34785/A3/SL/HM/bc May 2023

**Land AT LITTLE BUSHEY LANE, BUSHEY – APPEAL CORE DOCUMENTS LIST**

**APPEAL REFERENCE: APP/N1920/W/23/3314268**

**LPA REFERENCE: 22/1071/OUT**

**SECTION A: PLANNING APPLICATION DOCUMENTS (AS SUBMITTED ORIGINALLY)**

**Ref. Document Name Date Revision**

A1. Application Form and Ownership Certificates 14th June 2022

A2. CIL Additional Information Form

A3. Covering Letter 14th June 2022

A4. Planning Statement June 2022

A5. Design and Access Statement June 2022

A6. Noise Impact Assessment June 2022

A7. Transport Assessment June 2022

A8. Residential Travel Plan June 2022

A9. Environmental Impact Assessment Screening Report April 2022

A10. Pre-Development Utilities Appraisal April 2022

A11. Air Quality Assessment April 2022

A12. Flood Risk Assessment June 2022

A13. Arboricultural Impact Assessment June 2022

A14. Ecological Appraisal June 2022

A15. Landscape Visual Impact Assessment June 2022

A16. Health Impact Assessment June 2022

A17. Phase 1 – Desk Study and Preliminary Risk Assessment October 2020

A18. Historic Environment Desk-Based Assessment May 2022

A19. Climate Change and Energy Statement June 2022

A20. Site Ownership Plan (Drawing No. BM-M-15) 16th March 2022

A21. Preliminary Ghost Island Site Access Junction and Emergency Access 23rd September 2020

(Drawing No. 172919\_A02)

A22. Parameter Plans: Legibility (Drawing No. BM-M-22) 13th June 2022

A23. Parameter Plans: Landscape (Drawing No. BM-M-21) 13th June 2022

A24. Parameter Plans: Land Use (Drawing No. BM-M-20) 13th June 2022

A25. Parameter Plans: Character Areas (Drawing No. BM-M-19) 13th June 2022

A26. Parameter Plans: Density (Drawing No. BM-M-24) 13th June 2022

A27. Parameter Plans: Storey Heights (Drawing No. BM-M-23) 13th June 2022

A28. Parameter Plans: Access and Movement (Drawing No. BM-M-18) 13th June 2022

A29. Indicative Land Use Plan (Drawing No. BM-M-12) 11th January 2021 F

A30. Indicative Masterplan (Drawing No. BM-M-13-01) 22nd March 2021 J

A31. Proposed Drainage Strategy 24th May 2022 P01

A32. Hertsmere Borough Council Screening Opinion 1st June 2022

**SECTION B: PLANNING APPLICATION DOCUMENTS (ADDITIONAL DRAWINGS AND REPORTS)**

**Ref. Document Name Date Revision**

B1. Biodiversity Net Gain Assessment July 2022

B2. Biodiversity Net Gain Assessment Calculations 27th July 2022

B3. Biodiversity Net Gain Assessment August 2022

B4. Biodiversity Net Gain Assessment Calculations 22nd August 2022

B5. Design and Access Statement Addendum November 2022

B6. Ecological Appraisal Addendum October 2022

B7. Health Impact Assessment Update 27th October 2022

B8. Hertfordshire County Council School Land Specification Template

B9. Mode Shift Evidence (172919C/N03) 1st December 2022

B10. Response to National Highways (172919C/N01) 18th October 2022

B11. Response to Consultee Comments 21st November 2022

B12. Surface Water Drainage Strategy Addendum 16th November 2022

B13. Updated Transport Assessment November 2022

B14. Written Scheme of Investigation November 2022

B15. Indicative Masterplan (Drawing No. BM-M-13) 22nd March 2021 L

B16. Concept Plan School Site (Drawing No. BM-M-28) 17th August 2022

B17. Site Boundary Plan School Site (Drawing No. BM-M-26) 17th August 2022

B18. Parameter Plans: Density (Drawing No. BM-M-24) 13th June 2022 B

B19. Parameter Plans: Land Use (Drawing No. BM-M-20) 13th June 2022 B

B20. Parameter Plans: Storey Heights (Drawing No. BM-M-23) 13th June 2022 B

B21. Preliminary Ghost Island Site Access Junction and Emergency Access 23rd September 2020 C

(Drawing No. 172919\_A02)

B22. Upgrade of Existing Speed Cushion to Raised Table (Drawing No. 17 15th November 2022 A

2919-D102)

**SECTION C: OFFICER REPORT AND DECISION NOTICE**

**Ref. Document Name Date Revision**

C1. Committee Report for application 22/1071/OUT 23rd February 2023

C2. Update Sheet for Committee 23rd February 2023

**Section D: Appeal Documents**

**Ref. Document Name Date Revision**

D1. Appellant Statement of Case December 2022

D2. HBC Statement of Case February 2023

D3. Indicative Masterplan (Drawing No. BM-M-13) 22nd March 2021 N

D4. Parameter Plans: Land Use (Drawing No. BM-M-20) 13th June 2022 C

D5. Parameter Plans: Storey Heights (BM-M-23) 13th June 2022 C

D6. Parameter Plans: Density (Drawing No. BM-M-24) 13th June 2022 C

D7. Flood Risk Assessment March 2023

D8. Main Statement of Common Ground 24th March 2023

D9. Landscape Statement of Common Ground April 2023

D10. Sequential Test

D11. Sequential Test Rebuttal June 2023

D11a Appendix A - Policy Response June 2023

D11b Appendix B – Buildout Rates June 2023

D11c Appendix C – identified sites within adjacent authorities June 2023

D11d Table 1 WSP Proof June 2023

D12 WSP Proof of Evidence rebuttal of Sequential Test -LLFA June 2023

D12a WSP Land Adjacent to Bushy Lane Sequential Test Appeal Appendix June 2023

**Section e: National Policy, Guidance and Ministerial Statements**

**Ref. Document Name Date Revision**

E1. National Planning Policy Framework (NPPF) July 2021

E2. Planning Practice Guidance (relevant extracts)

E3. Prime Minister Foreword to the White Paper August 2020

E4. White Paper – Fixing our Broken Housing Market February 2017

E5. National Design Guide January 2021

E6. Living with Beauty; Promoting Health, Well-Being and Sustainable January 2020

Growth

E7. Environmental Improvement Plan 2023

**Section F: Development Plan Documents AND ASSOCIATED REPORTS**

**Ref. Document Name Date Revision**

F1. Hertsmere Local Plan Development Plan Document – Core Strategy January 2013

F2. Hertsmere Local Plan - Site Allocations and Development November 2016

Management Policies Plan

F3. Biodiversity Trees and Landscape SPD - Part A December 2010

F4. Biodiversity Trees and Landscape SPD - Part B December 2010

F5. Biodiversity Trees and Landscape SPD - Part C December 2010

F6. Planning and Design Guide SPD – Part D (Guidelines for High September 2016

Quality Sustainable Development

F7. Hertsmere Local Plan Parking Standards SPD July 2014

F8. Waste Storage Provision Requirements for New Residential

Developments

F9. Climate Change and Sustainability – Interim Planning Policy Position November 2020

Statement

F10. Hertsmere Local Plan Affordable Housing SPD November 2015

F11. Biodiversity Net Gain Draft SPD September 2022

F12. Carbon Offsetting Draft SPD September 2022

F13. Sustainable Transport and Parking Standards Draft SPD September 2022

F14. Hertsmere Community Infrastructure Levy (CIL) Charging Schedule September 2014

F15. Hertsmere Infrastructure Funding Statement (IFS) 1st April 2021 December 2022

– 31st March 2022

F16. Annual Monitoring Report (AMR) 1st April 2018 – 31st March 2019 2018/2019

F17. Hertsmere Borough Council Local Plan Local Development Scheme April 2021

F18. Watling Chase Community Forest SPD June 2003

F19. East of England Regional Plan

F20. Inspectors Report, Report on the Examination into the Hertsmere February 2012

Revised Core Strategy

F21. Inspectors Report, Report on the Examination into the Hertsmere Local September 2016

Local Plan (Site Allocations and Development Management Policies)

**Section G: Emerging Plan Documents**

**Ref. Document Name Date Revision**

G1. Call for Sites and Housing and Economic Land Availability Assessment December 2022

(HELAA) Methodology Consultation

G2. South West Hertfordshire Local Housing Needs Assessment September 2020

G3. Hertsmere Full Council Meeting Decision – 27th April 2022 April 2022

G4. Draft Hertsmere Local Plan (Regulation 18) September 2021

G5. Landscape Sensitivity to Residential and Employment Development September 2020

in Hertsmere[[1]](#footnote-1)

G6. Outline Landscape Appraisals for Potential Development Sites in October 2020

Hertsmere

G7. Hertsmere Borough Council Green Belt Assessment (Stage 1) 3rd January 2017 B

G8. Hertsmere Green Belt Assessment Stage 2 5th March 2019 C

G9. Hertsmere Green Belt Assessment Stage 2 Annex Report 9th January 2019 A

G10. Local Plan Launch Newsletter 2016/2017

G11. Local Plan Issues and Options September 2017

G12. Potential Sites for Housing and Employment October 2018

G13. Housing and Economic Land Availability Assessment (HELAA) 2019

G14. Landscape Sensitivity to Residential and Employment Development September 2020

in Hertsmere

G15. Settlement Hierarchy and Accessibility Mapping Analysis

G16. Strategic Flood Risk Assessment (SFRA) May 2018

G17. Promotional Site Submissions December 2019

G18. Promotional Site Submissions November 2020

G19. Promotional Site Submissions February 2021

**Section H: Policy and Other Documents relating to Housing and Housing Need**

**Ref. Document Name Date Revision**

H1. Five Year Housing Land Supply Update 2021 / 2022 September 2022

H2. Hertsmere Borough Council Housing Delivery Test Action Plan September 2022

~~H3. Strategic Housing Land Availability Assessment 2019~~

H4. Hertsmere Housing Trajectory 1st April 2022 – 31st March 2027 September 2022

H5. Housing White Paper - Fixing our broken housing market 2017

H6. Statement by former Planning Minister, Nick Boles on the need for

more affordable housing

H7. Children’s Commissioner Report, Bleak Houses: Tackling the Crisis of August 2019

Family Homelessness in England

H8. Shelter Report, Denied the Right to a Safe Home – Exposing the May 2021

Housing Emergency

H9. Hertsmere Borough Council Corporate Plan 2022 / 2023 2022

H10. Shelter Report, Unlocking Social Housing: How to fix the rules that April 2022

are holding back building

H11. South West Hertfordshire Strategic Housing Market Assessment 2016

H12. Hertsmere Borough Council First Homes Advisory Note 2021

H13. Hertsmere’s Homelessness and Rough Sleeping Strategy 2019-2023

**Section I: Other Appeal Decisions**

**Ref. Document Name Date Revision**

I1. Land off Purn Way, Weston-Super-Mare (3259109) January 2021

I2. Roundhouse Farm, Land off Bullens Green Lane, Colney Heath June 2021

(3265925 and 3265926)

I3. Oving Road and A27, Chichester (3165228) August 2017

I4. Secretary of State, Oxford Brooks University, Wheatley Campus April 2020

(3230827)

I5. Secretary of State, Franklands Drive, Addlestone, Surrey (1198326) December 2006

I6. Land at Filands Road / Jenner Lane, Malmesbury, Wilshire (3278256) January 2022

I7. Land off Aviation Lane, Burton-upon-Trent (3245077) October 2020

I8. Land to the west of Langton Road, Norton (3136237) July 2016

I9. Land at Firlands Farm, Hollybush Lane, Burghfield Common, Reading, July 2015

Berkshire (2228089)

I10. Mans Hill, Burghfield Common, Reading, Berkshire (2226342) March 2015

I11. Hawkhurst, Kent (3282908) March 2022

I12. Maitland Lodge, Billericay (3296116) November 2022

I13. Land between Lodge Lane and Burtons Lane, Little Chalfont, March 2023

Amersham (3303868)

I14. Secretary of State, Hanging Lane, Birmingham (3192918) July 2019

I15. Land on East Side of Green Road, Woolpit, Suffolk (3194926) September 2018

I16. Sonning Common, Oxfordshire (3265861) June 2021

~~I17. Brereton Heath, Cheshire (2192192) February 2014~~

I18. Old Crawley Road, Horsham (3266503) July 2021

I19. Land at Pear Tree Lane, Euxton (3173275) August 2020

I20. Corner Mead, Newland Lane, Droitwich Spa (3241879) July 2020

I21. Land east of Park Lane, Coalpit Heath (3191477) September 2018

I22. Land off Hepworth Road, Woodville (3214451) June 2019

I23. Land off Darnhall School Lane, Winsford (2212671) November 2019

I24. Land at Church Lane, Whittington (3255350) November 2020

I25. Land behind 31-33 The Causeway, Steventon (3265465) May 2021

I26. Land to the rear of Brock Cottage, Burford Road, Brize Norton (3274197) July 2022

I27. Land adjacent to Walton Hall, Chapel Lane, Walton (3296353) September 2022

I28. Land south east of Radwinter Road, Sewards End, Saffron Walden October 2022

(3296426)

I29. Land at Duckmoor, East of Billinghurst (3283823) January 2023

I30. Land opposite Rose Cottages, Holmes Chapel Road, Brereton Heath February 2014

(2192192)

I31. Land south of Heath Lane, Codicote (3273701) September 2021

I32. Land off Mytham Road, Prestolee Road, Boscow Road, Hall Lane and January 2023

Newbury Road, Little Lever, Bolton (3301093)

I33. World of Pets, Thorley Lane, Timperley (3306715) February 2023

I34. Land North of Kennel Lane, Billericay (3298599) December 2022

I35. Smallford Works, Smallford Lane, Smallford, St Albans (3260479) May 2021

I36. Burston Nurseries Ltd, Chiswell Green, St. Albans (3279463) January 2022

I37. Pulley Lane, Droitwich Spa (2199085 and 2199426) July 2014

I38. Windmill Farm, Eagle Road, Newark (3309438) April 2023

**SECTION J: SUPREME COURT AND HIGH COURT JUDGEMENTS**

**Ref. Document Name Date Revision**

J1. Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and May 2017

another (Respondents) Richborough Estates Partnership LLP and

another (Respondents) v Cheshire East Borough Council (Appellant)

[2016] EWCA Civ 168, [2015] EWHC 132 (Admin) and [2015] EWHC

410 (Admin)

J2. East Bergholt Parish Council v Babergh District Council [2019] EWCA December 2019

Civ 2200 – C1/2019/0140

J3. Hallam Land Management Ltd v Secretary of State for Communities July 2018

And Local Government & Anor [2018] EWCA Civ 1808 – C1/2017/3339

J4. Cornwall Council v Corbett [2020] EWC Civ 508 April 2020

J5. Compton Parish Council & Ors v Guildford Borough Council & Anor December 2019

[2019] EWHC 3242 (Admin)

J6. Bloor Homes East Midlands Limited & Secretary of State for March 2014

Communities and Local Government & Hinckley and Bosworth Borough

Council [2014] EWHC 754 (Admin)

J7. Peel Investments (North) Limited & Secretary of State for Housing September 2020

Communities and Local Government (1) Salford City Council (2) [2020]

EWCA Civ 1175

J8. Wavendon Properties Limited & Secretary of State of Housing June 2019

Communities and Local Government & Milton Keynes Council [2019]

EWHC 1524 (Admin)

J9. Cawrey Ltd v SSCLG and Hinkley and Bosworth Borough Council [2016] May 2016

EWHC 1198 (Admin)

J10. St Modwen Developments Limited v Secretary of State for

Communities and Local Government [2016] EWHC 968 (Admin) April 206

J11 St Modwen Developments Ltd v Secretary of State for

Communities and Local Government and another [2017] EWCA Civ 1643 October 2017

**SECTION K: LANDSCAPE DOCUMENTS**

**Ref. Document Name Date Revision**

K1. ‘Guidelines for Landscape and Visual Impact Assessment’ (Landscape 2013

Institute and Institute for Environmental Management and Assessment),

3rd edition, 2013 (GLVIA3)

K2. Hertfordshire Landscape Character Assessment (Area Profile 22)

K2a. Hertfordshire Landscape Character Assessment (Area Profile 23)

K3. Land at Little Bushey Lane, Landscape and Visual Appraisal May 2016

K4. Assessing Landscape Value Outside National Designations –

Technical Guidance Note 02/21

1. Note that this is a duplicate of G14 [↑](#footnote-ref-1)