

**APPEAL**

**BY**

**SALTER PROPERTY INVESTMENTS LTD**

**LAND OFF SPRUCE CLOSE AND CELIA CRESCENT,  
EXETER**

**PROPOSED RESIDENTIAL AND RELATED DEVELOPMENT**

**STATEMENT OF CASE**

**ON BEHALF OF THE**

**APPELLANTS**



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## 1. Introduction

- 1.1 This Rule 6 Statement comprises the Appellants' Statement of Case in relation to their appeal against the decision of Exeter City Council (ECC) to refuse outline planning permission for residential development (up to 93 dwellings) with associated means of access and supporting infrastructure. The Appellants will also respond, as necessary, to matters adduced by the Council, and any other Rule 6 Party, in their Statement(s) of Case, and to third party representations.
- 1.2 The application was made in outline, with all matters of detail reserved for subsequent approval, apart from means of access. The Appellants' case is based on the full suite of plans and documents accompanying the Appeal application. In addition, the Appellants have already responded to some of the matters raised in consultation responses and representations to the Appeal application through the further submissions that were made during the determination period of the application.
- 1.3 Relevant submissions in respect of the application are included as part of the documentation accompanying the Appeal to which this Statement of Case relates. All of the matters raised should be taken as forming part of the Appellants' case in connection with this Appeal.

## 2. Background

2.1 The application, the subject of this Appeal, was submitted to the Council on 1<sup>ST</sup> May 2020. It was formally registered as a valid application on 22<sup>nd</sup> May 2020 with a 13-week determination period expiring on 21<sup>st</sup> August 2020. The application as originally submitted was for up to 105 dwellings.

2.2 Following further submissions and amendments, and an inspection of the site by Members of the Planning Committee in May 2021, the application was reported to the meeting of the Exeter Planning Committee on 6<sup>th</sup> September 2021. The officer's recommendation was that planning permission be granted. At that meeting, Members indicated that they were minded to refuse planning permission. They therefore deferred the application for a further site inspection to afford an opportunity to give further consideration to grounds for refusal contrary to the recommendation of their professional advisors. The application was reconsidered at the meeting of the Planning Committee on 11<sup>th</sup> October 2021 when members resolved to refuse planning permission, contrary to the recommendation of their professional advisors, for the following reason:

1. *The adopted Core Strategy sets out an approach which steers development away from the hills that are strategically important to the setting of the city. The Local Plan sets out a sequential approach to development with greenfield sites being at the bottom of that hierarchy. As the Council can demonstrate a five year housing land supply greater weight is afforded to its adopted policies. It is considered that the development of this site would undermine the spatial approach set out in the development plan by allowing development on a site which lies in an area identified for protection, and as such the proposal is contrary to policy H1 of the Exeter Local Plan First Review 1995-2011 and Policy CP16 of the Core Strategy adopted February 2012.*

2.3 As cited above, as originally submitted, the application was for up to 105 dwellings, with development extending up to the 118 metre contour. That was subsequently reduced to 93 dwellings and which formed the basis for the Council's decision. The amendments were in response to the Planning Officer's request to contain all development within the 115.5 metre

contour corresponding with the highest level of existing housing in the adjacent urban area (Celia Crescent). In addition, the area of open space at the southern extremity of the site was increased to compensate for the area lost to accommodate the new access road from Spruce Close. Both of these changes reduced the developable area, and hence the number of units.

- 2.4 In response to a further request by the Planning Officer, the application was also amended (albeit not the red line) to include additional land to the north and east within the landowner's control to which there is currently no public right of access, as substantial new public open space, designated in the application as 'New Valley Park', to be secured through a S106 Obligation. This will provide significant ecological and recreational gains for the local community in perpetuity.

### **3. The Case for the Appellants**

- 3.1 The Appellants' case is based on the matters set out in the Planning Statement accompanying the Appeal application, the further submissions made to ECC during the currency of the application<sup>1</sup>, and a response to the matters adduced in the refusal reason.
- 3.2 For reasons that are set out in the Appeal application submissions and will be endorsed in their detailed evidence to be submitted in due course, the Appellants' case can be summarised as set out below.

#### **Principle of Development**

- 3.3 The principle of developing the site is in accordance with, and supported by, the Development Plan. Exeter Core Strategy (ECS) Policy CP1 guides development to the most sustainable locations, recognising the contribution to be made to growth by the existing urban area. The site is adjacent to the existing urban area, and peripheral expansion is not precluded as a matter of principle by the provisions of the Development Plan. Given the shortage of land in the city to meet future development requirements, as reflected in the need to accommodate some of Exeter's growth in adjacent local authority areas, not least the new settlement at Cranbrook, significant weight should be given to available and appropriate opportunities to accommodate growth at Exeter.
- 3.4 The site is in a 'landscape setting' designation as defined in the Exeter Local Plan First Review (ELPFR). Whilst ELPFR Policy LS1 resists development that would harm the landscape setting of the city other than for a limited range of purposes, the ELPFR is long time-expired and out of date. In any event, for reasons that are set out in the Appellants' submissions in respect of the Appeal application and will be addressed further in evidence, the proposed development is not considered to occasion harm to the landscape setting of the city.
- 3.5 It has been established through Appeals decisions elsewhere in the City that, not only is ELPFR Policy LS1 out of date and inconsistent with current national policy, but ECS Policy CP16 does not seek to prevent all development within the areas shown on the Key Diagram.

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<sup>1</sup> See in particular Briefing Note prepared by Roche Associates dated September 2021 and letter from Roche Associates to ECC dated 7 October 2021

It has been confirmed that the policy does not seek to prevent development which is not intrinsically harmful to the setting of the City.

- 3.6 As a matter of principle, there is no objection to development on the site, and support from the Development Plan for development in the most sustainable locations. Considered overall in the context of the location of development to meet Exeter's needs and the shortage of land at the City for doing so, the Appeal proposals derive support from ECS Policy CP1.

### **Impact on Landscape Setting**

- 3.7 In respect of the key issue raised by members, it will be the Appellants' submission that the overwhelming weight of the evidence is that the proposals will not occasion harm to the landscape setting of the City.
- 3.8 The CEC Study commissioned by ECC, the Landscape and Visual Impact Assessment accompanying the Appeal application, and the independent review of the Appeal proposals commissioned by ECC following deferral of the Appeal application at the September Planning Committee, are all consistent in finding the Appeal site to be of no more than medium sensitivity, and capable of accommodating the proposed development without unacceptable harm to the landscape setting of the City and the Council's objective to protect it. Moreover, as has been acknowledged by an Appeal Inspector at Topsham, in order to meet the Council's overall housing requirement will necessitate development on land of medium sensitivity and accepting adverse impacts on some such land.
- 3.9 The Appellants will refer to the Officer's advice to Committee confirming that their professional advisors agreed with the conclusions of the LVIA/LVIA Addendum accompanying the Appeal application, that the proposals will occasion minimal harm to the landscape setting of the city and the character and distinctiveness of the hills to the north of the city as a whole and as a contiguous landscape. Reference will be made to the clear and unequivocal independent advice to the Council that *"... the development would not result in harm to the character and local distinctiveness of this rural area, and the addition of the three fields north and west of the development site for unhindered quiet recreation in perpetuity would contribute to the public enjoyment and access to the urban fringe"*<sup>2</sup>. This was construed to be 'highly beneficial'. On this basis it was the Officer's conclusion that the

<sup>2</sup> LVIA Review, Landscape Siting Considerations and Landscape Policy Review, Anne Priscott Associates Ltd, September 2021, para. 80

proposals accord with ECS Policy CP16. It was also the Officer's advice that ELPFR Policy LS1 could be afforded only limited weight.

- 3.10 It will be the Appellants' submission that there is no evidence on which to reach an alternative conclusion to the Officers, and any attempt to do so retrospectively will be contrived. It will also be noted that, in its refusal reason, the Council does not allege 'actual' harm to the landscape setting of the city, or conflict with ECS Policy CP16 on this basis, and no reliance is placed on ELPFR Policy LS1 whatsoever.

### **Other Material Considerations**

#### **Housing Need and Land Supply**

- 3.11 The Appellants' case does not rely on the Council's inability to demonstrate a five year supply of deliverable housing land. It is the Appellants' submission that the Appeal proposals are in accordance with the Development Plan, and should therefore be approved. Even if there is adduced to be some limited conflict with the Development Plan, it is the Appellants' submission that the benefits outweigh any harm, and therefore planning permission should be granted.
- 3.12 The Appellants will refer to the change in the Council's position in relation to the five year supply between the first consideration of the Appeal application by the Planning Committee, and its reconsideration following deferral for a further site inspection. It may be more than mere coincidence that, in the interim period, the Council published a revised assessment in which it contended that it could demonstrate the requisite five year supply, contrary to the position at the time that the application was first considered by the Planning Committee in September 2021.
- 3.13 Notwithstanding the foregoing, the professional advice to members remained that the application should be approved since it was considered to accord with relevant development plan policies and to bring a number of sustainability benefits. This confirms that the case does not turn on the Council's ability to demonstrate a five year supply, which in any event is a 'minimum' supply to be maintained at all times.
- 3.14 The Appellants will refer to the concerns that they expressed about the updated advice given to Members, and in particular the inference that the ability to demonstrate a five year supply



automatically means that the policies of the Development Plan are no longer out-of-date and should be afforded greater weight. In the Appellants' view, in the circumstances of this case, members of the Planning Committee gave undue weight to the Council's contention that they could demonstrate a five year supply, and which is reflected in the wording of the refusal reason. The Appellants' will also consider the Council's assertion that, in the event of it being able to demonstrate a five year supply, 'greater weight' should be given to adopted policies, and what this means in terms of the Council's approach to its decision.

- 3.15 Notwithstanding its marginal relevance in the circumstances of the current case given that the proposals are in accordance with the Development Plan, the Appellants will monitor the housing land supply situation, and may seek to present evidence that challenges the Council's position. As is outlined in the Planning Statement accompanying the Appeal application, prior to the latest assessment the Council accepted that it had been unable to demonstrate a five year supply since at least 2010. At the time of that acceptance at an Appeal in August 2018, the Council also accepted as common ground that it could only demonstrate a supply of just over two years and one month, a position which it was common ground for the purposes of an Appeal in October 2019 had not materially improved. The Appellants are therefore slightly incredulous that such a serious and longstanding shortfall has been alleviated over a comparatively short period of time, particularly absent a Development Plan review through which additional sites could be brought forward.
- 3.16 Even if the Council is able at the current time to demonstrate a five year deliverable supply of housing land, it will be the Appellants' submission that the legacy of the past decade and more indicates that there is no room for complacency, and a marginal surplus could soon fall back into deficit. Given that, even on its own, untested, assessment, the Council's supply is marginally above 5 years (5.45 years equating to just 296 dwellings), and the history of under-supply hitherto dating back to at least 2010, the current surplus, if it exists, would seem to be marginal and precarious, and therefore highly vulnerable to any slippage in relation to the contributory sites.
- 3.17 The Appellants may also present evidence to demonstrate that there is an acute affordable housing need to which the Appeal proposals can make a significant contribution given that they are proposing a policy compliant level of affordable housing. Based on a preliminary analysis, affordable housing delivery during the ECS period since 2006/07 has averaged just 13% against a policy requirement of 35%.

- 3.18 The most recent assessment of housing need for the City is set out in the 2015 SHMA, which indicated an affordable housing need of 325 (net) dwellings per annum (2013-33). To date, only 250 (net) affordable homes have been delivered during this period, equating to just 31 dwellings per annum, a shortfall of -2,350 affordable homes.
- 3.19 The Appellants will also refer to evidence that indicates worsening affordability of market housing in Exeter, with average house prices reaching 12 times average incomes in 2019/20. This, in turn, is reflected in increasing numbers of households on the Council's Housing Register, with average waiting times of over two years.
- 3.20 In this context, it will be the Appellants' submission that the delivery of a significant (policy-compliant) quantum of affordable homes is a material consideration that should be afforded substantial weight in the decision. The PPG acknowledges that an escalated housing requirement may need to be considered where it could help to deliver the required number of affordable homes<sup>3</sup>. The evidence indicates that housing land supply and delivery to date has fallen well short of meeting affordable housing needs, and a worsening of the situation rather than the betterment that the relevant policies of the ECS were intended to achieve.

### Access and Highways

- 3.21 ECC did not raise objections to the proposals on grounds of the proposed means of access and / or the impact on the local highway network, notwithstanding significant concern in this respect contained in third party representations. The highway authority, Devon County Council, did not object to the proposals.
- 3.22 The Appeal proposals have been designed to ensure no net loss of on-street parking, and will improve the safety and functionality of the existing residential road network for existing users, for example, by precluding parking on the inside of a bend. The proposals will also contribute to the enhancement of sustainable transport modes, including through incorporating an existing bus route through the site, which will extend services closer to many homes within Spruce Close / Pinwood Meadow Drive.

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<sup>3</sup> PPG, Paragraph: 024 Reference ID: 2a-024-20190220

- 3.23 The Appellants and ECC are in agreement that the proposals will enhance sustainable transport opportunities for the existing, as well as future, residents, and are in accordance with the relevant provisions of the Development Plan. Enhancing travel by public transport is one of the key pillars of Exeter's plan to achieve carbon neutrality by 2030 in response to its declared climate emergency<sup>4</sup>. The bus operator, Stagecoach, actively supported the application which it held would substantially enhance both the convenience of access to the bus network for the immediate vicinity, and the operating conditions for the existing route serving the area.
- 3.24 The Appellants may wish to present further evidence to confirm the acceptability of their proposals in this respect in response to any further third party representations that may be made in response to notification of the Appeal.

### Biodiversity

- 3.25 The Appeal site is currently of low biodiversity value. Safeguarding measures are incorporated for protected species, in particular the maintenance of 'dark areas' for bats.
- 3.26 Following positive discussions, the proposed New Valley Park has been offered to Devon Wildlife Trust, a charity that manages significant areas of land with a focus on ecological and community benefits. This would enable the site to be linked to the existing Mincinglake Valley Park, creating a significant public amenity and ecological zone on the northern periphery of the city.
- 3.27 The proposals will deliver a net gain in biodiversity value. In the Appellants' submission this contributes weight on the benefits side in the overall planning balance.

### Flood Risk and Surface Water Management

- 3.28 The site is in Flood Zone 1, and therefore the site is not in a location that is at risk of flooding.
- 3.29 Surface water drainage will be accommodated through a sustainable urban drainage scheme, with attenuation on site and discharge into an existing watercourse to the north east

<sup>4</sup> Net Zero Exeter 2030 Plan: A roadmap to Carbon Neutrality, Exeter City Futures, April 2020

of the site. The strategy provides for betterment over current greenfield runoff rates, and will therefore contribute to alleviating existing localised flooding problems due to uncontrolled runoff.

### **The Reason for Refusal**

- 3.30 The single reason for refusal does not allege actual harm to the landscape setting of the city. This is taken as a reflection of the fact that, at the time of determining the application, none of the evidence available to the Council indicated that harm would be caused.
- 3.31 The Council's reason alleges harm to the 'spatial approach' set out in the development plan by allowing development in an area identified for protection. The Council adduces two limbs to the spatial approach, as follows:
- That comprised in the ECS to steer development away from the hills that are strategically important to the setting of the city (ECS Policy CP16).
  - A sequential approach to development set out in the ELPFR that places greenfield sites at the bottom of the hierarchy (ELPFR, Policy H1).

Brief comments on each limb, which will be further developed in detailed evidence, are set out below.

### **ELPFR Policy H1**

- 3.32 The approach set out in Policy H1, which defines a sequential approach to development with greenfield sites at the bottom of the hierarchy, is based on national planning policy guidance (in PPG3) that has long been superseded. Whilst current national policy requires strategic policies to set out a clear strategy for accommodating objectively assessed needs 'in a way that makes as much use as possible of previously-developed land'<sup>5</sup>, the search sequence which is set out in Policy H1 is no longer reflected in national policy.
- 3.33 Notwithstanding the foregoing, the ECS strategy for meeting the housing requirement which it identified, and which undershot the objectively assessed need owing to finite capacity

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<sup>5</sup> NPPF, para. 119

within the city's limits due to environmental constraints, was to focus on three strategic urban extensions, all of which were predominantly greenfield sites and incorporated at least some land that was designated as landscape setting in the ELPFR and subject to Policy LS1.

- 3.34 If the Council is correct that the search sequence set out in Policy H1 remains part of the spatial approach and can be afforded weight, it must be assumed that the sequence was applied in allocating land through the ECS. Given that it was found necessary to allocate greenfield urban extensions incorporating land subject to Policy LS1 in order to meet the ECS housing requirement, this indicates that the allocation of greenfield sites is in accordance with the spatial strategy since there are insufficient previously-developed alternatives.
- 3.35 Even if the search sequence prescribed in Policy H1 remains relevant, it is questionable how it should be applied to individual applications. The Council does not allege that there are suitable brownfield alternatives, and the strategic urban extensions that are allocated in the ECS indicate that there is insufficient brownfield capacity to meet housing needs. Moreover, in the Appeal relating to Land West of Clyst Road, Topsham cited in the Appellants' Briefing Note, there was no issue taken that the proposals conflicted with the spatial approach set out in the Development Plan. Similarly, in an earlier Appeal relating to land at Home Farm, Pinhoe, again cited in the Appellants' Briefing Note, there was no alleged conflict with the spatial approach. It is germane that the policy status of the latter Appeal site was very similar to the current site, being in a Landscape Setting Area comprising part of the 'hills to the north and west' of the city<sup>6</sup>.
- 3.36 The Council's approach to the current application would therefore seem to be inconsistent with similar proposals elsewhere. Moreover, given that the ELPFR is long time-expired, that the spatial approach that it contains was based on national planning policy guidance that has been superseded, and that the sequential approach is not reflected in the ECS spatial strategy, it is considered that it can be afforded little weight in the decision.

### **ECS Policy CP16**

- 3.37 Policy CP16 seeks to protect the character and local distinctiveness of the areas that it identifies, and to bring forward proposals for enhancement, through the Development

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<sup>6</sup> DL, paras. 12-14

Management DPD. The identified areas include the hills to the north and west of the city. Since the Development Management DPD has failed to progress, the only policy protection is that contained in Policy CP16.

- 3.38 Policy CP16 can be compared and contrasted to ELPFR Policy LS1. The latter not only required proposals to maintain local distinctiveness, but restricted development to a limited range of categories (more restrictive than Green Belt policy) which did not include residential (other than through conversion of existing buildings). The proper interpretation and application of Policy CP16 has been confirmed through Appeals decisions, and is that it does not seek to prevent all development within the areas shown on the Key Diagram, that residential development is not intrinsically harmful to the landscape setting of the City, and that where there is no harm, the proposals are in compliance with the policy<sup>7</sup>. The same Appeals decisions have also provided endorsement that ELPFR Policy LS1 is out-of-date and can be afforded little weight.
- 3.39 It is noted that the Council does not seek to rely on ELPFR Policy LS1, which is not cited in its refusal reason. It is also noted that the Council does not allege that there would be ‘actual’ harm to the landscape setting of the City. The Council’s position is simply that allowing development on the Appeal site would undermine the spatial approach since it lies within an area identified for protection, and it follows that there would be conflict with the cited policies.
- 3.40 Intrinsic to the Council’s position would seem to be a precedent concern in inferring that permitting development on this specific site would undermine the spatial approach underpinning the Development Plan. It is inconsistent with, and fails to have regard to, the proper application of ECS Policy CP16 which has been endorsed through the Appeals decisions to which attention has been drawn. That is that, where an individual proposal does not cause actual harm to the landscape setting of the City, then there is no conflict with the policy provisions. *Ipsa facto*, there can be no harm to the spatial approach. It also fails to properly consider the Appeal proposals on their individual merits, which is a fundamental principle on the basis of which the planning process operates, and reverts to an approach that infers protection of the countryside for its own sake, which was superseded through the first iteration of the NPPF in 2012.

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<sup>7</sup> See Briefing Note prepared by Rocke Associates, September 2021 – paras 2.5-2.6 in particular

- 3.41 In terms of the alleged conflict with Policy H1, for the reasons adduced earlier, the spatial approach underpinning that policy has been superseded. Moreover, through its own strategic land allocations, the Council has endorsed the need to bring forward development on greenfield sites in order to meet its housing needs, which indicates that there are insufficient previously-developed alternatives. To suggest that the Appeal proposals would be contrary to the spatial approach by dint of them utilising a greenfield site would therefore seem to be untenable. The Appellants will expect the Council to explain and justify this apparent inconsistency through its own Statement of Case, including how it expects a sequential approach to be applied to individual applications. The inconsistency in approach with the other cited cases, where it was not raised in refusing planning permission on greenfield sites, will also need to be addressed.
- 3.42 The Appellants note the Council's contention that greater weight can be afforded to its adopted policies based on its view that it can now demonstrate a five year housing land supply. However, as set out in submissions to the Council<sup>8</sup>, the ability to demonstrate a five year supply does not mean that policies that are out-of-date for other reasons, are now up-to-date and should be applied. It therefore has no consequences for the weight to be given to ELPFR Policies H1 or LS1, which are out-of-date for other reasons. Moreover, given the clear findings of both the Council's professional planning and landscape advisors that the proposals are in accordance with ECS Policy CP16, it has no bearing on the determination of this Appeal since the proposals are in accordance with the Development Plan. It is significant that the professional advice and recommendation to Members of the Planning Committee, that planning permission should be granted, did not change when the application was reconsidered at the meeting of the Planning Committee in October 2021, notwithstanding the change in the Council's assessment of its housing land supply position in the interim period prior to that meeting.
- 3.43 It will be the Appellants' submission that the Council's refusal reason does not withstand proper scrutiny. It does not allege actual harm, the concern being the harm to an approach, intrinsic to which is a concern with precedent. However, the independent advice commissioned by the Council, and to which Members of the Planning Committee appeared to have scant regard, expressly confirmed that there would be no harm and therefore no precedent set for any other part of the landscape in the LS1 area or the land referenced in

<sup>8</sup> Letter from Rocke Associates to ECC dated 7 October 2021

paragraph 11 of the ECS since the conclusions drawn were specific to this site and the development area illustrated<sup>9</sup>.

- 3.44 When properly considered on their merits, and applying ECS Policy CP16 in a correct manner as endorsed through recent Appeals decisions, there is no conflict with the Development Plan. *Ipso facto*, there cannot be conflict with the spatial approach at which the policy is aimed, or its underlying objective to protect the hills that are strategically important to the setting of the city.

### Planning Balance

- 3.45 It will be the Appellants' submission that the contribution that the Appeal proposals will make to meeting Exeter's needs for both market and affordable housing in a sustainable location at Exeter, rather than a more remote location in an adjoining district, and on a site where the only evidence is that it can be delivered without harm to the landscape setting of the city, should be afforded substantial weight in the overall planning balance.
- 3.46 The highway benefits in terms of enhancement of sustainable transport modes and rationalisation of on-street parking that will improve the safety and functionality of the local road network, contribute additional weight in favour of the proposals.
- 3.47 Further weight in favour of the proposals will be contributed through the net gain in biodiversity, and the alleviation of local flooding from existing greenfield runoff through the on-site attenuation measures that will accompany the proposals.
- 3.48 The substantial new public open space that is proposed in the form of New Valley Park is a local community benefit that contributes significant additional weight on the benefits side of the planning balance.
- 3.49 Even if there were to be some landscape harm, which both the Appellants' and the Council's professional advisors concur will not be the case and is not contested in the Council's refusal reason, it is the Appellants' view that it is unequivocally superseded by the weight of the benefits to which the proposals will give rise.

<sup>9</sup> LVIA Review, Landscape Siting Considerations and Landscape Policy Review, Anne Priscott Associates Ltd, September 2021, para. 85



## 4. Conclusion

- 4.1 For reasons set out in the foregoing submissions, which will be substantiated through detailed proofs of evidence to be submitted in due course, it is the Appellants' submission that the Appeal should be allowed and planning permission should be granted for the proposed development. The benefits of delivering additional housing (both market and affordable), and in a sustainable location at Exeter, substantial green infrastructure, and betterment in terms of sustainable transport, biodiversity and surface water drainage, are considered to be overwhelming, and there are no disbenefits that indicate to the contrary.
- 4.2 The Appellants' case is focused on the matters that it is understood are the residual matters in dispute between themselves and the Council. The Appellants will draw on the submissions made through the suite of documents accompanying the application, and the matters raised in further submissions made during the course of its determination. Evidence may also be adduced in relation to matters raised in the Council's Statement of Case, and those of any statutory consultees or other parties conferred Rule 6 status, together with any representations that are made in connection with the Appeal.

## **5. List of Documents**

- 5.1 The Appellants will liaise with the Council to agree a list of Core Documents for the purposes of the Inquiry and to limit the need for extensive appendices to individual proofs of evidence. The list will comprise those cited in this statement, including relevant Appeals decisions and Development Plan evidence base documents, and any others adduced to be relevant by the principal parties.

