

DPV Consult

Town & Country Planning Act 1990
Section 78 Appeal by
Castleoak Care Developments Limited

Land to the rear of Burston Garden Centre
St Albans
AL2 2DS

Schedule of Core Documents

7 December 2021

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LPA ref: 5/20/3022
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Schedule of Appeal Documents: Burston Garden Centre, St Albans
Appeal Reference: APP/ B1930/W/21/3279463

CD1.0 – Appeal Documents (APP/ B1930/W/21/3279463)

Ref.	Description
CD1.1	Appeal Form (DPV)
CD1.2	CD1.2i Appellant Statement of Case (DPV) CD1.2ii Appendix A Schedule of Plans Documents CD1.2iii Appendix B Previous Appeal Decision CD1.2iv Appendix C Roundhouse Farm Appeal Decision
CD1.3	Appeal Questionnaire Form (SADC)
CD1.4	CD1.4i LPA Statement of Case (SADC) CD1.4ii Officers Report CD1.4iii Decision Notice CD1.4iv Previous Appeal Decision
CD1.5	CD1.5i Overarching Statement of Common Ground CD1.5ii Appendix A Schedule of Plans Documents CD1.5iii Appendix B Assessment of Benefits at Time of Application (Refer to CD1.12 for Conditions with Reasons)
CD1.6	Case Management Conference Inspector's Pre-Conference Note
CD1.7	Case Management Conference Inspector's Summary Note
CD1.8	Topic: Green Belt, Purposes, Openness Statement of Common Ground
CD1.9	Topic: Heritage Statement of Common Ground
CD1.10	Topic: Need Statement of Common Ground
CD1.11	Draft S106 Legal Agreement
CD1.12	Draft Agreed Conditions with Reasons Added (supersedes Section 8 of the Overarching Statement of Common Ground (CD1.5))
CD1.13	Topic: Additional Statement of Common Ground on Need

CD2.0 – Application Documents LPA ref: 5/20/3022

Ref.	Description
	The Submission
CD2.1	Planning Application form including Certificates (DPV)
	Architects Drawings (PRP)
CD2.2	Site Location Plan 0653-00-SL-PL-A-G7-010 B
CD2.3	Existing Site Plan 0653-00-SL-PL-A-G7-011 B
CD2.4	Proposed Block Plan 0653-00-SL-PL-A-G7-012 B
CD2.5	Proposed Site Plan 00-SL-PL-A-G7-013 B
CD2.6	Landscape Masterplan 00-SL-PL-L-G7-014 C
CD2.7	Contextual Site Sections 00-SL-SE-A-G7-015 B
CD2.8	Proposed Site Sections 00-SL-SE-A-G7-016 B
CD2.9	Proposed Arrival 00-SL-PL-A-G7-017 B
CD2.10	Cycle & Refuse Store - Plans and Elevations 00-SL-PL-A-G7-018 B
CD2.11	Assisted Living - Ground Floor Plan 0653-01-00-PL-A--110 B
CD2.12	Assisted Living - First Floor Plan 0653-01-01-PL-A- 111 B
CD2.13	Assisted Living - Second Floor Plan 0653-01-02-PL-A--112 B
CD2.14	Assisted Living - Roof Plan 0653-01-03-PL-A -113 B
CD2.15	Assisted Living - Elevations Sheet 1 0653-01-99-EL-A--114 B
CD2.16	Assisted Living - Elevations Sheet 2 0653-01-99-EL-A--115 B
CD2.17	Bungalows Type A - Plans and Elevations 0653-03-00-PL-A--310 B
CD2.18	Bungalows Type B - Plans and Elevations 0653-03-00-PL-A--311 B

CD2.19	Bungalows Type C - Plans and Elevations 0653-03-00-PL-A--312 B
CD2.20	Bungalows Type D - Plans and Elevations 0653-03-00-PL-A--313 B
CD2.21	Bungalows Type E - Plans and Elevations 0653-03-00-EL-A- 314 B
CD2.22	Bungalows Type F – Plans 0653-03-00-PL-A--315 B
CD2.23	Bungalows Type F- Elevations0653-03-00-PL-A- 316 B
	Topographical Survey (Clifton Surveys Ltd)
CD2.24	Topographical Survey Sheet 1 186/3493/1 Rev. A
CD2.25	Topographical Survey Sheet 2 186/3493/2 Rev. A
	Transport Drawings (PEP)
CD2.26	Indicative Site Access Vertical 3019.09
CD2.27	215m Forward Visibility Envelopes and Longitudinal Sections, 8 January 2019 3019.14
CD2.28	Permitted Signalised Junction and Proposed Site Access Arrangement with 215m Forward Visibility Envelope and Speed Mitigation Measures, 8 January 2019 3019.15
CD2.29	Proposals for 60mph Speed Limit on A405 North Orbital Road, 11 January 2019 3019.16
CD2.30	Isopachytes Existing Ground Level to Proposed Finished Ground Levels 3019.17
CD2.31	Longitudinal Sections 3019.18
	Drainage (Intrado)
CD2.32	Storm Water Drainage Strategy IR20077 001 Rev. D
	Lighting (DFL)
CD2.33	Horizontal Illuminance Plan 1178-DFL-LSD-003-A Rev. B
	Computer Generated Images (PRP)
CD2.34	View 1 – Approach to The Village along The Avenue 0653 00-SL-3D-A-50
	View 2 – View of the Village Green and Pond 0653 00-SL-3D-A-51
	View 3 – View of the Clubhouse across the Village Green 0653 00-SL-3D-A-52
	View 4 – Courtyard Productive Garden with Burston Manor in the distance 0653 00-SL-3D-A-53
	View 5 – Northern most point of Bridleway looking towards clubhouse with Birch Wood beyond 0653 00-SL-3D-A-54
	View 6 – Seasonal front garden of the Almshouse Cottages 0653 00-SL-3D-A-55
	View 7 – View of the Village Green and interpretation board with Burston Manor beyond 0653 00-SL-3D-A-56
	Supporting Documents
CD2.35	CD2.35i Planning Statement (incl. Statement of Community Involvement) (DPV) CD2.35ii Appendix D Statement of Community Involvement (DPV Consult, October 2020) (For appendices A to C and E to O refer as follows: Appendix A CD3.5 Minister of State of Care Statement Appendix B CD1.2ii Schedule of Submission Plans and Documents Appendix C CD2.56 Previous Inspector’s Decision Letter Appendix E CD3.19 Inspectors Post New Local Plan 2020-2036 Hearing Letter Appendix F CD3.20 Inspectors Post New Local Plan 2020-2036 Hearing Letter Appendices G to M CD6.2 to CD6.9 literature reviews on older persons housing Appendix N CD5.10 London Road, West Malling Appeal Decision Appendix O CD5.11 Beechmoor Garden Centre Appeal Decision
CD2.36	Design and Access Statement, December 2020 (PRP)
CD2.37	Planning Need Assessment, September 2020 (Carterwood)
CD2.38	Alternative Site Assessment, October 2020 (Carterwood)

CD2.39	CD2.39i Landscape and Visual Impact Assessment, February 2020 (updated 25/03/21) (PRP) CD2.39ii Amended Viewpoints
CD2.40	Arboricultural Survey and Planning Integration Report, 10 December 2020 (Quaife)
CD2.41	Preliminary Ecological Appraisal (including Preliminary Ecological Assessment for Bats), October 2020 (PRP)
CD2.42	Built Heritage Statement, 11 December 2020 (RPS)
CD2.43	Archaeological Desk Based Assessment, December 2020(RPS)
CD2.44	Flood Risk Assessment and Drainage Strategy, September 2020 (Intrado)
CD2.45	Preliminary Geo-environmental and Geotechnical Assessment, August 2017 (Tweedie)
CD2.46	Transport Assessment, December 2020 (PEP)
CD2.47	Travel Plan, December 2020 (draft) (PEP)
CD2.48	Agricultural Land Classification Assessment, November 2020 (Daniel Baird)
CD2.49	Lighting Strategy, January 2021 (DFL)
CD2.50	Financial Viability Assessment, 24 February 2021 (Newsteer)
CD2.51	Objection from Historic England on heritage grounds (02/03/21)
CD2.52	Historic England rebuttal from RPS and LVIA clarifications (01/04/21)
CD2.53	Email response from Historic England reducing harm from moderate to low to moderate on the scale of less than substantial harm (04/05/21)
	<i>The LPA Decision</i>
CD2.54	Committee Report, 24 May 2021
CD2.55	The Decision Notice, 26 May 2021
	<i>Other</i>
CD2.56	Appeal Decision on land r/o Burston Garden Centre, St Albans, 9 January 2020 (PINS APP/B1930/W/19/3235642)
CD2.57	Listed Building Entry for Burston Manor House
CD2.58	Listed Building Entry for Outbuilding at Burston Manor

CD3.0 – Planning Policy, Legislation, Guidance Documents

Ref.	Description
	<i>National Policy, Guidance and Ministerial Statements, Other</i>
CD3.1	The NPPF, 2021
CD3.2	National Planning Practice Guidance (Older People)
CD3.3	National Planning Practice Guidance (Green Belt)
CD3.4	National Planning Practice Guidance (Historic Environment)
CD3.5	Minister of State of Care Statement, Helen Whately MP, 4 May 2020
CD3.6	Minister of State for Housing, Christopher Pincher MP, 19 January 2021
CD3.7	2020 Housing Delivery Test (HDT) St Albans, February 2021
CD3.8	Letter from Minister of State for HCLG, Sajid Javid MP, 16 November 2017
CD3.9	Letter from Minister of State for HCLG, Sajid Javid MP, 23 March 2018
	<i>The Development Plan, SPD/SPG</i>
CD3.10	City and District of St Albans District Local Plan Review 1994 (adopted 30 November 1994). Saved and Deleted Policies Version (July 2020)
CD3.11	Design Advice Leaflet No. 1: Design and Layout of New Housing, November 1988
CD3.12	Revised Parking Policies and Standards, January 2002
	<i>The Draft Neighbourhood Plan</i>
CD3.13	The Pre-submission Draft Neighbourhood Plan (Regulation 14)
CD3.14	The Submission Version Neighbourhood Plan (Regulation 16)

	<i>The Withdrawn draft Local Plan and Evidence Base</i>
CD3.15	St Albans City and District Local Plan 2020-2036 Publication Draft 2018
CD3.16	Green Belt Review Purposes Assessment Final Report, November 2013 (SKM)
CD3.17	Green Belt Review Purposes Assessment Annex 1, November 2013 (SKM)
CD3.18	Green Belt Review Sites and Boundaries Study, February 2014 (SKM)
CD3.19	Letter from Inspectors Examining SADC Local Plan to LPA, 14 April 2020
CD3.20	Letter from Inspectors Examining SADC Local Plan to LPA 1 September 2020
CD3.21	St Albans City and District Annual Monitoring Report 2020 (April 2019 to March 2020 (December 2020 (Base Date 31.03.2020))

CD4.0 – Good Practice Guidance

Ref.	Description
CD4.1	Conservation Principles, Policies and Guidance (English Heritage, April 2008)
CD4.2	Good Practice Advice Notes 2 (GPA2): Managing Significance in Decision-Taking in the Historic Environment (Historic England March 2015)
CD4.3	Good Practice Advice Note 3 (GPA3): The Setting of Heritage Assets (Second Edition; December 2017)

CD5.0 – Third Party Judicial, Application and Appeal Decisions

Ref.	Description
CD5.1	Supreme Court in R (Samuel Smith Old Brewery (Tadcaster) and others) v North Yorkshire County Council [2020] UKSC 3
CD5.2	Turner v Secretary of State for Communities and Local Government and East Dorset Council [2016] EWCA Civ 466
CD5.3	Gallagher Estates Ltd & Lioncourt Homes Ltd v Solihull Metropolitan Borough Council [2014] EWHC 1283 (Admin)
CD5.4	Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council [2014] EWCA Civ 137
CD5.5	CD5.5i Land north of Asher Lane, Ruddington, Nottinghamshire, 23 May 2018 (PINS APP/P3040/W/17/3185493) CD5.5ii Site Location Plan CD5.5iii Layout Plan
CD5.6	CD5.6i Oxford Brookes University Wheatley Campus, South Oxfordshire, 23 April 2020 (PINS APP/Q3115/W/19/3230827) CD5.6ii Site Location Plan CD5.6iii Layout Plan
CD5.7	CD5.7i 160 Stanley Road, Cheadle Hulme, Stockport, 22 April 2020 (PINS APP/C4235/W/18/3205559) CD5.7ii Site Location Plan CD5.7iii Layout Plan
CD5.8	CD5.8i Land to the west of Burley-in-Wharfedale at Sun Lane and Ilkley Road, Bradford, 3 March 2021 (PINS APP/W4705/V/18/3208020) CD5.8ii Site Location Plan CD5.8iii Layout Plan
CD5.9	CD5.9i Land south of Heath Lane, Codicote SG4 8YL, North Herts, 28 September 2021 (PINS APP/X1925/W/21/3273701) CD5.9ii Site Location Plan CD5.9iii Layout Plan
CD5.10	CD5.10i 237-259 London Road, West Malling Tonbridge and Malling, 19 December 2018 (PINS APP/H2265W/18/3202040) CD5.10ii Site Location Plan CD5.10iii Layout Plan
CD5.11	CD5.11i Beechmoor Garden Centre, Great Boughton, Chester, 17 July 2019 (PINS APP/A0665/W/18/3203413) CD5.11ii Site Location Plan CD5.11iii Layout Plan

CD5.12	CD5.12i Roundhouse Farm, Land off Bullens Green Lane, Colney Heath 14 June 2021 (PINS APP/B1930/W/20/3265925 and 3265926) CD5.12ii Officers Report recommending the application be refused CD5.12iii Site Location Plan CD5.12iv Layout Plan
CD5.13	CD5.13i. 112-156b Harpenden Road St Albans Hertfordshire resolution to grant 26 July 2021 CD5.13ii. Secretary of State decision not to call the application in on the 13 August 2021 (5/2021/0423/LSM) CD5.13iii Site Location Plan CD5.13iv Layout Plan
CD5.14	Chelford House, Coldharbour Lane, Harpenden 23 September 2021 (PINS ref. APP/B1930/W/20/3259161)
CD5.15	The Queen (on the application of (1) The Forge Field Society (2) Martin Barraud (3) Robert Rees) v Sevenoaks District Council and West Kent Housing Association [2014] EWHC 1895 (Admin) (12 June 2014)
CD5.16	CD5.16i Kent and Surrey Golf and Country Club, Crouch House Road, Edenbridge TN8 5LQ 2 November 2021 (PINS APP/G2245/W/21/3271595) CD5.16ii Site Location Plan CD5.16iii Layout Plan

CD6.0 – Literature Reviews

Ref.	Description
CD6.1	Five Year Housing Land Supply Statement, St Albans, Emery Planning, 25 March 2021
CD6.2	The Affordability of Retirement Housing, All Party Parliamentary Group on Housing and Care for Older People Report, 2014
CD6.3	Collaborative Research between Aston Research Centre for Healthy Ageing (ARCHA) and the Extra Care Charitable Trust, April 2015
CD6.4	Evaluating Extra Care – valuing what really matters. Written by Lacey & Moody, December 2016
CD6.5	Establishing the Extra in Extra Care. Published by the International Longevity Centre UK, 2011
CD6.6	Village Life – Independence, Loneliness and Quality of Life in Retirement Villages with Extra Care, August 2015
CD6.7	Later Life in the United Kingdom, Age Concern, Updated May 2019
CD6.8	Last Time Buyers, Legal and General (L&G), April 2019
CD6.9	Older People Market Position Statement, 2016 (Hertfordshire CC)
CD6.10	Nomis Official Labour Market Statistics, St Albans District Council, 1 November 2021
CD6.11	Southwest Hertfordshire Local Housing Need Assessment September 2020 (GL Hearn)
CD6.12	Extract from McCafferty P 1994 Living Independently: a Study of the Housing Needs of Elderly and Disabled People, HMSO
CD6.13	Extract from Appleton N: Extra Care Housing for Older people – an introduction for commissioners, January 2004, DoH (Para 7.13)
CD6.14	Laying the Foundations: A Housing Strategy for England 2011 (DCLG)
CD6.15	Care and Support Specialised Housing Fund, Dept. of Health (October, 2012)
CD6.16	Market assessment of housing options for older people, Pannell J, Aldridge H and Kenway P, May 2012, New Policy Institute.
CD6.17	The Care Act 2014
CD6.18	Fixing our broken housing market. February 2017
CD6.19	CD6.19i and CD6.19ii Flexicare Housing Hertfordshire Accommodation Services for Older People January 2010
CD6.20	“Housing in later life – planning ahead for specialist housing for older people” (National Housing federation and the Housing LIN, December 2012)
CD6.21	People at the Heart of Care Adult Social Care Reform White Paper, DHSC (December 2021)

CD7.0 – Consultation Responses to the Application

Ref.	Description
	<i>Formal</i>
CD7.1	Affinity Water
CD7.2	Archaeology 1
CD7.3	Archaeology 2
CD7.4	Community Services
CD7.5	Contaminated Land Officer
CD7.6	Design & Conservation 1
CD7.7	Design & Conservation 2
CD7.8	Environmental Compliance
CD7.9	HCC Growth & Infrastructure 1
CD7.10	HCC Growth & Infrastructure 2
CD7.11	HCC Highways 1
CD7.12	HCC Highways 2
CD7.13	HCC Local Lead Authority 1
CD7.14	HCC Local Lead Authority 2
CD7.15	Herts & Middlesex Wildlife Trust
CD7.16	Herts Police
CD7.17	Herts Valley Commissioning Care Group 1
CD7.18	Herts Valley Commissioning Care Group 2
CD7.19	Historic England 1
CD7.20	Historic England 2
CD7.21	Highways England 1
CD7.22	Highways England 2
CD7.23	Housing 1
CD7.24	Housing 2
CD7.25	Landscape & Tree Comments
CD7.26	Ramblers Association
CD7.27	RPS Heritage
CD7.28	Spatial Planning
CD7.29	St Albans Footpath Society
CD7.30	Thames Water
CD7.31	Waste
	<i>Third Party</i>
CD7.32	Abels
CD7.33	Blake
CD7.34	Blarney
CD7.35	Breen
CD7.36	Bricket Wood Residents Association
CD7.37	Broadbent
CD7.38	Clare
CD7.39	Constable
CD7.40	Cordell 1
CD7.41	Cordell 2
CD7.42	Cottingham
CD7.43	Downs 1
CD7.44	Downs 2
CD7.45	Edmunds
CD7.46	Ellis 1
CD7.47	Ellis 2
CD7.48	Griffiths
CD7.49	Hashemi
CD7.50	James

CD7.51	Jones 1
CD7.52	Jones 2
CD7.53	Kamruddin
CD7.54	Kanka
CD7.55	McCarthy 1
CD7.56	McCarthy 2
CD7.57	Mandelsohn
CD7.58	Olajide
CD7.59	Park Street Residents Association
CD7.60	Patchett Green Bridleways Trust
CD7.61	Pawlak
CD7.62	Plant
CD7.63	Potter 1
CD7.64	Potter 2
CD7.65	Powell
CD7.66	St Stephen Parish Council
CD7.67	Wilson

CD8.0 – Application and Appeal Documents for Application Ref 5/18/1324 PINS Ref: APP/B1930/W/19/3235642

Ref	Description
	<i>Supporting Documents for Application 5/18/1324</i>
CD8.1	Proposed Block Plan 0653-00-SL-PL-A-G7-003 Rev D (PRP)
CD8.2	Landscape Masterplan 0653-00-SL-PL-L-G7-010-Rev C (PRP)
CD8.3	Proposed Site Sections 0653-00-SL-SE-A-G7-005 Rev D (PRP)
CD8.4	Design and Access Statement July 2018 (PRP)
CD8.5	Design and Access Statement Addendum – Landscape, October 2018
CD8.6	Landscape and Visual Impact Assessment Rev B, October 2018 (PRP)
CD8.7	Built Heritage Statement May 2018 (CGMS)
CD8.8	Planning Need Assessment May 2018 (Carterwood)
	<i>Common Ground for previous appeal APP/B1930/W/19/3235642</i>
CD8.9	Main Statement of Common Ground, 28 October 2019
CD8.10	Heritage SoCG, 18 November
CD8.11	CD8.11i Local Need Issues, SoCG, 19 November 2019 CD8.11ii Local Need on a Comparable, SoGC, 2 December 2019
CD8.12	LVIA SoCG, 19 November 2019
CD8.13	Alternative Sites SoCG, 2 December 2019