

EXTRACTS FROM AND COMMENTS ON PLANNING INSPECTOR'S REPORT

Set out below are relevant extracts from the report of Michael Clark, Inspector into Appeals by Kelobridge Ltd, dated 23rd February 2006.

Paragraph 17, part of his description of the site includes the following *"That part of the site of Appeal 2 within Upton Court Park is also within the Green Belt as defined on the adopted Local Plan"*.

Appeal 2 is the one that was approved by application P/1145/003 with access from Upton Park Road across the park. The Inspector recommended approval, which was subsequently granted by the Secretary of State.

Paragraph 170, summary of evidence from Mrs. P. Underdown, states *"Access from Upton Court Road is equally unsatisfactory because of loss of parkland, breach of a restrictive covenant which has been abided by local residents, and encroachment into the Green Belt"*.

Paragraph 315. Inspector states *"The proposed means of access to the site is in accordance with the Local Plan Proposals Map and the requirements in Chapter 10"*(Appeal 2).

Paragraph 316. He states *"Having regard to the above and all other matters, I conclude that appeal 2 should be allowed"*

This demonstrates that the Inspector was

- (a) fully aware that the area the subject of the access road was still in the Green Belt and
- (b) he was satisfied that the access proposals were in accordance with the Local Plan.