

**APPEALS BY FAIRFAX (READING) LTD & READING GOLF CLUB (SODC) LTD
LAND WEST OF KIDMORE END ROAD, OXFORDSHIRE, RG4 8SG
APP/Q3115/A/25/3377313 (APPEAL A) & APP/E0345/W/25/3377314 (APPEAL B)**

OPENING STATEMENT FOR THE APPELLANT

INTRODUCTION AND CONTEXT

1. Before the Inspector are two identical applications for planning permission in outline for up to 70 homes, with associated parking and landscaping.¹ The applications were made in duplicate given the proposal spans the administrative areas of South Oxfordshire and Reading.
2. The access to the site is via an already consented scheme in the course of construction to the south, which falls within Reading. As recorded in the Statement of Common Ground, Reading Borough Council does not resist Appeal B.² The single contentious issue in Appeal B is whether Condition 10 (which seeks to regulate service vehicles and was imposed at Committee by Members) would be enforceable. It is the Appellant's case that it is not.³
3. The evidence has instead focused on Appeal A. In spite of an officer recommendation to approve the scheme, South Oxfordshire District Council's Planning Committee resolved to refuse permission on principle and its landscape/visual impacts.⁴ The District Council no longer pursues the allegation that the site is unsustainable.⁵

¹ SoCG, para.1.1.

² CD 9.7. RSoCG.

³ Allin PoE, para.7.4.

⁴ SoCG, para.5.

⁵ SoCG, para.4.3.

4. The following facts in Appeal A are inescapable:

- a. The Council cannot demonstrate a five-year housing land supply.⁶
- b. This is not a new or reducing problem. The land supply has declined from 4.07 years in April 2025, to 3.8 years a year later,⁷ against a context of other inspectors finding it as low as 3.64 years as recently as March 2026.⁸
- c. Even prior to the standard method figure of 1235 dpa kicking-in, the Council could not demonstrate a five-year supply against its adopted requirement of 775 dpa (plus unmet need).⁹
- d. There is no solution to this worsening picture, given the Joint Local Plan is still at examination and, the examining Inspectors have noted the housing requirement in the Plan will likely need to be updated (i.e. from the submitted requirement figure of only 575 dpa (plus unmet need from Oxford)¹⁰ to **at least** 1235 dpa (plus unmet need)),¹¹ given the Plan is unlikely to be adopted before December 2026.
- e. Even if it were adopted with its reduced requirement of 575 dpa, the Council would need to start work immediately on a new plan to meet the new standard method figure (1235 dpa figure), because the 575 dpa figure is less than 80% of the standard method.¹²

⁶ SoCG, para.4.10.

⁷ Committee Report, para.6.11.

⁸ CD 8.9 at DL, 23.

⁹ Allin PoE, para.4.7: 4.37 years.

¹⁰ See Policy HOU1 LHN of 579 then adding 330 for Oxford unmet need for the first 14 years of the plan 2021/22-2035/36.

¹¹ 22 April 2026, para.6

¹² By operation of paragraph 236 NPPF. Indeed South Oxfordshire is already recorded as requiring to submit notice to commence a new plan by 30 June 2026 on the government's website.

- f. Even on its own terms, the emerging Plan is shaky, relying as it does in large part on strategic-scale sites (in excess of 1,000 units each), which come with well-known delivery issues.¹³
 - g. Against that context, the Council's own observation that it is *"amongst the least affordable areas to live in the country, with median house prices and monthly rents ... well in excess of national averages"*¹⁴ is only likely to become more pressing as the years drift by with a dwindling supply.
- 5. Given all that, the existing settlement limits are plainly unable to deliver anything near the required supply. It follows that the only likelihood of slowing the decreasing housing land supply in the short to medium term is via grants of planning permission on suitable sites outside the existing settlement limits.
- 6. In such circumstances, one would think that an authority in the position of this Council would welcome a proposal for 70 homes, which:
 - a. is surrounded on three sides by existing housing development;¹⁵
 - b. is outside any nationally designated landscape¹⁶ or within the setting of such a landscape,¹⁷
 - c. is separated from that wider landscape by an established woodland (Cucumber Wood);¹⁸

¹³ Allin PoE, para.6.11.

¹⁴ Allin PoE, para.4.11.

¹⁵ LSoCG, para.2.4.

¹⁶ LSoCG, para.2.8.

¹⁷ LSoCG, para.3.9.

¹⁸ LSoCG, para.3.15.

- d. causes, even on the Council's case, adverse visual effects of any significance at only one out of 24 public viewpoints;¹⁹
 - e. received no objections from the Council's landscape,²⁰ tree,²¹ urban design officers²² or indeed any technical objection;²³
 - f. is within walking distance of a range of services and to bus stops providing a link to the regional centre of Reading and its railway station;²⁴ and
 - g. can deliver homes by Q1 2028.²⁵
7. That was the unsurprising conclusion of the Council's officers when they recommended granting permission.²⁶
8. Against that context, we turn to outline the Appellant's case against the components of the Inspector's main issue.

PRINCIPLE OF DEVELOPMENT

9. The Council invites the Inspector to attach substantial weight to the conflict with STRAT1, STRAT2 and H1 South Oxfordshire Local Plan ("**SOLP**").²⁷ That invitation should be rejected. The only sensible conclusion is that the conflict with those policies should carry limited weight in the circumstances of this appeal.²⁸

¹⁹ Priscott PoE, Appendix A p.8.

²⁰ LSoCG, para.3.3.

²¹ LSoCG, para.3.4.

²² LSoCG, para.3.5.

²³ SoCG, para.4.6.

²⁴ SoCG, para.2.5-2.6.

²⁵ See letter from Vistry Group 30 March 2026, Allin PoE, Appendix A.

²⁶ CD 2.2.

²⁷ Smith PoE, Table 4.

²⁸ Allin PoE, para.6.36.

10. To do otherwise in the case of a sustainable location such as this one, would be to enforce, for no good planning reason, settlement limits designed to distribute a scale of growth significantly below that which is now required. It would be to frustrate the government's objective of "*significantly boosting the supply of new homes*"²⁹ and fail to answer the government's call that "[t]here is no time to waste. It is time to get on with building 1.5 million homes".³⁰
11. The current spatial strategy is failing, even on its own terms, to deliver a sufficient land supply. It is inevitable that new homes in sustainable locations outside the settlement limits will need to come forward to meet the minimum requirement (before any account is taken of unmet need from Oxford).
12. Given (i) the Council no longer disputes that the site is sustainable, (ii) the lack of housing land supply and (iii) the inevitability of sites outside the existing settlement boundary being needed, there is no planning reason to withhold permission on the basis of the breach of the settlement boundary policies.

CHARACTER AND APPEARANCE

13. The site is not in a national landscape. There was no objection from the Chilterns National Landscape board.³¹ Moreover, given the separation from the wider countryside to the north by Cucumber Wood, the Council's own landscape officer concluded the site was not in the setting of the National Landscape either.³²
14. The sensitivity of the site is properly seen as medium.³³ Its baseline character is as a former golf course, which only recently ceased to operate in 2020 and therefore

²⁹ Paragraph 61 NPPF.

³⁰ CD 7.8. WMS 30 July 2024.

³¹ CD 2.3.

³² CD 2.5.

³³ Smith PoE, para.3.32.

reveals a suburban character closely related to the settlement edge by which it is enveloped on three sides.

15. The development would preserve the valued elements of the Chiltern Wooded Chalk Plautau and Woodland LCA by avoiding development upon them and, enhance those elements off-site in accordance with the Landscape Guidelines via the substantial habitat improvements.³⁴

16. The visual effects are strikingly limited. Even on the Council's case, it is only one out of 24 viewpoints where the effects are anything more than minor.³⁵ However, when analysed, the Council's predicted effects at that single viewpoint are overblown. They are not consistent even with the predicted effects by KEPC's landscape witness,³⁶ who sees them only as moderate. Neither the Council nor KEMP's witnesses reduce their predicted effects one jot from Year 1, which is plainly unrealistic given the proposed planting which, is in any event, in the control of the Council.

17. In such circumstances, any conflict with ENV1 SOLP or LPLV NP can only be said to be extremely limited. The alleged conflict with LCSS NP or DES2 SOLP is not supported by evidence. There is no evidence to suggest Policy DES1 is incapable of being met via reserved matters within the parameters set by the outline consent.

SUSTAINABILITY

18. Although the Council refused permission on the basis that the site was not in a sustainable location, it is now common ground with the Council and KEPC that the site is in a location where future residents will have a choice of how to travel to local services and facilities, including employment opportunities, without relying on a

³⁴ CD 1.35 Landscape Strategy, p.36.

³⁵ Priscott PoE, Appendix A, Table 1.

³⁶ Kirkham PoE, para.7.3.

private car and, therefore, accords with the NPPF policies that seek to direct development to sustainable locations.³⁷

19. The site is demonstrably sustainable. It is within walking distance to a range of services and facilities.³⁸ Additionally, future residents would be able to walk to bus stops on Kidmore End Road and Grove Road which provide services to Reading, itself a regional hub, with regular onward connections to Oxford and London.³⁹

OVERALL

20. It is common ground the tilted balance at paragraph 11 NPPF is engaged and that there are no policies which would provide a clear reason for refusal under paragraph 11(d)(i) NPPF.

21. Once the harms are properly assessed, the Council's suggestion of substantial harm by virtue of the location and landscape/visual effects is not sustainable.

22. There is no argument the scheme will deliver benefits in the form of:

- a. 70 market and affordable homes.
- b. Over 9ha of new public open space both on and off-site.
- c. Construction and operational economic benefits.
- d. Biodiversity Net Gain of at least 30%.
- e. Improved pedestrian and cycle links and junction improvements.

23. There should be similarly no argument that such limited harm which may arise does not significantly and demonstrably outweigh those benefits.

³⁷ SoCG, para.4.3.

³⁸ SoCG, para.2.6 (including primary school, a youth and community centre, a doctor's surgery, open spaces, various shops, restaurants, and pubs).

³⁹ SoCG, para.2.5.

24. Whilst there is in force a neighbourhood plan which makes an allocation for four units, it is tied to the growth assumptions in the Local Plan and, accordingly, does not plan to meet any given housing requirement. This is not a case where Paragraph 14 NPPF should alter the planning balance. That was the conclusion of the **Chalgrove** Inspector⁴⁰ and the **Shiplake** Inspector, both allowing housing appeals in South Oxfordshire this year in spite of a conflict with a recently made neighbourhood plan.

25. In due course, the Appellant will invite the Inspector to allow the appeals and grant planning permission.

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6 May 2026.

⁴⁰ CD 8.1.

APPEARENCES

Ashley Bowes (instructed by Fairfax (Reading) Ltd and Reading Golf Club (SODC) Ltd), he called:

- Andrew Smith BSc (Hons), MSc, CMLI – Fabirk Ltd.
- Philip Allin BA (Hons), DipTP , MRTPI – Director, Boyer Planning.