

# **FINAL VERSION**

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## **STATEMENT OF COMMON GROUND**

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In respect of

**PROPOSED RESIDENTIAL  
DEVELOPMENT**

At

**49 LEICESTER ROAD,  
WANSTEAD E11 2DW**

On behalf of

**TELFORD HOMES PLC**

Appeal Ref:

**APP/W5780/A/09/2119252  
APP/W5780/A/10/2121325**

London Borough of Redbridge  
Ref:

**3398/08  
2393/09**

CgMs Ref: CH/SN/7966

Date: MAY 2010

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## **1.0 INTRODUCTION**

- 1.1 The appeals subject of the forthcoming inquiry, represent the second and third applications in recent years to obtain planning permission for residential development on the site. The first application (LPA ref. 0619/07) was for the erection of 6 x 4 bedroom semi-detached houses and 18 x 3 bedroom flats, and was submitted in February 2007. An appeal (PINS ref W5780/A/07/2058172/NWF) on the grounds of non-determination was lodged and was dismissed in June 2008. It is agreed that this will be referred to as Scheme 1.
- 1.2 The second application (LPA ref. 3398/08), and which is the subject of this inquiry (PINS ref W5780/A/09/2119252/NWF), is for the development of 24 dwellings comprising of 6 two-storey, four bedroom, semi-detached houses and 3 x three storey apartment blocks (referred to as blocks A, B and C) totalling 16 x 3 and 2 x 2 bedroom flats together with associated car parking and landscaping. It is agreed that this will be referred to as Scheme 2.
- 1.3 The third application (LPA ref. 2393/09), and which is also the subject of this inquiry (PINS ref W5780/A/10/2121325/NWF), is for the development of 24 dwellings comprising of 6 x 4 bedrooms, two-storey, semi-detached houses and 3 x three storey and part 2.5 storey apartment blocks (referred to as blocks A, B and C ) totalling 16 x 3 and 2 x 2 bedroom flats together with associated car parking and landscaping. It is agreed that this will be referred to as Scheme 3.
- 1.4 This statement has been agreed between the appellants, Telford Homes Plc and the local planning authority, the London Borough of Redbridge.

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## 2.0 DESCRIPTION & LOCATION OF APPEAL SITE AND ITS ENVIRONS

### Site Description

- 2.1 The site is broadly rectilinear in shape, with an area of approximately 0.4718 hectare (1.165 acres), bordered by Leicester Road to the southwest, Gloucester Road in the northwest, and Nutter Lane in the southeast. More specifically, the site extends along the side of No.57 Nutter Lane and across the rear of Nos.57-63 Nutter Lane. Its northwest boundary forms the side boundary to No.10 Gloucester Road. The former house that occupied the site (Chepstow) had pedestrian and vehicular access from Leicester Road and Nutter Lane. A Site Location Plan is attached at **Appendix 1**.
- 2.2 The site is currently vacant, following demolition of the 6-bedroom 1920s detached house in 2008 which fronted onto Leicester Road opposite the junction with The Avenue. It contains extensive garden space with a large number of established mature trees. A Tree Preservation Order protects 16 trees within the site.
- 2.3 Existing boundary treatment consists of an approximately 900mm high brick boundary wall with higher piers to the Leicester Road frontage with the remaining frontages to Gloucester Road and Nutter Lane having 1.8 metres high close boarded fencing with hedging behind. It is agreed that as the site is in a conservation area, demolition of these features is best dealt with by way of a condition requiring their demolition prior to any works on site.

### Surrounding Area Context

- 2.4 The site is located within an established residential area known as The Counties Estate. It is close to Wanstead High Street, where there is a wide range of community facilities and choice of public transport. The immediate locality primarily comprises terraced, semi-detached, and detached family houses dating from the latter part of the 19th Century to the 1930s, set within generous plots of varying styles and designs.

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- 2.5 Gloucester Road itself, features uniform inter-war semi-detached houses whilst Leicester Road and Nutter Lane feature a greater mix of dwelling types and styles including detached houses, terraced housing, bungalows and, more recently, purpose built flats. There are no parking restrictions on these roads.
- 2.6 To the southeast of the site, across Nutter Lane, is a large sports ground comprising open recreational space, tennis courts, and a bowling green lawn.
- 2.7 Recent development comprises: a three storey block of ten flats situated opposite the site at No.31 The Avenue / No.20 Leicester Road which was approved pursuant to a planning appeal in February 2005 (PINS ref APP/W5780/A/04/1152479); a two and a half storey development of flats at No.29 The Avenue, and five flats at no. 27 The Avenue.
- 2.8 In March 2009, following representation from local residents and a survey and report from retained consultants, Redbridge Council formally designated part of the Grove and Counties Estates as a conservation area. The site is now located in the south-eastern part of the Wanstead Grove Conservation Area. There is a terrace of 'Arts and Crafts' houses adjacent to the site at Nos.57-63 Nutter Lane which is locally listed. There is a draft character area appraisal for the Grove Park and Counties Estate.
- 2.9 The nearest listed building is grade II listed Applegarth in Nutter Lane some 100m from the appeal site.
- 2.10 The site has a Public Transport Accessibility Level (PTAL) rating of 2/3, demonstrating good public transport accessibility. Wanstead Underground Station (Central Line) is within a walking distance of 800 metres and a range of bus routes serve the area.
- 2.11 The site is in a sustainable location being approximately 690 metres/ 10 minutes walk from Wanstead District Centre providing a comprehensive range of community facilities and local shopping.

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2.12 As a brownfield site in an urban area in a sustainable location it represents an opportunity to provide new homes at an efficient density in accordance with PPS3, and other relevant national and local planning policies.

2.13 There are no issues in relation to flooding.

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### **3.0 THE PROPOSALS**

- 3.1 Both schemes provide 24 dwellings comprises 6 semi-detached houses, 2 x 2 bedroom and 16 x 3 bedroom flats.

#### **Scheme 2 (LPA ref: 3398/08)**

##### **Semi-detached Houses**

- 3.2 6 x 4 bedroom, two-storey, semi-detached houses located along Gloucester Road measuring 15.1m deep with stagger from front bay gable roof projection to rear pitched roof projection, 7.9m wide, 9.1m high to ridge of gable end roof. Integral garage with parking space for one car and two bicycles to each house. The houses have private rear garden areas varying from 136 to 160 square metres.

##### **Block A**

- 3.3 Block A comprising 2 x 2 bedroom and 4 x 3 bedroom flats is a L-shaped, part three storey and part two and a half storey block, with part mansard roof building . It is located at the corner of Gloucester Road and Leicester Road. It measures 14.9m deep, 20.7m wide, 12m high to ridge of hipped roof facing corner of Leicester Road and Gloucester Road, falling to 9.4m to mansard roof on west elevation incorporating three dormers to front (south) elevation and two dormers to west elevation and 9.4m high to ridge gable-end roof along Gloucester Road incorporating dormer facing Gloucester Road.
- 3.4 There are four parking spaces with access from Gloucester Road and two car parking spaces with access from Leicester Road.
- 3.5 The two ground floor flats of Block A have access to private garden areas. The remaining flats have access to a communal garden areas. There are timber balconies to first and second floor flats on front (south) and west elevations supported by ground floor brick bays on front and west elevations.

##### **Blocks B and C**

- 3.6 Blocks B and C comprising 6 x 3 bedroom flats each draw on an art deco approach to design, measuring 13.25m deep rising to 16m deep with semi-circular front staircase and lift shaft projection, 16.25m wide to front rising to 16.9m to rear at ground and first floor.
- 3.7 The 3 storey blocks have a recessed top floor 11.5m deep rising to 15.7m with front semi-circular projection, 15.15m wide rising to 15.7m, 9m high to flat roof with lift shaft an additional 0.9m high.
- 3.8 There are 12 parking spaces to south west of blocks with access via Leicester Road with pedestrian link within the site. There are cycle parking spaces for 18 flats, located in shelter within car parking area. Communal amenity space is provided to rear of blocks B and C. There are balconies to front elevations, Juliet balconies to rear elevations and terraces to the top floor flats.

### **Landscaping and Trees**

- 3.9 Of the 16 preserved trees on the site, two protected trees are proposed to be removed as part of the development. T1 Spruce located at the corner of site with 10 Gloucester Road is to be removed and a replacement is proposed 30m along Gloucester Road frontage adjacent to proposed Block A. T12 Walnut located close to northern boundary of site with 57 Nutter Lane is proposed to be removed and replaced elsewhere on the site.

### **Scheme 3 (LPA ref: 2393/09)**

#### **Semi-detached Houses**

- 3.10 6 x 4 bedroom two-storey semi-detached houses located along Gloucester Road measuring 15.3m maximum depth including front circular bay projection, 7.9m wide, 2m high to ridge of roof. There is a parking space for one car to the front. The houses have private rear garden areas varying from 136 to 160 square metres.



3.11 There are significant differences between the design of the houses in scheme 3 and Scheme 2. They are as follows:

- Front gable features moved from outside of each pair to be a central feature and reshaped as a curved bay with roof covering entire bay rather than with a parapet
- Integral garages omitted (space now forms a study)
- Gable roof sides now hipped
- Rearward extension reduced so increasing private amenity space to houses 4, 5 and 6
- One off-street parking space per dwelling (LDF parking policy specifies a maximum number of spaces)
- Houses generally sited closer to the Gloucester Road building line (with a gradual set-back towards block A) and being no nearer trees T2 and T3
- Front elevation - white rendered at first floor level and window fenestration style amended

#### **Block A**

3.12 This is identical to Scheme 2 save for 2 no. bay windows at ground floor which have been made 600mm (total) wider.

#### **Block B**

3.13 Block B comprising 6 x 3 bedroom flats is a 2 <sup>1/2</sup> storey block drawing on Arts and Crafts approach to design with front and rear gable projections and dormers measuring 12.2m deep rising to 14.9m deep with front square bays, 15.8m wide, 9.6m high to ridge of gable end main roof.

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### **Block C**

- 3.14 Block C comprising 6 x 3 bedroom flats is a 2 <sup>1/2</sup> storey block drawing on Arts and Crafts approach to design with front and rear central gable projections and dormers measuring 12.2m deep rising to 13.4m deep with front central projection, 15.8m wide, 9.6m high to ridge of gable end main roof. It varies from block B by having different positions for the front gable.
- 3.15 There are 12 parking spaces to south west of Blocks B and C, with access via Leicester Road with pedestrian link within site. There are cycle parking spaces for 18 located in shelter within car parking area. Communal amenity space is provided to rear of Blocks B and C.
- 3.16 Compared to Scheme 2, Blocks B and C are now parallel to each other and there is a gap of approx 3.5 metres between the two buildings. Block C is 'staggered' back to align with the front elevation of 57 Nutter Lane.

### **Landscaping and Trees**

- 3.17 This is the same as Scheme 2 save that T1.1 Cypress on the Gloucester Road frontage (not TPO protected) is also proposed to be removed to enable the houses to accord better with the established building line.

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## 4.0 THE APPEAL DRAWINGS

4.1 The appeal drawings for Scheme 2) are as follows:-

- F639 - 001, Rev B,
- F639 - 002
- F639 - 100
- F639 - 101, Rev D
- F639 - 102, Rev A
- F639 - 103, Rev A
- F639 - 201, Rev A
- F639 - 202, Rev A
- F639 - 203, Rev A
- F639 - 204, Rev A
- F639 - 205, Rev A
- F639 - 206, Rev A
- F639 - 207, Rev C
- F639 - 208, Rev C
- F639 - 209, Rev C

4.2 The appeal drawings for Scheme 3 are as follows:-

- F639 - 001, Rev E,
- F639 - 002
- F639 - 100, Rev B
- F639 - 101, Rev F
- F639 - 102, Rev C
- F639 - 103, Rev B
- F639 - 201, Rev B
- F639 - 202, Rev B
- F639 - 203, Rev E
- F639 - 204, Rev D
- F639 - 205, Rev D
- F639 - 206, Rev D
- F639 - 207, Rev D
- F639 - 208, Rev F
- F639 - 209, Rev F

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- F639 - 220

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## 5.0 PLANNING HISTORY RELATING TO THE APPEAL SITE

### (i) Scheme 1 - The 2008 Appeal

5.1 The appeal in relation to Scheme 1 was dismissed in June 2008 on design grounds related to the blocks of flats only. A copy of the Planning Inspector's decision is attached at **Appendix 2**.

5.2 In paragraphs 16 and 17 the Inspector explained why he considered the design of the houses to be acceptable.

5.3 At paragraphs 18 and 19 the Inspector explained why he found the design of the block of flats at the corner of Gloucester Road and Leicester Road (then referred to as block B, now referred to as block A) to harm the character and appearance of the area, whilst accepting that three floors of accommodation in some form is not unacceptable in principle.

5.4 At paragraph 24 the Inspector noted that the Council had withdrawn its density objection.. The proposed density Scheme 1 was 254 hrph. The density of the current appeal schemes are 251 hrph (Scheme 2) and 257 hrph (Scheme 3). It is agreed that the proposed density of each scheme is acceptable by reference to the density ranges in policy BD3 (Density in new residential development) of the Borough Wide Primary Policies Development Plan Document.

### (ii) Scheme 2

5.5 This was submitted in November 2008 and was considered at the Regulatory Committee on 18 March 2009 with an officer recommendation for approval (see **Appendix 3**). The Committee resolved to defer consideration of the application "until the Conservation Advisory Panel has given its views, bearing in mind the imminent formation of a conservation area that will include this site".

5.6 Redbridge Council formally designated the Wanstead Grove Conservation Area on 24 March 2009. The site is located within the south eastern part of what is now known as the Wanstead Grove Conservation Area.

5.7 A meeting of the Conservation Advisory Panel was held on 1 April 2009. The Panel resolved to raise objection to the planning application "on the grounds that the

development would be visually intrusive in this Conservation Area, its density would constitute overdevelopment, the bulk and design of the Nutter Lane blocks and roof line would be detrimental to the Conservation Area and we were concerned about the loss of two mature trees”.

5.8 On 27th April English Heritage wrote to the Council stating that it considered the houses preserve the character and appearance of the Conservation Area; and that it had “no objection to a ‘modern’ form of development” for blocks B and C, but was concerned at the poor level of detailing , and had “significant concerns regarding the poor design quality” of block A. **Appendix 4** contains this letter. On 28<sup>th</sup> April, an email from English Heritage was received by the Council giving their informal comments on revised proposal. **Appendix 15** contains this email.

5.9 The application was then referred to the next meeting of the Regulatory Committee on 30 April 2009. The Planning Officers noted the views of the Conservation Advisory Panel with regard to density and design but were of the view that the design approach had responded to the site's location. Having regard to the comments made by English Heritage the Committee resolved to defer the application once more “until officers have had further negotiations with the applicants in order to try to resolve some outstanding issues”. A copy of the Committee report is attached at **Appendix 5**.

5.10 Telford Homes and their architect met with English Heritage on 13 May 2009 to discuss design amendments. Revised plans were prepared and sent to English Heritage; In a letter dated 11th June it advised that the revised plans addressed their previous concerns. **Appendix 6** contains the letter.

5.11 Revised drawings were subsequently submitted to Redbridge Council on 9 June 2009. These drawings were then considered by the Conservation Advisory Panel on 22 June which continued to maintain its objection to the scheme.

5.12 Following the Conservation Advisory Panel meeting, the application was then considered at the Regulatory Committee meeting on 20 July 2009, again with officer recommendation for approval. A copy of the Committee report is attached at **Appendix 7**. The conditions contained therein are acceptable to the appellant together with a condition listing the approved drawings and a condition requiring

demolition of the wall and the fencing prior to works commencing. The decision notice of refusal is attached at **Appendix 8**. It is agreed that in relation to policy BD1 points 1 to 6 are most relevant, of which points 1, 2 and 4 are at issue. The Council contend that point 3 is at issue but the Appellant does not agree to this.

(iii) Scheme 3

5.13 Following this refusal, Telford Homes subsequently met with the Council Officers (04.08.09) and were asked to consider an Arts and Crafts design for blocks B and C. Minutes note that whilst the reason for refusal did not make specific reference to siting, some alterations to the siting might be beneficial (See **Appendix 9**). A further meeting was held on 22.09.09, including Design and Conservation Officers, at which encouragement was given to a variation of design diversity between the two blocks (See **Appendix 10**). The last feedback prior to submission of the revised scheme was an email agreeing with the massing of the scheme, but again encouraging greater design diversity (See **Appendix 11**).

5.14 Scheme 3 (2393/09) was submitted in October 2009. The application was considered at the Conservation Advisory Panel on 26th November which objected to the proposal "on the grounds of the design of the houses in Gloucester Road particularly the gabled ends and their siting were not in keeping with the surrounding area and noted that Telford had agreed in principle to alternative designs suggested by the Counties Residents Association; the towering element of the block at the corner of Gloucester Road and Leicester Road; and the overdevelopment of the two blocks in Nutter Lane particularly with respect to height".

5.15 The revised drawings were then duly considered by the Conservation Advisory Panel on 17<sup>th</sup> of December 2009, which continued to maintain its objection to the scheme.

5.16 Following the Conservation Advisory Panel meeting, the application was then considered at the Regulatory Committee meeting on 18<sup>th</sup> January 2010. A copy of the Committee report is attached at **Appendix 12**. The decision notice of refusal is attached at **Appendix 13**. It is agreed that in relation to the additional policy SP3, that paragraphs (a), (d) and (f) are most relevant, of which (a) and (d) are at issue.





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## 6.0 PLANNING POLICIES

6.1 The following policies are relevant to the appeals:-

### **National Policy**

- PPS 1 - Delivering Sustainable Development (January 2005)
- PPS 3 - Housing (March 2006)
- PPS 5 - Planning for the Historic Environment (March 2010)
- PPS22 - Renewable Energy (August 2004)
- PPG13 - Transport (April 2001)
- Circular 05/2005 - Planning Obligations

### **Development Plan Policy**

6.2 The following policies within the Development Plans are agreed to be of relevance:-

The Adopted London Plan: Consolidated with Alterations Since 2004 – Spatial Development Strategy for London (Adopted London Plan) (February 2008)

6.3 In respect of the London Plan, the most relevant policies in this case are:

- 3A.1 - Increasing London's Supply of Housing
- 3A.2 - Borough Housing Targets
- 3A.3 - Maximising the Potential of Sites
- 3A.5 - Housing Choice
- 3A.6 - Quality of New Housing Provision
- 3A.10 - Negotiating Affordable Housing in Individual Private Residential and Mixed Developments
- 4A.3 - Sustainable Design and Construction
- 4A.7 - Renewable Energy
- 3C.23 - Parking Strategy
- 3D.14 - Biodiversity and Nature Conservation
- 4B.1 - Design Principles for a Compact City
- 4B.3 - Enhancing the Quality of the Public Realm

- 4B.11 - London's Built Heritage
- 4B.12 - Heritage conservation

London Borough of Redbridge – Adopted Core Strategy Development Plan Document (DPD) (March 2008)

6.4 In respect of the Core Strategy DPD, the most relevant policies in this case are:

- Strategic Policy 1 - Overall Growth
- Strategic Policy 2 - Green Environment
- Strategic Policy 3 - Built Environment
- Strategic Policy 6 - Movement and Transport
- Strategic Policy 7 - Housing
- Strategic Policy 8 - Affordable Housing
- Strategic Policy 12 - Planning Obligations

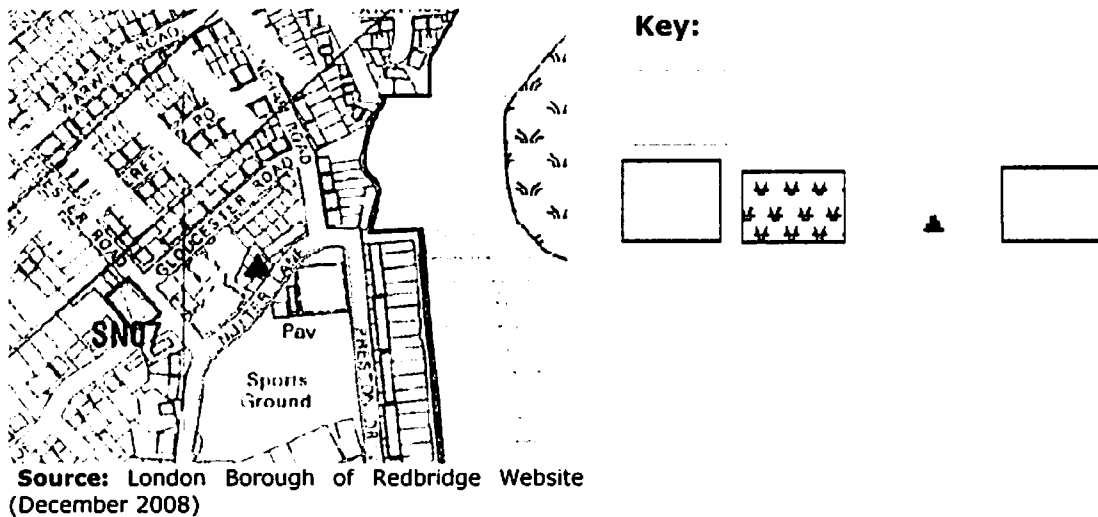
London Borough of Redbridge – Adopted Borough Wide Primary Policies Development Plan Document (May 2008)

6.5 In respect of the Borough Wide Primary Policies, the most relevant policies are:

- Policy H1 - Housing Provision
- Policy H2 - Housing Choice
- Policy BD1 - All Development
- Policy BD3 - Density in new residential development
- Policy BD4 - Amenity Space in new residential development
- Policy BD7 - Internal Space
- Policy E2 - Nature Conservation
- Policy E3 - Conservation of the Built Heritage
- Policy T1 - Sustainable Transport
- Policy T5 - Parking Standards

Adopted Proposals Map (May 2008)

- 6.6 The site is not specifically designated. However, In March 2009 following representation from local residents Redbridge Council formally designated part of the Grove and Counties Estates as a conservation area. The site is located in the south eastern part of the Wanstead Grove Conservation area.



**Other Policy Guidance**

- 6.7 The Council has also produced various Supplementary Planning Guidance (SPG) and Supplementary Planning Statements (SPD) to provide greater detail and guidance to the policies contained within the Development Plan.

- 6.8 Unitary Development Plan – Supplementary Planning Guidance:

- Amenity Space and Residential Development SPG – Adopted (October 2005)
- Urban Design Framework SPG – Adopted (September 2004)
- Sustainable Design and Construction SPG – Adopted (May 2005)

- 6.9 Local Development Framework Publications – Supplementary Planning Documents:

- 
- Affordable Housing SPD – Adopted (September 2007)
  - Nature Conservation SPD – Adopted (July 2006)
  - Percent for Art, Archaeology and Conservation SPD – Adopted (July 2006)
  - Planning Obligations Strategy SPD – Adopted (July 2006)
  - Trees and Landscaping SPD – Adopted (July 2006)

6.10 In addition, the Greater London Authority (GLA) has produced a number of SPGs of which the most relevant are Housing, Sustainable Design and Construction, and Accessible London.

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## **7.0 OTHER MATTERS AGREED BETWEEN THE APPELLANT & THE LONDON BOROUGH OF REDBRIDGE**

- i) The only policies at issue are E3 and BD1 of the Councils Borough Wide Primary Policies DPD and policy SP3 of the Core Strategy DPD.
- ii) The housing mix complies with policies H1 and H2 of the Adopted Borough Wide Primary Policies
- iii) Density of the proposed development was found by the Inspector at the 2008 Inquiry to comply with the requirement of policy BD3 - Density in new residential development (Borough Wide Primary Policies)
- iv) The car parking provision complies with the requirements of policy T5- Parking Standard (Borough Wide Primary Policy DPD)
- v) The provision of amenity space is not technically compliant with Policy BD4 - Amenity space in new residential development (Borough Wide Primary Policy DPD) but nonetheless is considered acceptable by the Council.
- vi) The internal space provision in the proposed houses and apartments exceeds the policy requirement of Policy BD7 - Internal Space (Borough Wide Primary Policy DPD).
- vii) It is accepted by the Council that the development would result in the loss of the two TPOed trees and that replacement planting proposals would be included in the details relating to landscaping.
- viii) The Sustainable Energy Strategy from Telford Homes which sets out measures that will be incorporated into the scheme in order to

achieve a sustainable development. The shortfall of renewable source is considered acceptable alongside other proposed measures.

- ix) The Unilateral Undertaking submitted with the applications (see **Appendix 14**), which requires sums to be paid in relation to affordable housing, community care and social services, educational facilities', healthcare, libraries and public health is accepted as meeting the developers requirement under strategic policy 12 of the Core Strategy
  
- x) The conditions contained in the Council's Rule 6 Statement are acceptable save for a condition listing approved drawings, and a condition requiring demolition of the wall and fencing prior to any development on site.

Signed on behalf of Telford Homes Plc	Signed on behalf of London Borough of Redbridge
.....Date.....	.....Date.....
Position.....	Position.....