



JohnsonMowat
Planning & Development Consultants

Newett Homes

Land North East of Shepley Road,
Stocksmoor, Huddersfield, HD4 6XW

Erection of Residential development
with associated access, parking, public
open space, landscaping and
infrastructure.

Statement of Common Ground

Appeal Reference: TBC

Johnson Mowat References

Client	Newett Homes
Site	Land North East of Shepley Road, Stocksmoor, Huddersfield, HD4 6XW
Development	Erection of Residential development with associated access, parking, public open space, landscaping and infrastructure.
Local Planning Authority	Kirklees Council
Document Type	Statement of Common Ground
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1. Introduction

- 1.1 This Statement of Common Ground has been prepared by Newett Homes (The Appellant) and the Local Planning Authority (LPA), Kirklees Council (KC) in respect of an appeal against the refusal of Residential development (LPA Ref: 2024/62/91242/E) on land north east of Shepley Road, Stocksmoor, Huddersfield, HD4 6XW.
- 1.2 The document sets out the matters on those matters on which there is agreement and those which remain in dispute.
- 1.3 The Appellant submitted a detailed Planning Application on 10th May 2024 for the following description of development: -
Erection of Residential development (50 dwellings) with associated access, parking, public open space, landscaping and infrastructure.
- 1.4 It is agreed that the Planning Application is submitted in detail.
- 1.5 The Application was determined by delegated decision on 24th April 2025. Members. The Decision Notice is dated 24th April 2025 (CD 3.2). The Decision Notice contains the following two reasons for refusal:

1. The detrimental impact of development traffic on the local highway network, namely Stone Wood Lane, would adversely impact the safe and efficient movement of traffic by all modes, and be particularly detrimental to active travel users. Mitigation measures have been proposed to Stoney Wood Lane which are considered to be insufficient to mitigate the harm of additional vehicle movements generated by the proposal. The proposal would therefore result in unacceptable impacts on highway safety and the amenity of active travel users utilising the route, contrary to Kirklees Local Plan Policy LP21(a, b, e), LP23, and LP24(dii) and paragraph 116 of the National Planning Policy Framework.

2. There is insufficient information supporting the application relating to requirements to support local infrastructure, to off-set the impacts of additional housing provision. A Section 106 agreement is required to ensure contributions towards the provision of affordable housing, education, on and off-site public open space, and the ongoing management and maintenance of on-site facilities including the public open space, drainage infrastructure (until adoption), and on-site significant ecological habitats. In the absence of an agreed Section 106 agreement, the proposed development therefore fails to achieve the requirements of policies LP4, LP11, LP28, LP30(i), LP49, and LP63 of the Kirklees Local Plan.

2. Site Location and Description

- 2.1 A detailed description of the Appeal site is provided within the Planning Statement (CD 1.19) and Design and Access Statement (CD 1.21). The following description of the Appeal site is taken from the Officer's Report dated 24th April 2025 (CD 3.1) which there is agreement with the Appellant.
- 2.2 The application site is approximately 2.5 hectares of greenfield land located to the east of Stocksmoor and is bound by a railway line to the north, woodland to the east, Shepley Road to the south with existing dwellings to the south east and west.
- 2.3 The east woodland, Lower Stone Wood, is designated Ancient Woodland. Access to the site is currently via a field gate from Shepley Road. Shepley Road is a single carriageway two-way road that is subject to a 30mph speed limit.
- 2.4 In terms of existing built form and design, development in the area appears to vary, however, the predominant materials appear to be stone and brick, with the dwellings primarily being two-storey.
- 2.5 The site is allocated as safeguarded land within the Kirklees Local Plan.

The Proposal

- 2.6 The proposal comprises residential development and associated works. The application was submitted for 50 dwellings of which 20% (10 dwellings) would be regarded as affordable and to be dealt with by way of a S106 Agreement.
- 2.7 A revised submission of application documents was made to the Council on the 11th April via email. It is agreed that the revised application bundle comprising the following document was received by the Council on the 11th April:
 - Planning Layout (Z159.002J)
 - Landscape Masterplan (H24-0004_001B)
 - House Type Pack (Z159.007A)
 - Boundary Treatment Plans (Z159.004B)
 - Materials Plan (Z159.005B)
 - Secure by Design Layout (Z159.008A)
 - POS (typologies) Plan (Z159.010A)
 - Ecological Impact Assessment and Biodiversity Net Gain Assessment (Rev 3)
 - Statutory Biodiversity Metric (V5)
- 2.8 The revisions comprised a scheme of 49 dwellings to address concerns that had previously been raised by Highways DM Officers (CD 4.14).
- 2.9 The application was not determined having regard to these revised documents. This matter is for consideration in Proofs of Evidence.
- 2.10 The history of the application and the plan changes are outlined in Section 3 below.

3. Planning History

Local Plan History

- 3.1 The application site is allocated in the Kirklees Local Plan Allocations and Designations DPD as Safeguarded Land.
- 3.2 It is agreed that the relevant policy for Safeguarded Lane sites is Policy LP 6 of the Local Plan Strategy and Policies DPD.
- 3.3 The site is reference is SLS30, Land to the north-east of Shepley Road, Stocksmoor. The site is identified as measuring 2.51 ha in area.

Site SLS30	
Local Plan ID	SLS30
Site address	Land to the north-east of Shepley Road, Stocksmoor, Huddersfield
Site Area (Ha)	2.51

- 3.4 It is agreed that the allocation of Safeguarded Land sites was rigorously tested through the Local Plan examination. The Council's *Schedule of safeguarded land sites showing their constraints/assessment of future delivery* (CD 6.8), submitted to the Examination in response to the Inspector's initial note (CD 6.7) confirms that "this site is required to meet longer-term development needs stretching well beyond the plan period and as such exceptional circumstances exist to amend the green belt boundary in order to facilitate future development". Having regard to the site's assessment against the Sustainability Appraisal objectives of the Local Plan it was concluded:

"Potential significant positive effects were identified for this site in relation to SA objectives 3: education, 8: recreation. Potential significant negative effects were identified in relation to SA objectives 5: amenity and 14: biodiversity and geodiversity. These issues will need to be considered further in terms of mitigation and/or enhancement, which may be achieved through Local Plan policies."

- 3.5 It is agreed that at the Local Plan allocation stage no concern was raised by the Council in relation to highway capacity or highway safety matters in relation to this application site.

The Planning Application

- 3.6 The Planning Application was submitted on 30th April 2024 and validated by the Local Authority on 10th May 2024.
- 3.7 Application documentation provided at the point of submission is listed below.

Site Location Plan	Z159.011
Planning Layout	Z159.100 Rev G
Landscape Masterplan	H24-0004_001A
House Type Pack	Z159.007 April 2024
Boundary Treatments Plan	Z159.004
Materials Plan	Z159.004
Secure by Design Layout	Z159.008
POS Plan (Typologies)	Z159-010
Topographical Survey – Sheet 1 of 4	
Topographical Survey – Sheet 2 of 4	
Topographical Survey – Sheet 3 of 4	
Topographical Survey – Sheet 4 of 4	
Indicative Cross Section	Z159-009
Indicative Streetscenes	Z159-007A
Proposed Indicative Engineering Levels	Z159
Planning Statement	Rev A April 2024

Statement of Community Involvement	
Design and Access Statement	Z125.003
Rapid Health Impact Assessment	29/04/2024
Transport Assessment	April 2024
Residential Travel Plan	April 2024
Arboricultural Assessment	Rev A April 2024
Ecological Impact Assessment	Rev 2 April 2024
Biodiversity Metric	
Biodiversity Metric Condition Assessment	April 2024
Flood Risk Assessment and Drainage Strategy	April 2024
Landscape and Visual Appraisal	Rev B April 2024
Noise Impact Assessment	v.2 April 2024
Preliminary Geoenvironmental Investigation	April 2024

- 3.8 The Planning Layout (CD 1.5) and supporting plans demonstrates the proposals' ability to deliver 50 dwellings on site.
- 3.9 During the course of the application, in response to Highways DM comments (CD 4.14), a Transport Assessment Addendum (TAA) (CD 1.33) was submitted to the Council. It is agreed that the TAA submission followed dialogue with relevant officers at the Council in relation to the matters raised, including a revision to the highway layout which would result in the reduction of dwelling numbers to 49 units.
- 3.10 It is agreed that the TAA references the intention of the Appellant to reduce the dwelling number and submit a revised proposal.
- 3.11 It is agreed that on the 11th April 2025 the Appellant provided the Council with a revised Planning Layout (CD 2.1) to address those highway comments. This submission was issued prior to the determination of the application. Submission documentation included:

Planning Layout	Z159.100 Rev J
Landscape Masterplan	H24-0004_001B
House Type Pack	Z159.007A April 2025
Boundary Treatments Plan	Z159.004B
Materials Plan	Z159.004B
Secure by Design Layout	Z159.008A
POS Plan (Typologies)	Z159-010A
Ecological Impact Assessment	Rev 3 April 2025
Biodiversity Metric	

- 3.12 The Kirklees Highways response dated 11th April 2025 (CD 4.16) informs of the Council's awareness of the reduced proposal to address the Council's concerns. In that response the Council's Highways Officers accept these proposals will suffice to overcome any internal design improvements sought but then go onto maintain their highways objection to the adequacy of external off-site highway works.
- 3.13 On 24th April 2024 the Council issued their refusal notice based upon the 50-dwelling scheme. The Decision Notice (CD 3.2) contains 2 Reasons for Refusal based upon the 50-dwelling layout. There is no Council planning objection to the internal design to the 50-dwelling layout.
- 3.14 The Decision Notice is accompanied by a Delegated Officer Report (CD 3.1) Under the heading of 'Site Access', that report informs the design of the point of site access is agreed to be appropriate. Under the following sub-heading 'Site Layout' the Officer refers to dialogue between the Council and applicant where amendments were suggested by the applicant that would address any internal design issues. The report informs the Officers were satisfied that changes could be made to satisfy

their concerns then go on to suggest this can be achieved via suitably worded pre-commencement planning conditions.

- 3.15 The Appellant has requested that the application is determined on the basis of the 49 dwellings scheme. It is agreed between the parties that the proposed revisions are not substantive in nature nor would they constitute a fundamental change to the application proposals.
- 3.16 It is agreed between the parties that subject to appropriate publicity, no party would be prejudiced through the acceptance of the 49 dwelling proposals. The Council agrees this to be the most appropriate way forward and will liaise with the Appellant to ensure all interested parties are notified of the changes in advance of the Public Inquiry.
- 3.17 The proposal was refused with two reasons for refusal as referenced in Section 1 above and taken from the Decision Notice (CD 3.2).
- 3.18 Reason for Refusal No.2 is a process reason which can be overcome subject to a S106 Agreement being agreed and submitted into this appeal supported by a CIL Regulation 122 Statement from the Council.

4. The Appeal Proposal

- 4.1 The proposed development is for the residential development of land to the north east of Shepley Road, Stocksmoor.
- 4.2 The Planning Layout Rev J demonstrates how the development can be brought forward for the residential development of 49 dwellings.
- 4.3 A single point of vehicular access is proposed from Shepley Road. The detailed access arrangements are provided on the Feasibility Layout -Sheet 1 reference 24071-LE-00-ZZ-Dr-D-0001 which was submitted to the Council as part of the Transport Assessment Addendum (TAA) (CD 1.33).
- 4.4 The development proposes 49 dwellings including 20% affordable housing. The proposed mix is as follows:

No of bedrooms	No of units	Percentage	Expected Mix in line with SPD
Market Units			
1 bed	0	26%	30 – 60%
2 bed	10		
3 bed	15	38%	25-45%
4 bed	9	36%	5 – 25%
5 bed	5		
Sub Total	39	100%	

Affordable units		
1 bed	2	20%
2 bed	5	50%
3 bed	3	30%
Sub Total	10	100%

Total units	49
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- 4.5 Dwellings are predominantly 2 storeys in height with a limited number of 2.5 storey dwellings. The scales and appearance of the dwellings, as set out in the house type booklet is considered acceptable.
- 4.6 It is confirmed that the proposed mix is broadly in keeping with the expected mix for market units as per the Affordable Housing and Housing Mix SPD. The proposal of 20% onsite affordable housing, equating to 10 no. units, is acceptable. It is agreed the provision of onsite affordable provision will be secured through a Section 106 agreement for agreement with the Council.
- 4.7 The housing mix and affordable housing proposals are considered to comply with policy LP11.
- 4.8 The proposed development include approx. 9,000m² of Public Open Space, consisting of amenity green space, natural / semi-natural greenspace, and a Local Area of Play. The indicative landscape masterplan shows low level planting and trees throughout the site, with Street Trees provided throughout the layout which will create an attractive green environment.
- 4.9 A new priority junction is proposed on Shepley Road, as well as mitigation measures on Stone Wood Lane to reduce the impact of development traffic. The principles of the site access arrangement are considered appropriate by Highways Officers, and have been agreed through extensive pre-application and application negotiations.

5. Agreed list of Plans and Technical Documentation

- 5.1 It is agreed that the following plans and documents listed in the table below comprise the latest iterations submitted by the Appellant on which the appeal should be determined.

Planning Application Form	29/04/2024
Application Covering Letter	29/04/2024
Notice Letter	30/04/2024
Site Location Plan	Z159.011
Planning Layout	Z159.100 Rev J
Landscape Masterplan	H24-0004_001B
House Type Pack	Z159.007A April 2025
Boundary Treatments Plan	Z159.004B
Materials Plan	Z159.004B
Secure by Design Layout	Z159.008A
POS Plan (Typologies)	Z159-010A
Topographical Survey – Sheet 1 of 4	
Topographical Survey – Sheet 2 of 4	
Topographical Survey – Sheet 3 of 4	
Topographical Survey – Sheet 4 of 4	
Indicative Cross Section	P25-2788_DE_01_003
Indicative Streetscenes	P25-2788_DE_01_003
Proposed Indicative Engineering Levels	Z159
Planning Statement	Rev A April 2024
Statement of Community Involvement	
Design and Access Statement	Z125.003
Rapid Health Impact Assessment	29/04/2024
Transport Assessment	April 2024
Residential Travel Plan	April 2024
Arboricultural Assessment	Rev A April 2024
Ecological Impact Assessment	Rev 3 April 2025
Biodiversity Metric	
Biodiversity Metric Condition Assessment	April 2024
Flood Risk Assessment and Drainage Strategy	April 2024
Landscape and Visual Appraisal	Rev B April 2024
Noise Impact Assessment	v.2 April 2024
Preliminary Geoenvironmental Investigation	April 2024
Transport Assessment Addendum	P2835 April 2025

6. Planning Policy Context

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

Adopted Development Plan

- 6.2 The Adopted Development Plan for this site is:
- Strategy and Policies DPD;
 - Allocations and Designations DPD; and,
 - Policies map.
- 6.3 The Kirklees Local Plan was adopted on the 27th February 2019 and became five years old in February 2024. Under the provisions of paragraph 34 of the National Planning Policy Framework (NPPF) strategic policies should be reviewed to assess if they need updating at least once every five years, completing that review no later than five years from the adoption date of the plan. It is agreed that the Kirklees Local Plan has not been subject to review.
- 6.4 The Officers Report provides a list of relevant Local Plan policies. Those policies are as follows:
- **LP1 – Presumption in favour of sustainable development**
 - **LP2 – Place shaping**
 - **LP3 – Location of new development**
 - **LP6 – Safeguarded land**
 - **LP7 – Efficient and effective use of land and buildings**
 - **LP11 – Housing mix and affordable housing**
 - **LP20 – Sustainable travel**
 - **LP21 – Highways and access**
 - **LP22 – Parking**
 - **LP24 – Design**
 - **LP26 – Renewable and low carbon energy**
 - **LP28 – Drainage**
 - **LP30 – Biodiversity and geodiversity**
 - **LP32 – Landscape**
 - **LP33 – Trees**
 - **LP34 – Conserving and enhancing the water environment**
 - **LP43 – Waste management hierarchy**
 - **LP49 – Educational and health care needs**
 - **LP51 – Protection and improvement of local air quality**
 - **LP52 – Protection and improvement of environmental quality**
 - **LP53 – Contaminated and unstable land**
 - **LP63 – New open space**
- 6.5 Due to changing circumstances at a national level, the local strategic policies, namely the housing requirement, is no longer aligned with the Local Housing Need (LHN) for the authority. As a consequence, the Local Plan is considered to be out-of-date.
- 6.6 Furthermore, it is agreed that the Council are currently unable to deliver a five-year housing land supply.

- 6.7 It is agreed that in the context of a lack of five-year housing land supply, under the provisions of the National Planning Policy Framework, paragraph 11 d) the policies which are most important for determining the application are out of date. It is agreed that that most important policies are as follows:
- Spatial Development Strategy
 - LP3 Location of New development
 - LP 6 Safeguarded Land
- 6.8 The last published position from the Council is agreed to be the set out in the Authority Monitoring Report (AMR) 2022/2023 and identifies for the period from 1st April 2023 the Council can only demonstrate 3.96 years.
- 6.9 Whilst the Council have not sought to formally publish a five-year housing land supply since 2023, it is agreed that the supply position remains below five years.

SPDs

- 6.10 The Supplementary Planning Documents (SPDs) of relevance are as follows:
- Housebuilders Design Guide SPD (2021)
 - Highways Design Guide SPD (2019)
 - Open Space SPD (2021)
 - Affordable Housing and Housing Mix SPD (2023)

Kirklees Guidance Documents

- 6.11 There are a number of other relevant guidance documents:
- Biodiversity Net Gain Technical Advice Note (2021)
 - Planning Applications Climate Change Guidance (2021)
 - West Yorkshire Low Emissions Strategy and Air Quality and Emissions Technical Planning Guidance (2016)
 - Waste Management Design Guide for New Developments (2020)
 - Green Streets Principles for the West Yorkshire Transport Fund
 - Kirklees Interim Housing Position Statement to Boost Supply (2023)
- 6.12 Of particular relevance is the Kirklees Interim Housing Position Statement to Boost Supply (February 2024). It is agreed that the document is a material planning consideration in the determination of the application.
- 6.13 It is agreed that in the context of no five-year housing land supply, safeguarded land sites provide potential development opportunities that could be facilitated through their early release for housing where development constraints can be overcome.

Emerging Development Plan

- 6.14 At the time of the application being considered by Planning Committee, the emerging Kirklees Local Plan was still at an early engagement stage with the Call for Sites ongoing. The Local Development Scheme (September 2025) indicates that consultation on the emerging Local Plan will not take place until late 2026 / early 2027.
- 6.15 No weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

Guidance - Material Considerations

- 6.16 Relevant guidance for this application is:

- National Planning Policy Framework 2024
- National Planning Practice Guidance
- National Design Guide 2021

6.17 Each party will add any additional documents through the Statement of Case and Proofs and Evidence.

7. Matters of Agreement

7.1 The matters of agreement between the parties are as follows:

Principle of Development

- 7.2 The Principle of Development on this Safeguarded Land site is accepted.
- 7.3 In the context of the Council's lack of five-year housing land supply it is agreed that the presumption in favour of development and the tilted balance is engaged.
- 7.4 It is agreed that the site is in a sustainable location.
- 7.5 It is agreed that the scale of form of the proposed development is appropriate.

Housing

- 7.6 It is agreed that the proposed housing mix is appropriate and in general accordance with the Housing and Affordable Housing SPD.
- 7.7 It is agreed that the housing density is appropriate having regard to the constraints and opportunities of the site.
- 7.8 It is agreed the proposed quantum of affordable housing, 20% equating to 10 no. units is acceptable and policy compliant.
- 7.9 It is agreed that the dwellings are to be delivered to Nationally Described Space Standard (NDSS).
- 7.10 It is agreed that the proposed housetypes, as set out in the House Type Pack reference Z159.007A are acceptable and that any minor amendments to fenestration as set out in the Officer's Report can be dealt with via a suitable worded condition.
- 7.11 The proposed design in regard to layout, appearance, scale and massing is generally agreed.
- 7.12 The delivery of housing carried very significant weight in the planning balance.
- 7.13 The delivery of affordable housing carried very significant weight in the planning balance.

Access and Highways

- 7.14 It is agreed that the site is in an accessible location with good links to public transport means.
- 7.15 The main point of vehicular between the site and Shepley Road, as shown in Appendix B of the TPS April 2025 TA Addendum report (CD 1.33) agreed.
- 7.16 It is agreed that appropriate parking provision is made across the site both in relation to on plot parking and visitor parking.
- 7.17 There is agreement between the parties in relation to the existing and future growth traffic flows.

Layout

- 7.18 There will be no significant impact on residential amenity of existing or futures residents.
- 7.19 It is agreed that separation distances between the proposed and existing dwellings meet or exceed the minimum distances in the Housebuilders Design Guide.
- 7.20 It is agreed that Highways DM Officers do not object to the principle of the proposed site layout.

- 7.21 Any changes and further detail, as requested by Highways DM (CD 2.14) has been stated by the Council as capable of being addressed via suitably worded pre-commencement planning conditions. It is therefore agreed that these amendments are minor in nature.
- 7.22 The Appellant would prefer to address these matters as part of the appeal through Planning Layout Rev J.
- 7.23 It is agreed that the revisions as shown on Planning Layout Rev J (CD 2.1) suitably address the internal highway layout changes requested.
- 7.24 It is agreed that the layout makes provision for substantial onsite Public Open Space measuring; amenity green space (1,714 sqm), children and young people's play provision (Local Area of Play, LAP) (753 sqm) and natural and semi-natural green space (6,327 sqm).

Ecology/Landscaping and Woodland matters

- 7.25 It is agreed that the impact and risks of the development on protected/important species are low and will be minimised with appropriate mitigation measures.
- 7.26 It is agreed that the proposals can deliver 10% Biodiversity Net Gain. It is agreed this carries significant weight in the planning balance.
- 7.27 There will not be any significant adverse impacts on statutorily protected nature conservation sites or landscapes.
- 7.28 It is agreed that significant weight can be attributed to the ecological measures embedded within the scheme which would result in significant positive benefits at a local level.
- 7.29 An appropriate standoff between the built form and Shepley Mill Wood is provided within the Planning Layout. It is agreed that no new buildings are proposed within 30m with dwellings located at a 50m distance from the wood.
- 7.30 This stand off exceeds the 15m buffer as set out in guidance.
- 7.31 It is agreed that no more than a 15m buffer is necessary.
- 7.32 It is agreed that the planting/ boundary arrangements and topography of the site in the east also serve to mitigate against human disturbance near the woodland.
- 7.33 It is agreed that the removal of 4 no. trees to facilitate the site access is acceptable on balance, having regard to the detailed landscape proposal which provide for significant levels of new tree planting across the scheme.

Other matters

- 7.34 It is agreed that the site is located in Flood Zone 1 and at the lowest risk of flooding.
- 7.35 The approach to flood risk and drainage is suitable, with an appropriate drainage scheme to be delivered subject to conditions.
- 7.36 It is agreed that there will be no significant impact on the nearest noise sensitive receptors.
- 7.37 There will be no significant impact on air quality.
- 7.38 It is agreed that the appeal proposals would have no adverse impact on any designated heritage asset or non-designated heritage asset.
- 7.39 Suitable conditions can be agreed to ensure no significant risk arise from contaminated land.
- 7.40 It is agreed that significant weight should be attributed to the economic benefits of the proposal.

Planning Obligation/ Drafts Heads of Terms

- 7.41 The following Draft Heads of Terms can be agreed and will be provided in a full Section 106 legal agreement to be agreed between the parties.
- 7.42 Delivery of 20% Affordable Housing equating to 10 no. units on site as follows :
- 1 bed properties x 2 units (20%)
 - 2 bed properties x 5 units (50 %)
 - 3 bed properties x 3 units (30%)
- 7.43 Delivery of onsite Public Open Space:
- Amenity green space – 1,714 sqm
 - Children and young people – 753 sqm
 - Natural and Semi-natural green space – 6,327 sqm
- 7.44 Financial contribution to other forms of POS to be negotiated with the Council.
- 7.45 A financial contribution of £25,681.00 is agreed towards education provision.
- 7.46 A financial contribution to a Travel Plan monitoring fee of £10,000 (£2,000 per annum for five years) is agreed.
- 7.47 A financial contribution will be provided for the provision of MCard scheme for future residents. This will be the subject of discussion and agreement with the LPA.
- 7.48 Secure the ongoing maintenance and management of drainage infrastructure (prior to adoption by a statutory undertaker), Public Open Space, any Ecological Net Gain features for a period of 30 years and any other on site amenity area outside of dwelling curtilage.

Conditions

- 7.49 A draft list of conditions is to be agreed between the parties in advance of the Public Inquiry.

8. Matters of Dispute

- 8.1 It is agreed that the matters of dispute are those set out in the Reasons for Refusal and will be a matter for evidence at the Public Inquiry.
- 8.2 It is agreed that Reason for Refusal 2 can be addressed through an agreed Section 106 Legal Agreement which is a matter of discussion between the parties.
- 8.3 It is agreed that the Highways disputes between the parties relating to Reason for Refusal 1 can be narrowed down to:
- The number of development trips generated by the proposal;
 - The distribution of trips in the local highway network;
 - Sufficiency of off-site highway improvements on Stone Wood Lane; and,
 - Level of highway impact arising as a result of the development proposals including mitigation measures.

Signatures

On behalf of the Appellant

On behalf of the Council