity plan and the extent of any off-site landscaping. Therefore, I have attached little weight to the details shown in the offsite biodiversity area to the north and east of the site.
36. Turning to the eastern part of the site, the development would encroach further down the slope towards the River Glyme than envisaged as part of the CBA report recommendations. However, the difference in level changes would not be significant, as noted in cross-section drawings provided by the appellant. There would be hedgerow planting along the eastern site boundary which would help to filter and soften any built development. The extent of development on this side of the site would not be seen from the A44 and barely discernible from the Oxfordshire Way due to the distance. Nevertheless, development on this side of the site would affect views towards Woodstock from the PROW.
37. The extensive views of the church tower along the PROW would be greatly reduced heading south from the northern field boundary. Subject to the detailed design of the outline phase of development, it would not be possible to see the church from any point along the PROW through the site. The view corridor would not provide the same vista as the view cone envisaged in the CBA report. However, it would retain a key view from the PROW between the site and field boundaries. The corridor need not be as narrow as the parameter plans and photomontages suggest as the detailed design could set buildings further back.
38. One can only speculate whether the CBA report would have recommended development on the eastern side of the site had the correct view cone had been identified in Figure 8.3. As noted above, all their recommendations were illustrative only. Nevertheless, while the ability to appreciate the church as part of the setting of Woodstock would be diminished, a key view of the building would be retained as required by LP Policy EW4(c).
39. Views of Blenheim Palace are likely to be lost apart from where the palace is on the same alignment as the PROW. However, such views are not as obvious as the church tower and are set behind modern housing, so the reduction in

³ Reference ID: 14-024-20140306

visibility would have a limited effect on the setting of Woodstock. The proposed development would be heavily screened in views from the parkland at Blenheim Palace. There would also be an effect on views of the countryside heading north on the PROW, although this would be unavoidable given the fact the site is allocated for large-scale housing development in the LP.

40. In summary, there would be a change to landscape character as result of this development having regard to both the WOLA and the OWLS. There would also be a failure to adhere to the policy requirement to keep built form away from the northern and eastern parts of the site. However, the proposal would incorporate extensive landscaping to help both integrate the development with existing properties and mitigate negative effects. This would be achieved within the red-line boundary such that the proposal can be described as a landscape dominated design.
41. There would be some adverse effect on views and the setting of Woodstock, particularly from the PROW, but these would be mitigated through the landscaping proposals and the retention of a key view towards the church.
42. Concluding on the main issue, the effect of the proposed development on landscape character and the setting of Woodstock would be no greater than minor adverse. Therefore, while there would be some conflict with LP Policy EW4(c) in terms of not keeping built development away from the eastern and northern parts of the site, the development would accord with the other landscape-related components of this criterion. It would represent landscape dominated design with the provision of appropriate measures to mitigate impacts including the retention and strengthening of hedgerows, the retention of a key view and the provision of structural planting and extensive areas of semi-natural green space.
43. The proposed development would also accord with LP Policy OS2 which, amongst other things, requires development to protect or enhance the local landscape and the setting of settlements as far as is reasonably possible. The development would accord with LP Policy EH2 which seeks to conserve and enhance landscape character. It would also comply with NPPF paragraph 174(b) which recognises the intrinsic character and beauty of the countryside.

Blenheim Palace World Heritage Site

44. Blenheim Palace was inscribed as a World Heritage Site (WHS) in 1987 as an outstanding example of 18th century architecture and landscape with strong connections to historic events and individuals at the national and international level. Local and national planning policies seek to reflect the obligations of the 1972 UNESCO World Heritage Convention for places such as Blenheim Palace. LP Policy EW9 (to which LP Policy EW4(b) refers) aims to protect, promote and conserve the Outstanding Universal Value of the WHS for current and future generations with proposals expected to conserve and enhance the WHS. This includes proposals that affect its setting where regard will be had to design, context and cumulative effects.
45. LP Policy EW9 also explains that great weight will be given to the conservation of the WHS and any harm to significance will require clear and convincing justification. Less than substantial harm will be weighed against the public benefits of the proposals. These policy elements directly reflect NPPF paragraphs 199, 200 and 202, although paragraph 199 also says that the more

important the asset, the greater the weight should be given to its conservation irrespective of the level of harm.

46. LP Policies OS2 and EH9, amongst other things, require all development to conserve and enhance the historic environment. LP Policy EH9 states that great weight and importance should be given to conserving or enhancing the significance of designated heritage assets including the WHS. Proposals which harm the significance of such assets require clear and convincing justification. The policy also states that significant weight be given to the local and regional value of non-designated heritage assets with a balanced judgment required for any proposal that directly or indirectly affects the significance of such assets, having regard to the scale of harm or loss, the significance of the asset and the public benefits. This echoes NPPF paragraph 203.
47. The WHS boundary incorporates the Grade I listed palace and many other listed buildings, along with the historic parkland which is designated separately as a Grade I registered park and garden (PAG). Both the WHS and the PAG are designated heritage assets of the highest significance.
48. The boundary of both the WHS and PAG border the western side of the A44 opposite Hill Rise and the proposed site access. In this location, the boundary is heavily treed. Even in winter months the trees restrict views to and from the historic parkland. The boundary here also contains a section of the Grade II listed wall that surrounds the parkland. The limestone wall dates from the 1720s and has considerable significance as a 9-mile long wall that formed part of the overall historic landscape at Blenheim Palace. During summer months this section of wall is hidden by planting but is more visible in the winter.
49. The WHS Management Plan discusses the setting of the WHS. The plan observes that much of the surroundings of Blenheim Palace are within the ownership of the Blenheim estate and has been managed by the Dukes of Marlborough for around 300 years. The plans also notes that as a traditional landed estate, much of the land is retained in open agricultural and enclosed forestry use. While there is little intervisibility due to the boundary walls and planting, the plan considers that land to the north and north-east of the WHS contributes to its setting through its rural character. The management plan also notes that the implications of not protecting the setting of the WHS include the conversion of significant areas of agricultural land for other purposes.
50. Much of the site is screened from the WHS, the PAG and the listed wall by the existing development at Hill Rise. Travelling south on the A44, one experiences the park boundary to the west, which includes views of the wall in winter months, and fields to the east including glimpses of the site. As noted for the previous main issue, the site is barely visible within the WHS, but it is possible to see the palace rooftop from the PROW. The site also forms part of the open agricultural landscape surrounding Blenheim Palace. Therefore, it contributes to the significance of the WHS, the PAG and the listed wall as part of their setting.
51. The proposed development would result in the encroachment of housing into an agricultural field. However, this effect has already been accepted in principle by the LP site allocation. The additional 60 dwellings beyond that envisaged by LP Policy EW4 and the location of development on the northern and eastern parts of the site would not add significantly to the extent of encroachment.

Nevertheless, having regard to the dismissed appeal decision⁴ for two dwellings on north of 1 Hill Rise, there would be more urbanisation of the rural setting of these three heritage assets.

52. There would be some effect on views from the A44 and the listed wall, but this would be appropriately mitigated by additional planting and locating built development further into the site. Views of the palace rooftop from the PROW would be reduced but these are not prominent and are set behind modern housing. As noted above, views of the development from within the WHS would be very limited due to existing vegetation and buildings. Thus, the urbanisation of the rural setting of these heritage assets would not be significant.
53. The other two LP site allocations in Woodstock at Banbury Road and Park View can also be said to lie within the setting of the WHS as they are or were agricultural land. Their development for housing can be regarded as countryside encroachment in the same way as the proposed development. However, they have been allocated and assessed at the plan-making stage. Park View is under construction and Banbury Road has a resolution to grant planning permission. The Environmental Statement accompanying this appeal looks at cumulative effects in the cultural heritage chapter and does not identify any harm. Therefore, I find that while there would be some erosion of the setting of the WHS, the cumulative effect on its significance would not be unacceptable.
54. The proposed development would result in harm to the significance of the WHS, the PAG and the listed wall through changes within their setting from the loss of agricultural land and effects on views. However, the harm would be limited by the mitigating effects of existing and proposed planting and the location of development within the site. Therefore, the harm would be less than substantial and minor in magnitude. Nevertheless, this harm carries considerable importance and weight and NPPF paragraphs 199, 200 and 202 are engaged.
55. Although within the WHS boundary, the appellant and the Council agree that the PROW can be regarded as a non-designated heritage asset of low significance as it follows the line of a route that was named in 1615 as Wootton Way and has formed a link between Blenheim, Woodstock, and Wootton-by-Woodstock for centuries. The proposed development would alter its character, but the alignment would remain and a key view of the church tower would be retained. Therefore, there would only be a slight adverse effect on the significance of this heritage asset.
56. The planning balance below will address the public benefits of the proposal and inform my conclusion against NPPF paragraphs 199, 200, 202 and 203 as well as LP Policies EW4(b), EW9, OS2 and EH9.

High quality design and a safe, integrated and connected community

Overview of the proposed design

57. The proposed development seeks full planning permission for up to 48 dwellings in Phase 1, with detailed drawings provided alongside the parameter plans. There would be four detached dwellings between the access road and the northern boundary of the site, with a parking barn and a row of terraced

⁴ APP/D3125/W/18/3204229

houses on the opposite side of the road. A further ten rows of terraced houses would be sited to the south including three rows that would face onto the PROW and be interspersed with parking courts. Two detached properties would be located at the southern end of the Phase 1 area. There would be footpaths between the terraces from the PROW to a large area of green space next to the back gardens of existing housing on Hill Rise described as a 'green living room'.

58. There is no current illustrative masterplan for the outline phase of development for up to 132 dwellings. Masterplans produced earlier in the application process are no longer accurate following the amendments to the site boundary and parameter plans.
59. As noted above, there have been several amendments to the design of the proposed development during the application process, while further clarification on detailed design matters has been provided by the appellant to address concerns raised by the Council and statutory consultees. In some instances, such as crime and safety, these concerns have been resolved. However, there are several contested design matters which are considered below, apart from concerns relating to development along the northern and eastern edges of the site which have been addressed above. Concerns relating to connectivity are also covered below.

Densities and building heights

60. There is no dispute between the parties that the overall density of Phase 1 would be 38dph, with a density of 50dph for the terraced housing. This would be higher than the typical densities for suburban or semi-urban location at 30dph and greater than what was envisaged in the CBA report. This would result in a more urban form of development, with the terraces sited close to each other. However, there would be considerable green space along the western edge with multiple footpath links which would help to offset the overall effect. The building heights in Phase 1 would be no greater than 9.15m to ridge height with two-storey housing proposed. This would barely exceed the 9m maximum heights envisaged by the CBA report.
61. Within the outline phase of the development, densities could be comparable to the terraced housing in Phase 1 at up to 50dph. Nevertheless, it should be possible at the reserved matters stage to achieve a satisfactory balance between building and space similar to the Phase 1 part of the development. It is possible that some of the two-storey apartment buildings within the outline phase could be up to 11.5m to the ridge based on the parameter plans. This would be materially taller than envisaged by the CBA report but will depend on the overall building design. While the Council could not refuse a reserved matters application based purely on the number of dwellings, I am satisfied that the Council can control the detailed design, height and layout of these dwellings at the reserved matters stage⁵.

Routes and spaces

62. The PROW through the site would no longer be a rural route, but this would likely occur with any development on this LP allocation. It would pass significant areas of open space along the south-west corner of the site and through the centre based on the parameter plans. In the Phase 1 part of the

⁵ Having regard to *R (Village Concerns) v Wealden DC* [2022] EWHC 2039 (Admin)

development, there would be terraced housing and parking courts to the west of the PROW, but these would be set back by planting and front gardens. There would only be a few parking bays along the main spine road which would be interspersed with landscaping. Even where there would be buildings on both sides of the PROW towards the northern and southern parts of the site, there would be sufficient gaps between buildings based on the parameter plans. Moreover, the exact location of buildings in the outline phase has yet to be fixed. Consequently, the PROW would not become overly enclosed, urban or car dominated.

63. The parking courts in Phase 1 would be large hard surfaced areas but would be bounded by low stone walls and screened to some extent by planting such that they would not appear overly urban. Moreover, the parking barn would enable over 40 vehicles to be screened from public view. A similar approach could be used in the outline phase such that the overall development would not be dominated by parking.
64. The green living room and other green spaces along the western and southern parts of the site would create a break between existing and proposed housing. As public open spaces with extensive landscaping, they would help to integrate the development with the adjoining housing and soften the current hard urban edge. Thus, there is no reason to locate the green living room further east. Furthermore, around 40% of the overall site area would be public open space which would soften the effect of built form and make the development more accessible to all.

Detailed design matters relating to Phase 1 including function and safety

65. From the appellant's evidence and my site visit observations, there are frequent examples in Woodstock of terraced housing, red brick buildings, flat roofed bay windows, gable ends fronting onto roads and public spaces and hipped roofs. Timber cladding also can be found on some properties including barn conversions and new buildings. Thus, none of these elements would look out of keeping in the Phase 1 stage of the development.
66. The gaps between the front elevations of the proposed terraces would be relatively narrow with limited front gardens, but they would accommodate planting areas. People would walk close to front doors and windows, but this is not untypical of terraced housing. There are narrow lanes in the historic town centre of Woodstock which have similar arrangements and so the design and function of the terraces would not be inappropriate.
67. The spaces to the rear of the terraces would be secured communal areas and public access would not be possible to the rear of the detached dwellings on the northern edge due to the proposed planting measures. Public spaces and parking courts would be overlooked by numerous windows to ensure an adequate level of surveillance. Thames Valley Police has withdrawn its objections to the proposed development in terms of safety and security issues subject to conditions.
68. The detached dwellings along the northern edge would follow a regular alignment but would have ample space between them and sufficient landscaping along the street and to the rear to avoid a hard boundary on this side of the development. The space where the access into the site meets the PROW looks like a square roundabout on plan. This is an unusual design.

However, it would appear more like a public square with green space in the middle and the PROW crossing through it. Therefore, it would not be an incongruous feature.

69. The design of the parking barn has been amended following the original plans for a larger structure. While there are no traditional barns in the vicinity, the use of stone walls with timber slats and roof tiles would be sympathetic to materials used in the local area. Moreover, the simplicity of the design with smaller gable ends facing the access road and a constrained height would ensure an acceptable effect at the entrance into the development. The parking barn in the outline phase could follow a similar design approach.

Connectivity between the site and the town

70. The route from the site into Woodstock is along the A44 for any mode of transport. From the PROW, pedestrians can head along Rosamund Drive and Westland Way onto the A44 at a pelican crossing. The permissive paths across the south-east corner of the site connect with the track known as Balliol Lane, but this track is narrow, uneven and unlit and leads to the A44 only a short distance further south of the pelican crossing. There are new permissive paths across the field to the east of Balliol Lane that are now open to the public for recreation purposes, but these paths go no further than the eastern field boundary and the wooded valley of the River Glyme.
71. The A44 is a busy 30mph road especially at peak hours with frequent buses and heavy goods vehicles. There is a pavement along both sides for most of the route although it is narrow in some locations such as outside 75 Manor Road and on either side of the road at the Black Prince public house. The road widths are also narrow in certain places. The route into the town centre slopes gradually downhill to the River Glyme and then climbs more steeply along Oxford Street.
72. Local residents and C-POW highlight examples of near misses between larger vehicles trying to avoid each other at narrow points in the road and between vehicles and vulnerable road users. The conditions along the route in terms of traffic volumes, pavement widths and gradient make it less appealing for use by pedestrians, cyclists and wheelchair users. Nevertheless, I observed at my site visits that people walk along the road to access the schools and services within the town centre and the distance is not unreasonable. There is no evidence of excessive vehicle speeds and data stretching back to 2014 show no accidents on this section of the A44 involving pedestrians, cyclists or other vulnerable road users. The site is allocated in the LP and it has not been demonstrated that the conditions have materially worsened since the LP was adopted.
73. Furthermore, the proposed development would be directly served by the bus route between Chipping Norton, Woodstock and Oxford, with a bus turning area provided by the square within the northern part of the site. All properties would be within 400m of a bus stop. The service is every half an hour during the day on Mondays to Saturdays and hourly in the evenings and on Sundays. Thus, the bus would provide a reasonable alternative to walking or cycling as a sustainable mode of transport.
74. The local highway authority (LHA) has not objected to the proposed development or raised any highway safety concerns and requires no

improvement measures to the A44. The LHA has also not required the provision of an off-site connection to the town centre via the River Glyme and Green Lane because of the existing pedestrian and cycle connections and the bus network that would serve the development. C-POW had raised concerns about the route of a potential off-site connection but as it no longer forms part of the proposal, I have not considered it in any detail in my decision. Nevertheless, the development would still provide access to Balliol Lane and the field to the east for recreation purposes.

75. Clear and compelling reasons are needed to deviate from the findings of a statutory consultee⁶. While there are elements of risk and perceptions that the route between the site and the town centre is not safe or secure, the evidence before me does not indicate that the proposed development would be unacceptable in relying on this route for vulnerable road users.

Conclusions on design and connectivity

76. As noted above, the proposed development would not be kept away from the northern and eastern boundaries of the site as required by LP Policy EW4(c). However, it would accord with all the other requirements in this criterion, including the use of appropriate building heights and materials. The development would also accord with LP Policy EW4(d) and (e) by providing appropriate pedestrian and cycle connections including appropriate accommodation of the existing PROW through the site, the provision of appropriate public transport and a safe and efficient means for bus services to terminate and turn around, and the provision of a comprehensive network for pedestrians and cyclists with good connectivity provided to adjoining areas.
77. For all those reasons, the proposed development would be a well-integrated and logical extension of the existing built form of the town. Thus, it would represent high quality design and provide an integrated, safe and connected community in accordance with LP Policy EW4.
78. The proposed development would also accord with LP Policy OS2 which, amongst other things, requires all development to be of a proportionate and appropriate scale to its context, form a logical complement to the existing scale and pattern of development and/or the character of the area, and conserve and enhance the built environment. It would comply with LP Policy OS4 which, amongst other things, seeks development that respects and enhances local character and distinctiveness and demonstrates high quality, inclusive and sustainable design with the provision of a safe, pleasant, convenient and interesting environment. There would be no conflict with the West Oxfordshire Design Guide which amongst other things provides detailed advice on local character, context, and building materials.
79. The development would accord with Section 12 of the NPPF which seeks to achieve well-designed places. Amongst other things, NPPF paragraph 130 requires developments that function well, are visually attractive, sympathetic to local character and history, establish or maintain a strong sense of place, and create places that are safe, inclusive and accessible. NPPF paragraph 134 advises that development that is not well designed should be refused. The development would also adhere to the National Design Guide which promotes

⁶ *Shadwell Estates Ltd v Breckland DC* [20130 EWHC 12 (Admin)]

good design and the need to understand context and create character and identity as part of a set of 10 key design characteristics.

Local infrastructure

80. Woodstock is a historic town dating back several centuries that immediately adjoins the eastern boundary of the WHS and the PAG. Woodstock Conservation Area starts towards the northern end of Manor Road, where there are several listed buildings, and encompasses most of the town centre with its large concentration of listed buildings. The town centre is very attractive in terms of its buildings, streets and spaces that lead from the A44 through into the parkland of Blenheim Palace. It contains a number of services and facilities including shops, the doctors' surgery, the library, and on-street parking. Beyond the conservation area to the north and east are 20th and 21st century residential estates, the local primary and secondary schools, and a long-stay car park on Hensington Road.
81. The doctors' surgery is unable to take on further patient registrations due to capacity issues. The doctor to patient ratio is significantly higher than the county and national averages. The surgery occupies a small site off the High Street with no ability to expand. Despite local desire to see the surgery relocated elsewhere in Woodstock, no proposals have come forward and the three LP allocations do not provide for a new site. However, the surgery forms part of a wider Primary Care Network (PCN). The Oxfordshire Clinical Commissioning Group has requested a financial contribution via the S106 to support capital projects within the PCN to improve patient services locally. While it is unfortunate that this may mean some patients having to travel beyond Woodstock to access doctors' services, adequate provision would be made to address the effects of the proposed development on healthcare facilities.
82. Woodstock Primary School has a current capacity for 315 pupils but would reach that capacity by 2025. A building expansion project currently underway looks to increase the capacity to 420 pupils. The three LP allocations are expected to generate 213 places, including 57 places from the appeal proposal. This is more than the building expansion seeks to provide, but there is a complex picture across this part of Oxfordshire in terms of development proposals and demographic changes within school catchment areas. The primary school in Wootton-by-Woodstock was initially noted by Oxfordshire County Council (OCC) as having spare capacity along with other local schools, but this school is now closing due to insufficient numbers.
83. However, representations made by OCC to this appeal confirm that they are content with a financial contribution towards the current building expansion. They have not objected to the proposed development. Depending on demand and changes to catchment areas, there is no reason why pupils from the proposed development could not attend Woodstock Primary School and avoid the need to travel further. In any case, it has not been shown that the development would have an unacceptable effect on education provision.
84. The availability of parking spaces in the town centre is affected by tourism to Woodstock and Blenheim Palace along with informal park and ride commuting to Oxford. The West Oxfordshire Parking Strategy 2016 notes a requirement for an extra 150 spaces by 2031 although no site has been identified. Charges were introduced in June 2023 for on-street parking to deter long stay use,

although town centre residents and businesses can apply for permits and it is too soon to assess the effects of the new restrictions. Nevertheless, as noted above, it is possible to walk from the site into the town centre and there would be regular bus services. Therefore, the proposed development would have an acceptable effect on the provision of town centre parking.

85. Thames Water has identified an inability of the existing water network to accommodate the proposed development but are satisfied that this can be addressed by condition preventing occupation of any dwelling until necessary upgrades have been completed or a phasing plan has been agreed. While this condition could be pre-commencement, it is unlikely that the development would proceed without certainty that the dwellings could be occupied. Thus, there would be no adverse effect on water supply.
86. Thames Water has been unable to determine the foul water infrastructure needs of the development, but that can also be addressed by a similar condition including confirmation that enough capacity exists. It is evident that the Woodstock sewage treatment works has one of the worst records of raw sewage discharge in the river catchment area following rainstorms. There are plans to upgrade the treatment works and complete these in 2024, although there is no information regarding any designs. Nevertheless, the condition would prevent occupation of dwellings until sufficient capacity could be demonstrated. Therefore, there would be no adverse effect on the provision of foul water infrastructure.
87. Woodstock Library is currently situated within the Oxfordshire Museum in the town centre. It was previously located on Hensington Road in a now demolished building approximately twice as large. Having visited the library, it is limited in size and restricts the amount of available museum space. A new library is seen as a priority locally, but no site has been put forward. However, no objection has been raised by OCC and no financial contribution sought. Therefore, while the provision may not be sufficient, it has not been demonstrated that expansion is necessary to make the proposed development acceptable.
88. While there are concerns regarding the cumulative effect of the three LP site allocations for Woodstock on local infrastructure, the evidence before me does not indicate that the proposed development would be problematic either individually or in combination with the other two sites. Financial contributions would be provided to address specific infrastructure needs and concerns. I note the potential for additional housing to come forward in Cherwell District further to the east of Woodstock, but the emerging Local Plan there remains at a draft stage. Concluding on this main issue, subject to the requirements of specific conditions and obligations, the proposed development would have an acceptable effect on local infrastructure. Thus, there would be no conflict with LP Policies EW4 and OS5 insofar as these policies require the appropriate provision of and contributions towards supporting infrastructure.

Other matters

89. Ecology surveys have been carried out at various points before and during the application stage. Various bird and bat species have been identified along with badgers, grass snakes, slow worms, and common toads. It is possible that hedgehogs and roman snails could also exist along boundary vegetation. While the bird survey took place in June, this is within the range advised of March to

June. Some species such as skylarks appear to have increased partly due to the wilding of the arable field. However, measures can be taken to ensure that disturbance to species is avoided. Moreover, the site would retain and provide habitats including bat and bird boxes and green space along the boundaries. There would also be enhanced provision with a biodiversity net gain of at least 10%. The effect of external lighting within the site can be mitigated through a condition requiring appropriate details to be approved. Thus, the proposed development would have an acceptable effect on ecology matters.

90. The site is at a low risk of flooding from all sources. Standing water in the south-east corner of the site after heavy rain drains away and does not pose a specific risk. The proposed drainage strategy would likely reduce run-off rates through the storage of rainwater and the use of infiltration techniques. As noted above, adequate foul water drainage can be secured by condition. Therefore, the proposed development would have an acceptable effect on flood risk and drainage.
91. Traffic counts were carried out over a week in June 2019. Although June is outside the university teaching period, there is a lot of tourism traffic in the summer to Woodstock and Blenheim Palace and so it can be regarded as a representative month. The proposed development would result in an increase in traffic flows to and from Oxford, but the traffic modelling does not indicate that any key junctions would be at capacity apart from the Bladon roundabout where the increase in queuing is considered to be modest.
92. While there are concerns about the speeds of traffic entering Woodstock from the north on the A44, the 30mph speed limit would move further northwards beyond the site access. The visibility splays for the access have been designed for the existing speeds in the location which are between 30 and 50mph and so should be suitable. Thus, the proposed development would have an acceptable effect in terms of highway safety and capacity.
93. There would be a loss of agricultural land but the site is allocated for residential development in the LP meaning that the loss is already accepted in principle. The provision of open space along the western and southern edges of the site means that there would be no unacceptable effects on the living conditions of occupiers of neighbouring properties in terms of privacy, outlook or light. It is evident that many people locally have objected to the proposed development, but decisions need to be reached based on the planning merits of the case rather than the extent of support or opposition.

Planning obligations

94. The completed S106 agreement dated 19 July 2023 is split into several schedules. The affordable housing obligations in schedule 1 would ensure that 50% of the residential units are affordable and also secure the delivery of First Homes. This would accord with LP Policy H3 which seeks to address affordable housing needs. Schedule 1 also requires at least 5% of the total number of dwellings to be custom/self-build housing as required by LP Policy H5.
95. The biodiversity net gain obligations in schedule 2 would secure a net gain of at least 10% from the baseline position. This would accord with LP Policies EH3, OS4 and EW4(i) which seek biodiversity enhancements and net gain.

96. In schedule 3, the community contribution obligation would be used to engage new residents with the existing community and help to integrate the development as required by LP Policy EW4. The health contribution obligation would be used to enhance the primary care network in the local area. This would accord with LP Policy OS5 which requires new development to contribute towards supporting infrastructure. The outdoor pitch contribution obligation and the swimming pool contribution obligation would be used to improve local facilities. This would accord with LP Policy EH5, which seeks the provision of sport and recreation facilities, as well as LP Policy OS5.
97. Further on in schedule 3, the allotments obligation, open space obligation, play area and kickabout area obligation, and parking barns and community spaces obligation would secure the provision and management of these open and community spaces within the site. This would accord with LP Policies OS4, EH4, EH5 and EW4(g) which, amongst other things, seek the provision of new public realm, green infrastructure, open space and community facilities.
98. In schedule 4, the primary and secondary education contribution obligations would fund expansion works at the local schools, while the SEND contribution obligation would fund the expansion of special school places within the county. These are necessary to address the increased demand in places that would be generated by the development and would accord with LP Policy OS5.
99. Continuing with schedule 4, the public transport infrastructure (mobility hub) contribution obligation would assist with the creation of a new park and ride facility to the north of Oxford. The public transport services contribution obligation would help to support and improve bus services between Oxford and Woodstock. The highway works contribution obligation would fund improvements to the A44 corridor between the Bladon Roundabout and Langford Lane. The bus stop infrastructure contribution obligation would provide suitable bus stop facilities within the site area.
100. The travel plan monitoring contribution obligation would aid the implementation of the residential travel plan. The public rights of way contribution obligation would help improve the local footpath network. The TRO contribution obligation would assist with changes to the speed limit on the A44 approaching Woodstock from the north. All the obligations specified in this and the previous paragraph are necessary to address the traffic effects of the development and encourage more sustainable modes of travel. This would accord with LP Policies T1, T2 and T3 which seek to improve sustainable transport and mitigate the effect of development on the highway network.
101. The obligations in schedule 5 would secure the delivery of highway works necessary for the provision of a site access on the A44. This would accord with LP Policy T2 which requires all new development to demonstrate safe access and an acceptable degree of impact on the highway network.
102. Given the above, I am satisfied that all the above obligations are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. They would accord with Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) and NPPF paragraph 57. Therefore, I can take all the obligations in the S106 agreement into account as part of my decision.

103. Finally, the S106 agreement also makes provision for administration and monitoring fees to the district and county councils to monitor all the above planning obligations. There is no reason to doubt the reasonableness of the fees sought and so I consider they meet Regulation 122 (2A) of the Community Infrastructure Levy Regulations 2010 (as amended)
104. Notwithstanding the wording of the second reason for refusal, no financial contribution towards the conservation, maintenance and restoration of the WHS has been put forward in the S106 agreement. However, at the Inquiry, the Council no longer maintained that such a contribution was necessary to make the development acceptable in planning terms. Therefore, the absence of the contribution has no bearing on my overall decision.

Planning balance

105. The NPPF sets out a presumption in favour of sustainable development. Paragraph 11(d) states that where there are no relevant policies, or the policies which are most important for determining the application are out of date (including where a 5 year housing land supply cannot be demonstrated), planning permission should be granted unless one of two exceptions apply. The first is that the application of NPPF policies that protect areas or assets of particular importance (such as designated heritage assets) provides a clear reason for refusing the proposal. The second exception states that any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole. It is common ground that a 5 year housing land supply cannot be demonstrated and hence NPPF paragraph 11(d) is engaged.

Adverse impacts

106. As noted above, there is conflict with LP Policy EW4 insofar as built development would not be kept away from the eastern and northern parts of the site. The main parties disagree on whether there would be conflict with LP Policy EW4 in terms of the first sentence and the number of homes proposed. The policy refers to the site accommodating 'around 120 dwellings as a well-integrated and logical extension of the existing built form of the town'.
107. The use of the word 'around' in this context means approximately or about. It does not set a limit of no more than 120 dwellings. However, 180 dwellings cannot reasonably be described as something like 120 dwellings when it represents a 50% increase of 60 dwellings. The fact that LP Policy H1 seeks provision across the district of at least 15,590 homes and refers to the distribution of 5,596 homes to the Eynsham-Woodstock area as indicative does not change the ordinary and clear meaning of the word 'around'.
108. The appellant argues that the first sentence of the policy should be read in full and that a proposal that constitutes a well-integrated and logical extension would not conflict with the policy regardless of the dwelling number. However, the first sentence is clear that the two elements should go together with regard to the dwelling number and the well-integrated and logical extension. Therefore, by proposing up to 180 dwellings, the development would conflict with LP Policy EW4 in this respect.
109. None of the above means that a proposal that is not around 120 dwellings should be refused on that basis alone. The policy requires the decision-maker

to consider a range of issues and the supporting paragraphs requires detailed assessments to be provided. More dwellings could be accommodated if the effects of development are acceptable.

110. I have found that the proposal would represent a well-integrated and logical extension and would accord with most of the policy criteria except in relation to the location of built form along the eastern and northern boundaries. Therefore, while there is conflict with LP Policy EW4 based on the number of dwellings and the location of development, given the overall effect of the development I afford only limited weight to that policy conflict.
111. In addition to the conflict with LP Policy EW4, there would be minor harm to the significance of designated heritage assets, a slight adverse effect on a non-designated heritage asset, and a minor adverse effect on landscape character and the setting of Woodstock. Consequently, it is necessary to consider the benefits of the proposed development.

Benefits

112. The proposed development would deliver up to 180 dwellings. The appellant and the Council agree that for the purposes of this appeal, the five-year housing land supply figure for West Oxfordshire stands at 3.14 years, a shortfall of 1,987 homes. LP Policy H2 envisages an increase in housing requirement from 550 dwellings per annum (dpa) at the start of the plan period to 800dpa in 2021/22 and up to 1125dpa by 2024/25 (to include an element of Oxford's unmet needs from 2021/22 onwards). Large strategic sites, including those in Eynsham designed to meet Oxford's needs, are not delivering sufficient housing completions to provide a five-year supply. Unallocated greenfield sites are being granted planning permission to help boost supply.
113. It is evident that the Council's housing delivery test results have exceeded 100% of the target in every year since 2017. However, there is an increasing shortfall in supply, which has worsened from the 3.56 to 3.96 years debated at an Inquiry⁷ in September 2022, with an increasing annual housing requirement. Therefore, I consider the shortfall to be very significant.
114. 50% of the dwellings would be affordable as required by LP Policy H3, which would equate to up to 90 dwellings. The number of people on the affordable housing register has more than doubled since 2015/16 to 2,941 households, with worsening affordability across West Oxfordshire. LP paragraph 1.1 identifies housing affordability as one of the issues of greatest significance to the district while LP paragraph 9.5.35 notes that house prices in the Eynsham-Woodstock sub-area are amongst the highest in the district.
115. There is no affordable housing requirement in the LP, but the 2014 Oxfordshire Strategic Housing Market Assessment (SHMA) identified a need for 274 affordable homes within the district each year. Annual delivery fell below this figure between 2013 and 2019, but has exceeded it every year between 2019 and 2022 with around 40% of the total housing delivered in these three years. There is still a shortfall of 577 affordable dwellings, which is a very significant figure. Even if 40% of the Council's projected deliverable housing supply over the next five years (3,401 homes) is affordable, that would only be 272 affordable dwellings per year when 274 affordable dwellings are expected

⁷ APP/D3125/W/22/3297487 Land at Witney Road, Ducklington

every year by the SHMA alone. Thus, there would be no reduction in the shortfall.

116. Up to nine custom and self-build plots would be provided by the proposed development in line with LP Policy H5. West Oxfordshire is one of 64 local planning authorities that did not grant permissions for any plots in 2021/22. Of those 64, it has the second highest number of individuals and groups on the self-build register at 472 entries and only 81 plots have received permission since 2016. There is a statutory requirement to provide enough permissions to meet local demand. While the number of plots to be provided is small, it would nevertheless represent an important contribution given the above context.
117. In terms of the weight to be given to the delivery of housing, there is a risk of double counting as affordable homes and custom and self-build plots form part of the overall housing provision. Looked at collectively and based on the shortfalls in the five-year housing land supply and affordable housing delivery, and the low levels of provision custom and self-build plots, I consider that there would be substantial benefits in terms of housing delivery which should be afforded great weight.
118. There would be economic benefits in terms of the jobs created and the additional local expenditure generated. This can be afforded moderate weight.
119. The proposed development would deliver biodiversity net gain as required by LP Policy EH3. While the plans and supporting documents indicate net gains of 73% for habitats and 93% for hedgerows, the S106 would only secure at least 10%. Therefore, I afford no more than moderate weight to this benefit.
120. There would be significant areas of public open space across the proposed development, greater than required at the local or national level which could be used by more than just the future residents. This can be given moderate weight as a benefit.
121. It is proposed that the development would be operationally carbon net zero with the details to be secured by condition. This would help with occupants' energy bills and fuel consumption. LP Policies OS3 and EW4(I) seek energy efficiency and the prudent use of natural resources, but do not go as far as requiring net zero proposals. The LP notes the problems with carbon dioxide emissions and domestic energy consumption, while the Council has declared a climate and ecological emergency and agreed a climate action plan. Therefore, significant weight can be afforded to the sustainability credentials of the proposal.
122. The appellant had previously cited the benefits of a financial contribution towards the management of Blenheim Palace WHS and the benefits of a pedestrian and cycle route to the east of the site. However, as neither of these measures are now being put forward by the appellant, they carry no weight.

The overall balance

123. Starting with the heritage balance as set out in NPPF paragraph 202, it is necessary to weigh the minor and less than substantial harm to the significance of the WHS, the PAG and the listed wall against the public benefits. All the above benefits can be regarded as public ones. Those relating to housing delivery alone are substantial and sufficient to outweigh the minor harm to significance notwithstanding the considerable importance and weight I have

given to that harm. While great weight should be afforded to the conservation of the listed wall and even greater weight to the conservation of the WHS and the PAG, there is clear and convincing justification for the harm to these designated heritage assets.

124. Therefore, the proposed development would have an acceptable effect on the significance and setting of the WHS, the PAG and the listed wall and would accord with LP Policies EW4(b), EW9, EH9, and OS2. It would also accord with NPPF paragraphs 199, 200 and 202. I am conscious of the objections from ICOMOS-UK as the official UK adviser on cultural World Heritage Sites. However, there are clear and compelling reasons why the proposed development would be acceptable on heritage grounds.
125. Regarding the slight adverse effect on the PROW as a non-designated heritage asset, this would be greatly outweighed by the benefits of the proposal and so there would be no conflict with LP Policy EH9 or NPPF paragraph 203.
126. The first exception in NPPF paragraph 11(d)(i) would not apply based on my findings on the heritage balance. Turning to the second exception in 11(d)(ii), the minor harm to the designated heritage assets and the slight adverse effect to the non-designated heritage asset should be considered as the wording in 11(d)(ii) refers to any adverse impact. Alongside these adverse impacts is the minor adverse effect on landscape character and the setting of Woodstock, and the conflicts with Policy EW4 insofar as they relate to the number of dwellings and the location of built development which I have afforded limited weight.
127. The adverse impacts would not significantly and demonstrably outweigh the above benefits when assessed against the policies in the NPPF taken as a whole. Therefore, the presumption in favour of sustainable development would apply in line with NPPF paragraph 11. In conclusion, while there would be some conflict with two parts of LP Policy EW4, the proposed development would accord with the rest of that policy as well as LP Policies OS2, OS4, EW9, EH2 and EH9 and the development plan as a whole. Therefore, this indicates that planning permission should be granted.
128. The Council contends that the existence of the allocation and its ultimate delivery means that I should only consider the additional harms and benefits against an alternative policy compliant scheme. In other words, I should only assess the effects of up to 60 additional houses over the allocated figure. However, I have no alternative policy compliant scheme to assess this proposal against. The CBA report does not constitute such a scheme as it is illustrative guidance only. Moreover, any harms and benefits would only be achieved via a planning permission, not a site allocation. Therefore, it is appropriate to consider the harms and benefits of the proposed development as a whole.
129. Nevertheless, even if I only consider the benefits relating to an additional 60 houses, the Council indicates that these should be given significant weight. I have no reason to disagree given the shortfall in housing land supply and affordable housing. The level of harm would be less or no greater than the already low levels I have identified for the whole development. Therefore, the benefits of 60 additional houses would still be more than enough to resolve the heritage balance and the balance under NPPF paragraph 11(d)(ii) in favour of granting planning permission.

Conditions

130. Condition 1 setting out the time limit for commencement of the detailed phase of development via the full planning permission is necessary for clarity and compliance. Conditions 2, 3 and 6 are necessary as they set out the standard requirements for the approval of reserved matters and implementation of the outline phase of development via the outline planning permission. Condition 6 is necessary to clarify the approved parameter plans for the outline phase.
131. Condition 4 relating to the approved plans for the detailed phase is necessary for clarity and compliance. It is necessary to exclude the grassed pathway to the north of the main access road from the approved plans for reasons relating to safety and security. The additional access details requested by Condition 5 are necessary in the interests of highway safety. Condition 7 is necessary to ensure that bin stores are safe and secure.
132. Condition 8 is necessary in the interests of character and appearance, while Condition 9 is necessary to mitigate the effects of construction traffic on the highway network. Conditions 10 and 12 are necessary to conserve and enhance ecology features during the construction and occupation phases respectively, while Condition 11 is necessary to address the archaeological interest of the site. Conditions 13 and 14 are necessary in the interests of flood risk matters while Condition 15 is necessary to address any land contamination issues. Conditions 8 to 15 are pre-commencement conditions as they concern matters that need to be dealt with before works begin on site.
133. Conditions 16, 17, 18, 20 and 27 are necessary to ensure the development is safe and secure. There is no need for a further condition requiring details of gates and access controls to the parking areas as this can be covered by these conditions. Condition 20 is also necessary to ensure external lighting avoids harm to protected species. Conditions 19 and 21 are necessary in the interests of energy efficiency and the use of natural resources.
134. Condition 22 is necessary in the interests of character and appearance. Condition 23 is necessary in the interests of managing flood risk and drainage. Conditions 24 and 25 are necessary to ensure that the water and foul water networks are adequate to support the development. Condition 26 is necessary in the interests of waste management. Condition 28 is necessary to promote sustainable modes of transport. Condition 29 is necessary in the interests of character and appearance and biodiversity. Condition 30 is necessary to control construction hours given the proximity of neighbouring properties.

Conclusion

135. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

Tom Gilbert-Wooldridge

INSPECTOR

Appearances

For the Appellant:

Sarah Reid KC, Counsel, instructed by Jacqueline Mulliner on behalf of Blenheim Estate.

She called:

Jacqueline Mulliner BA (Hons) BTP (Dist) MRTPI
Managing Director, tor&co

Richard Burton AOU BA (Hons) DIPLA CMLI
Director, tor&co

John Trehy BA MCIfA
Technical Director, tor&co

Kaye Stout BA (Hons) Dip Arch Dip Arch Prac RIBA
Partner, Pollard Thomas Edwards

Simon Tucker BSc (Hons) MCIHT
Director, David Tucker Associates

Peter Shepherd
Director, BGS Ecology

Adam Griffiths
Infrastruct CS Ltd

Will Cobley MRTPI
Technical Director, tor&co

Haroon Khan
Knights Plc

For the Local Planning Authority:

Alexander Greaves, Counsel, instructed by the Head of Legal Services at West Oxfordshire District Council (WODC).

He called:

Chris Wood
Senior Planning Officer (Appeals), WODC

Andrea Clenton
Major Development Programme Manager and Principal Planner, WODC

Interested Parties who spoke during the Inquiry:

Dr Alan Hearne	Campaign to Protect Old Woodstock (C-POW)
Mandy Miller	C-POW and local resident
Andrew Rein	C-POW

Councillor Elizabeth Poskitt Woodstock Town Council and WODC

Documents submitted during the Inquiry:

- ID1: Appellant's opening submissions
- ID2: Council's opening submissions
- ID3: C-POW statement presented by Dr Alan Hearne
- ID4: Statement from Mandy Miller
- ID5: Statement from Councillor Elizabeth Poskitt
- ID6: Information on the new parking scheme in Woodstock, including map
- ID7: Updated statement of common ground on highways and access matters between the appellant and Oxfordshire County Council (dated 6 June 2023)
- ID8: Oxfordshire County Council's answers to questions from the Inspector regarding the S106 agreement (dated 26 June 2023)
- ID9: Statement of common ground on 5 year housing land supply from the appeal at Land at Cote Road, Aston, West Oxfordshire (dated June 2023)
- ID10: Summary of infrastructure issues from C-POW including:
 - (a) Woodstock Community and Infrastructure Delivery Plan 2019 extracts
 - (b) West Oxfordshire Infrastructure Delivery Plan 2016 extract
 - (c) West Oxfordshire Parking Strategy 2016 extracts
 - (d) Woodstock Conservation Area Map
 - (e) Oxfordshire Pupil Place Plan 2022/23-2026/27 extracts
 - (f) Gov.uk information about Woodstock, Wootton-by-Woodstock, and Bladon Church of England (CE) Primary Schools
 - (g) Final Summary of Listening Period regarding the proposed closure of Wootton-by-Woodstock CE Primary School
 - (h) Oxfordshire County Council's consultation response to the proposal at Land North of Banbury Road regarding education matters
 - (i) Oxfordshire Local Transport and Connectivity Plan 2022-2050 extracts
 - (j) Thames Water Investment Plans for storm discharge sites
- ID11: Catchment area for Woodstock CE Primary School
- ID12: Updated statement of common ground on heritage matters between the appellant and the Council (dated July 2023)
- ID13: Amended Building Heights Parameter Drawing (HIL-PTE-ZZ-XX-DR-A-10024 Revision D)
- ID14: C-POW's closing submissions

ID15: Council's closing submissions including two legal judgments:

- (a) *Gallagher Ltd v Cherwell DC* [2016] EWHC 290 (Admin)
- (b) *R (Village Concerns) v Wealden DC* [2022] EWHC 2039 (Admin)

ID16: Appellant's closing submissions

ID17: Completed and executed S106 agreement dated 19 July 2023

Schedule of Conditions (30)

- 1) The detailed phase of the development hereby permitted by the full planning permission shall begin not later than 3 years from the date of this decision.
- 2) In respect of the outline phase of development hereby permitted by the outline planning permission, details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place in the outline phase and the development shall be carried out as approved.
- 3) The first application for approval of the reserved matters for the outline phase shall be made to the local planning authority not later than 3 years from the date of this permission. The outline phase shall begin not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The detailed phase of development hereby permitted shall be carried out in accordance with the approved plans listed in Annex 1 except in respect of the inclusion of grassed pathway shown to the north of the main access road to the rear of proposed properties as shown on plans XX-XX-LA-P-013, XX-XX-LA-P-015 and XX-XX-LA-P-100
- 5) Notwithstanding condition no 4, details of the means of access between the site and A44 Manor Road (as shown on Drwg No: 21152-05-GA Rev J) shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Thereafter, and prior to the occupation of any dwellings, the means of access onto the highway shall be constructed and retained in accordance with the approved details.
- 6) The outline phase of development hereby permitted shall be carried out in accordance with the approved parameter plans listed in below:
 - Land use parameter drawing HIL-PTE-ZZ-XX-DR-A-10020 Rev C
 - Landscape and open space parameter drawing HIL-PTE-ZZ-XX-DR-A-10021 Rev D
 - Access parameter drawing HIL-PTE-ZZ-XX-DR-A-10022 Rev C
 - Density parameter drawing HIL-PTE-ZZ-XX-DR-A-10023 Rev C
 - Building heights parameter drawing HIL-PTE-ZZ-XX-DR-A-10024 Rev D
- 7) Notwithstanding condition no 4, all bin stores will be secured with gated access.
- 8) No development shall take place within each phase (the detailed phase and outline phase hereby approved) until plans of the site showing the existing and proposed ground levels and finished floor levels of all proposed buildings within that phase have been submitted to and approved in writing by the local planning authority. These levels shall be shown in relation to a fixed and known datum point. The development within each phase shall then be carried out in accordance with the approved details.

- 9) No development shall take place until a Construction Traffic Management Plan (CTMP) is submitted to and approved in writing by the local planning authority. The CTMP shall include details of vehicle routing and cleaning. Thereafter, the approved CTMP shall be implemented and operated in accordance with the approved details.
- 10) No development shall take place within each phase (the detailed phase and outline phase hereby approved) (including ground works and vegetation clearance) until a Construction Environmental Management Plan – Biodiversity (CEMP-B) for that phase has been submitted to and approved in writing by the local planning authority. The CEMP-B shall include, but not necessarily be limited to, the following:
- (i) Risk assessment of potentially damaging construction activities;
 - (ii) Identification of 'biodiversity protection zones';
 - (iii) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
 - (iv) The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
 - (v) The times during construction when specialist ecologists need to be present on site to oversee works;
 - (vi) Responsible persons and lines of communication;
 - (vii) The role and responsibilities on site of an ecological clerk of works or similarly competent person(s);
 - (viii) Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period; and
 - (ix) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works

The approved CEMP-B shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

- 11) No development shall take place until an Archaeological Written Scheme of Investigation has been submitted to and approved in writing by the local planning authority. The Archaeological Written Scheme of Investigation shall be implemented in accordance with the approved details.
- 12) No development shall take place within each phase (the detailed phase and outline phase hereby approved) until an Ecological Design Strategy (EDS) for each phase has been submitted to and approved in writing by the local planning authority. The EDS shall include, but not necessarily be limited to, the following information:
- (i) Details of planting such as, hedgerows, species-rich grasslands, tree planting and wildlife pond planting;
 - (ii) Type and source of materials to be used where appropriate, e.g. native species of local provenance;

- (iii) Timetable for implementation demonstrating that works align with the proposed phasing of the development;
- (iv) Details of integrated bird (swift bricks) and bat boxes, dormouse nest boxes, reptile hibernacula, hedgehog friendly fencing, bee bricks and a skylark compensatory nesting site;
- (v) Details of initial aftercare and long-term maintenance and persons responsible for the maintenance.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

- 13) No development shall take place within each phase (the detailed phase and outline phase hereby approved) (excluding enabling development) until final detailed drawings of all SuDS retention basins together with any headwalls and outflow details including cross sections both long and short for that phase have been submitted to and agreed in writing by the local planning authority. The development shall be completed in accordance with the details agreed.
- 14) No development shall take place within the outline phase until a full surface water drainage scheme has been submitted to and approved in writing by the local planning authority. The scheme shall include details of the size, position and construction of the drainage scheme and results of soakage tests carried out at the site to demonstrate the infiltration rate. Where appropriate, the details shall include a management plan setting out the maintenance of the drainage asset. The surface water drainage scheme should, where possible, incorporate Sustainable Drainage Techniques in order to ensure compliance with the Flood and Water Management Act 2010, as amended, and/or any subsequent replacement legislation. The development shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained in accordance with the management plan thereafter.
- 15) No development shall take place within each phase (the detailed phase and outline phase hereby approved) until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the local planning authority. This assessment shall consider any contamination on the site, whether or not it originates on the site. Moreover, it must include:
 - (i) A 'desk study' report documenting the site history, environmental setting and character, related to an initial conceptual model of potential pollutant linkages;
 - (ii) A site investigation, establishing the ground conditions of the site, a survey of the extent, scale and nature of contamination; and
 - (iii) A 'developed conceptual model' of the potential pollutant linkages with an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, and service lines and pipes,

- adjoining land,
- groundwaters and surface waters,
- ecological systems

No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme has been submitted to and approved in writing by the local planning authority. The approved remediation scheme shall be carried out before the development of each phase (the detailed phase and outline phase hereby approved) is occupied.

- 16) No development above slab level shall take place in each phase (the detailed phase and outline phase hereby approved) until an application for that phase is made for Secured by Design (SBD) accreditation. The development shall be carried out in accordance with the approved details and shall not be occupied or used until confirmation of SBD accreditation has been received by the local planning authority.
- 17) No development above slab level shall take place in each phase (the detailed phase and outline phase hereby approved) until a management plan setting out the future management, operation and security of the parking barns and community areas has been submitted to and approved in writing by the local planning authority. These areas shall be subsequently managed in accordance with the approved management plan.
- 18) No development above slab level shall take place in each phase (the detailed phase and outline phase hereby approved) until a parking strategy setting out the future management of parking throughout each phase has been submitted to and approved in writing by the local planning authority. Parking shall be subsequently managed in accordance with the approved management plan.
- 19) No development above slab level shall take place until an Energy Report has been submitted to and approved in writing by the local planning authority. The Energy Report shall include:
 - (i) Predicted energy modelling shall demonstrate residential energy budgets of <35 kwh/m2.yr to achieve ultra- low energy demand through design;
 - (ii) Details of fossil fuel free heating systems;
 - (iii) Development shall achieve a net-zero operational carbon balance and deliver 100% of energy using renewables;
 - (iv) Lifecycling modelling shall be carried out to assess embodied carbon with details of the steps taken to minimise embodied carbon emissions;
 - (v) Thermal comfort and the risk of overheating shall be assessed and demonstrate that passive design measures to mitigate for overheating risk have been prioritised over the use of more energy-intensive alternatives, in compliance with CIBSE TM52

The development shall be implemented in accordance with the approved report.

- 20) No development above slab level shall take place in each phase (the detailed phase and outline phase hereby approved) until a proposed external lighting scheme has been submitted to and approved in writing by the local planning authority. The scheme shall set out the steps that will be taken to ensure that external lighting, including zonal/security lighting and column lighting within parking courts promotes a secure environment and does not cause a nuisance to local residents. The lighting scheme shall also be designed to avoid harm to protected species. The development shall be carried out in accordance with the approved details.
- 21) Prior to the occupation of any dwelling within each phase (the detailed phase and outline phase hereby approved) a scheme for the Electric Vehicle Charging points, in line with Policy EVI8 of the Oxfordshire Electric Vehicle Infrastructure Strategy for that phase, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 22) Prior to the occupation of any dwelling within each phase (the detailed phase and outline phase hereby approved) a long-term management scheme to provide for the future maintenance of hard and soft landscaping in perpetuity for public areas in each phase shall be submitted to and agreed in writing by the local planning authority. The scheme shall include the long-term management and maintenance of all shrubs, grasses and tree planting in public areas which includes all public open spaces including paths, drainage basins and play areas, and the maintenance of other public facilities including benches and bins and other elements of hard landscaping and public infrastructure works. The development shall be carried out in accordance with the approved scheme.
- 23) Prior to the occupation of any dwelling within each phase (the detailed phase and outline phase hereby approved), a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the local planning authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:
 - (i) As built plans in both .pdf and .shp file format;
 - (ii) Photographs to document each key stage of the drainage system when installed on site;
 - (iii) Photographs to document the completed installation of the drainage structures on site; and
 - (iv) The name and contact details of any appointed management company information.
- 24) Prior to the occupation of any dwelling in either phase (the detailed phase and outline phase hereby approved), confirmation must be provided to the local planning authority that either:
 - (i) All foul water network upgrades required to accommodate the additional flows from the development have been completed; or
 - (ii) A development and infrastructure phasing plan has been agreed with the local planning authority in consultation with Thames Water (or the responsible provider for such provision) to allow

development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

- 25) Prior to the occupation of any dwelling in either phase (the detailed phase and outline phase hereby approved), confirmation must be provided to the local planning authority that either:
- (i) All water network upgrades required to accommodate the additional flows to serve the development have been completed; or;
 - (ii) A development and infrastructure phasing plan has been agreed with the local planning authority in consultation with Thames Water (or the responsible provider for such provision) to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.
- 26) Prior to the occupation of any dwelling within each phase (the detailed phase and outline phase hereby approved) a waste collection strategy shall be submitted to and approved in writing with the local planning authority. The development shall be carried out in accordance with the approved details.
- 27) Prior to the occupation of any dwelling within each phase (the detailed phase and outline phase hereby approved) a scheme setting out details of measures to discourage motorcycle use of pedestrian/cycle routes, including a timetable for implementation, shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.
- 28) The development hereby approved should be implemented in accordance with the Residential Travel Plan (ref: SJT/NES/21152-04a, 3 December 2020).
- 29) The trees and hedgerows on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the tree protection plan (ref 10270 TPP 03 Rev A) in the arboricultural statement impact assessment (ref 10270_AIA.003 Rev B).
- 30) All works and ancillary operations in connection with the construction of the development, including the use of any equipment or deliveries to the site, shall be carried out only between 0700 hours and 1830 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays and at no time on Sundays, Bank Holidays or Public Holidays.

Annex 1: Approved drawings for detailed phase of development

Phase 1 Architectural drawings (detailed)	Drawing number
Phase 1 – Plot A1	HIL-PTE-VA-ZZ-DR-A-10160 Rev A
Phase 1 – Parking Barn – Ground Flood Plan	HIL-PTE-VB-00_DR-A-10135 Rev A
Phase 1 – Parking Barn – Roof Plan	HIL-PTE-VB-01-DR-A-10136 Rev A
Phase 1 – Parking Barn – Sections	HIL-PTE-VB-ZZ-DR-A-10215 Rev A
Phase 1 – Parking Barn – Elevations	HIL-PTE-VB-ZZ-DR-A-10325 Rev A
Phase 1 – Plots C1-C4	HIL-PTE-VC-ZZ-DR-A-10142 Rev B
Phase 1 – Plots C5-C8	HIL-PTE-VC-ZZ-DR-A-100143 Rev B
Phase 1 – Plots C9-C12	HIL-PTE-VC-ZZ-DR-A-10144 Rev A
Phase 1 – Plots D1-D5	HIL-PTE-VD-ZZ-DR-A-10145 Rev B
Phase 1 – Plots D10-D12	HIL-PTE-VD-ZZ-DR-A-10147 Rev A
Phase 1 – Plots D13-D15	HIL-PTE-VD-ZZ-DR-A-10148 Rev B
Phase 1 – Plots E1-E5	HIL-PTE-VE-ZZ-DR-A-10149 Rev B

Phase 1 – Plots E9-E12	HIL-PTE-VE-ZZ-DR-A-10150 Rev B
Phase 1 – Plots F1-F3	HIL-PTE-VF-ZZ-DR-A-10151 Rev B
Phase 1 – Plots F4	HIL-PTE-VF-ZZ-DR-A-10152 Rev B
Phase 1 – Plots F5	HIL-PTE-VF-ZZ-DR-A-10153 Rev B
Phase 1 – Plot A3	HIL-PTE-XX-ZZ-DR-A-10140 Rev A
Phase 1 – Plots A2, A4	HIL-PTE-XX-ZZ-DR-A-10141 Rev A
Phase 1 – Plots D6-D9, E6-E8	HIL-PTE-XX-ZZ-DR-A-10146 Rev B
GA – Plan – Lots A, B& C – Ground Floor	HIL-PTE-ZZ-00-DR-A-10101 Rev D
GA – Plan – Lots D,E & F Ground Floor	HIL-PTE-ZZ-00-DR-A-10105 Rev C
GA – Plan – Lots A, B & C First Floor	HIL-PTE-ZZ-01-DR-A-10102 Rev B
GA – Plan – Lots D, E & F First Floor	HIL-PTE-ZZ-01-DR-A-10106 Rev B
GA – Plan – Lots A, B & C Roof	HIL-PTE-ZZ-03-DR-A-10104 Rev B
GA – Plan – Lots D, E & F Roof	HIL-PTE-ZZ-03-DR-A-10108 Rev B
Proposed Hill Rise Site Plan	HIL-PTE-ZZ-XX-DR_A-10010 Rev E

Proposed Site Plan – Phase 1 Part 01	HIL-PTE-ZZ-XX-DR_A-10011 Rev B
Proposed Site Plan – Phase 1 Part 02	HIL-PTE-ZZ-XX-DR_A-10012 Rev B
Proposed Site Plan – Phase 1 Part 03	HIL-PTE-ZZ-XX-DR_A-10013 Rev B
Hill Rise – Site Sections 01	HIL-PTE-ZZ-ZZ-DR_A-10201 Rev B
Phase 1 Site Elevations – A	HIL-PTE-ZZ-ZZ-DR_A-10301 Rev B
Phase 1 Site Elevations – B&C	HIL-PTE-ZZ-ZZ-DR_A-10302 Rev B
Phase 1 Site Elevations – D	HIL-PTE-ZZ-ZZ-DR_A-10304 Rev B
Phase 1 Site Elevations – E	HIL-PTE-ZZ-ZZ-DR_A-10305 Rev B
Phase 1 Site Elevations – F	HIL-PTE-ZZ-ZZ-DR_A-10306 Rev B
Phase 1 Landscape drawings (detailed)	Drawing number
Phase 1 Boundaries and Hardworks GA 1 of 2	TOR-XX-XX-LA-P-001 Rev C
Phase 1 Boundaries and Hardworks GA 2 of 2	TOR-XX-XX-LA-P-002 Rev C
Phase 1 POS Hardworks 1 of 2	TOR-XX-XX-LA-P-003 Rev C
Phase 1 POS Hardworks 2 of 2	TOR-XX-XX-LA-P-004 Rev C

Phase 1 GA Softworks 1 of 2	TOR-XX-XX-LA-P-006 Rev C
Phase 1 GA Softworks 2 of 2	TOR-XX-XX-LA-P-007 Rev C
Phase 1 POS Planting Plan 1 of 4	TOR-XX-XX-LA-P-008 Rev C
Phase 1 POS Planting Plan 2 of 4	TOR-XX-XX-LA-P-009 Rev C
Phase 1 POS Planting Plan 3 of 4	TOR-XX-XX-LA-P-010 Rev C
Phase 1 POS Planting Plan 4 of 4	TOR-XX-XX-LA-P-011 Rev C
Landscape masterplan	TOR-XX-XX-LA-P-013 Rev E
Location of alternative BNG areas	TOR-XX-XX-LA-P-016 Rev B
Planting Key Plan	TOR-XX-XX-LA-P-100 Rev A
Hardworks Key Plan	TOR-XX-XX-LA-P-101 Rev A
Drainage Strategy	Appendix F of the Flood Risk Assessment and Drainage Statement ref 3572-WOOD-ICS-XX-RP-C-07.001C dated August 2022