



Appeal Decision

Inquiry held on 4 & 5 September 2012

Site visit made on 5 September 2012

by C A Newmarch BA(Hons) MRICS MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 September 2012

Appeal Ref: APP/Z3825/A/12/2172558

Land east of Manor Close, Henfield, West Sussex BN5 9LD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Welbeck Strategic Land LLP against Horsham District Council.
 - The application Ref DC/11/1962 is dated 21 September 2011.
 - The development proposed is the development of the site for up to 102 residential dwellings together with associated landscaping, open space and access.
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Decision

1. The appeal is allowed and planning permission is granted for the development of the site for up to 102 residential dwellings together with associated landscaping, open space and access at Land east of Manor Close, Henfield, West Sussex BN5 9LD in accordance with the terms of the application, Ref DC/11/1962 dated 21 September 2011, and the plans submitted with it, subject to the conditions set out in the appended schedule.

Application for costs

2. At the Inquiry an application for costs was made by Welbeck Strategic Land LLP against Horsham District Council. This application is the subject of a separate Decision.

Planning Agreement

3. A certified copy of a signed and dated agreement made between the appellant and the Council under s106 of the Town and Country Planning Act 1990, as amended, was submitted at the Inquiry. The agreement contains obligations relating to affordable housing, refuse and recycling, open space and recreation, public art, health facilities, community facilities, fire hydrants and rescue services, education, libraries and transport. It is discussed further below.

Main Issue

4. The main issue is whether the need to deliver housing, including affordable housing, outweighs the harm, if any, arising in relation to:
 - The scale of the proposed development;
 - Comprehensive, long-term development;
 - The character and appearance of the area;

- The living conditions of neighbouring occupiers;
- Biodiversity;
- Sustainability and local services;
- Drainage;
- Sport, recreational and amenity space;
- Transport, highway safety and parking; and
- Loss of agricultural land.

Background

5. The appellant carried out pre-application discussions with the Council, and with West Sussex County Council (WSSCC), the Environment Agency, Natural England and Southern Water. It also carried out a consultation exercise, including a public exhibition staffed by a professional team, before making the application, and provided a Statement of Community Involvement. This approach accords with the recommendations for pre-application engagement and front-loading in the National Planning Policy Framework (Framework). Nonetheless, the Council did not determine the application within the prescribed period.
6. Following the submission of the appeal, dated 13 March 2012, the Council considered, but deferred, a decision on how to respond to the appeal at its Development Management Committee South meeting on 17 April. At its meeting on 15 May it resolved not to contest the appeal, and confirmed that, if it had been in a position to determine the application, it would have resolved to grant planning permission subject to the completion of a legal agreement to secure financial contributions and the provision of 3 fire hydrants, and to some 21 planning conditions.
7. The Council and the appellant submitted a signed and dated Statement of Common Ground (SOCG), which addresses the description of the site and the surrounding area, the development proposals, the agreed relevant planning policies, the chronology of the planning application, the issues of common ground, and matters to be covered by planning conditions and obligations.

Reasons

Housing need

8. The development plan includes the South East Plan (SEP), 2009, the Horsham District Local Development Framework Core Strategy (CS), 2007, the Horsham District Local Development Framework General Development Control Policies (DCP), 2007, and the Horsham Site Specific Allocations of Land Development Plan Document, 2007.
9. The site is outside the built up area boundary of Henfield where DCP policy DC1 provides that development will not be permitted unless it is essential to its countryside location and meets one of the criteria specified in the policy. The criteria do not include new housing in the countryside. It is, however, a matter of common ground between the Council and the appellant that, since the housing requirements in the SEP are more up to date than, and exceed, the

provision in the CS, the Council cannot demonstrate a five-year supply of deliverable sites.

10. Paragraph 5.37 of the Council's Annual Monitoring Report, 1 April 2010 – 31 March 2011, (AMR), confirms that the five-year housing supply in Horsham District is equivalent to 76.7% of the SEP requirement. A more recent snapshot of housing land availability, arising from a Freedom of Information request, was submitted at the Inquiry by a local objector. This indicates that as a result of planning permissions granted on large sites between 1 April 2011 and 16 July 2012, there is a five-year housing supply of some 87.8% of the SEP requirement, but the Council concedes that this contains errors, including double counting of some sites. It submitted a brief 'Information Update' contending that the housing land supply in July 2012 was around 82.3% of the SEP requirement. However, this information is not supported by any data, and as the Council did not provide a witness who could be tested on this matter at the Inquiry, and accordingly, I give it little weight.
11. In any event, there is a significant short fall in the 5 year supply of housing land in the District. This is exacerbated by the very low rates of housing construction starts each year since 2006-2007, which, with the exception of 2007-2008, are less than half the Council's housing target rate.
12. Recognising that the allocations within the CS would be unlikely to meet the requirements of the SEP, CS policy CP4 allows for additional land, in the most sustainable locations, to be identified either through a Site Specific Allocations Development Plan Document or through a Contingency Development Plan Document. The Council published a Preferred Options Reserve Housing Site Development Plan Document, 2008. It included the appeal site as being capable of accommodating 140 dwellings. However, I give this little weight as the document was abandoned at an early stage of preparation because the Council concluded that it would not bring forward sufficient additional housing land to remedy the shortfall within the necessary timescales.
13. The Council instead adopted its Facilitating Appropriate Development Supplementary Planning Document (FAD), 2009. Its purpose is to provide flexibility to ensure that there is a sufficient housing land supply during the life of the CS. It provides 18 criteria, all of which must be met, for proposals on land adjoining defined settlement boundaries to be considered acceptable.
14. The FAD criteria are applicable to the appeal proposal. It is common ground between the Council and the appellant that the proposal accords with all the FAD criteria, and would justify development beyond the built up area boundary of Henfield. However, objectors contend that some of the criteria are not satisfied, and this is considered further below.

Scale of the proposed development

15. Residents object that the extent of the housing provision, taken together with other development recently completed or under construction within Henfield, would amount to some 224 new homes in the village. They contend that this would conflict with FAD criterion 3. However, the modest development at Cooper's Way and the large scale development at Parsonage Farm are each within the built up area boundary of the village, and do not count towards the maximum of 150 dwellings which may be allowed by FAD criterion 3. Consequently, as the appeal proposal falls well below this threshold, and there

are no other sites where housing has been permitted or is proposed adjoining the built up boundary of Henfield, there is no conflict with FAD criterion 3.

Comprehensive, long term development

16. WSCC owns land to the north of the appeal site, and objects on the basis that the proposal would prevent access to its land and preclude comprehensive development in the future. However, the internal layout of the site is a reserved matter, which is not before me, and any rights of way which may exist across the site are a matter between the parties concerned. There is no proposal for a strategic or comprehensive development of a larger site within Henfield, and consequently this consideration does not outweigh the demonstrable need for additional housing land. The proposal does not, therefore, conflict with FAD criterion 5.

Character and appearance

17. The appearance and layout of the development is a reserved matter. However, the indicative drawings demonstrate that 102 dwellings could be accommodated within the site and provide for landscaping within and around the site. The appellant is willing to accept a condition to retain specified trees and the hedge along the eastern boundary of the site, which largely screens it from the adjoining open countryside. While there are long views from parts of the site towards the north, conditions to control the finished floor levels and roof ridge heights would, together with additional landscaping, mitigate any impact within the landscape. I am satisfied that the proposal does not, therefore, conflict with FAD criteria 6, 7 or 10.

Living conditions of the neighbouring occupiers

18. The indicative layout demonstrates that up to 102 dwellings could be provided on the site without significant loss of privacy or light to the occupiers of the existing neighbouring dwellings. I have approached the question of outlook on the basis of any harm which could be caused by an overbearing development rather than in the sense of a loss of view. Although the outlook for some existing residents would change, the submitted drawings demonstrate that a detailed scheme could be provided without being materially overbearing or harmful to the living conditions of the occupiers of the existing dwellings.

Biodiversity

19. There is some conflict between the submissions from local residents and the appellant's professional Ecological Assessment concerning the biodiversity of the site. There can be no certainty that the outline proposals would enhance the diversity of habitats within the site, as suggested by the appellant, but, given that there is no objection from the County Ecologist, and that mitigation measures could be required by a condition. I do not consider that the proposal conflicts with FAD criterion 9.

Sustainability and local services

20. A Sustainability Statement was submitted with the application. It demonstrates that, among other things, the proposal would make a positive contribution to sustainable development by providing new homes, including affordable housing, incorporating measures to reduce carbon emissions, improving pedestrian access to and through the High Street, and by reducing

flood risk by installing a sustainable drainage system. Furthermore, I consider that additional residents could help to maintain the viability of local services and shops, which can provide for most daily requirements. The proposal, therefore, amounts to a sustainable development, and meets FAD criterion 11.

Drainage

21. There is strong local concern about the feasibility of installing both foul and surface water drainage for the site as a result of sewerage problems at the Parsonage Farm development and local surface water run off. However, Southern Water confirms that hydraulic analysis of the existing foul sewerage system indicates that there is sufficient capacity for the foul drainage from the site at the connection point, which would be at manhole reference 6601 in Wantley Hill Estate.
22. Surface water drainage cannot be accommodated within the foul drainage system. A sustainable urban drainage system, which would be controlled by a condition, would be provided. It has not, therefore, been demonstrated that the proposal would fail to meet FAD criterion 11.

Sport, recreational and amenity space

23. Local people contend that the site was made available for children's play once it was no longer used for agriculture, but it is not laid out for formal sport or recreation. Although the site was being used by dog walkers at the time of my visit, I am not persuaded that the proposal would result in the loss of sport, recreational or amenity space, and would not, therefore, conflict with FAD criterion 16.
24. The site is the subject of an application to DEFRA for registration as a Village Green, but that is not a matter for me, and has not formed part of my consideration of the appeal.

Transport, highway safety and parking

25. In response to many representations made in the pre-application community consultation, vehicular access would be solely from Wantley Hill Estate, with only pedestrian, cycle and emergency access being provided from Benson Road. The appellant submitted a Transport Assessment and Travel Plan with the application, both of which were prepared on this basis. There are no objections from the Highway Authority relating to the proposed access arrangements, or to the impact of additional trips on the highway network. All these matters can be controlled by a condition.
26. Local people object to the proposal on the basis that there is a lack of local jobs, no station within the village and limited bus services. There is some disagreement between the appellant and local residents concerning the extent of bus services. This could not be resolved at the Inquiry due to very recent timetable changes. However, it is not disputed that the village is served on weekdays by some bus services, and that the Henfield Parish Council provides financial support to improve bus services.
27. The provision of off-street parking for construction workers during the development could be required by a construction method statement condition. The indicative drawings demonstrate that car parking for future residents could

be provided in accordance with the Council's standards within the site. The proposal does not, therefore, conflict with FAD criterion 17.

Loss of agricultural land

28. The site is classified as Grade 2 in the Department for the Environment, Food and Rural Affairs' (DEFRA) Agricultural Land Classification. The Framework advises that where significant development of agricultural land is demonstrated to be necessary, poorer quality land should be used in preference to that of a higher quality. It is a matter of judgement as to whether the site of around 4.2ha is significant in relation to the supply of high quality agricultural land which surrounds Henfield. In this instance, the development of the site would not result in the loss of any agricultural output, as it has not been in agricultural use for many years, nor has it been shown whether it would be practical to return it agricultural use. I consider, therefore, that the demonstrable need for deliverable housing sites outweighs the theoretical loss of agricultural land.

Conclusions on main issue

29. Concluding on the main issue, the proposal would not result in material harm to any of the safeguards in the FAD criteria. The proposal does not, therefore, conflict with the FAD. Consequently it does not conflict with CS policy CP4, or the policies referred to in the FAD criteria, but accords with the development plan.
30. Even if the proposal did not accord with the development plan and the FAD, Government guidance in paragraph 49 of the Framework is that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. As there is a demonstrable need to deliver housing, including affordable housing, and material harm has not been demonstrated, I consider that the proposal is consistent with the presumption in favour of sustainable development in the Framework.

Other matters

31. My attention has been drawn to various appeal decisions within Horsham District (Refs APP/Z3825/A/11/2151842, APP/Z3825/A/09/2119567, and APP/Z3825/A/09/2114137). While these are material considerations, they pre-date the Framework, and I have determined the appeal on its merits and within the context of the development plan and current Government advice.
32. WSCC confirms that the primary school is not above 95% capacity, and that no contribution is required. The impact on secondary and sixth form colleges has been addressed through the obligations in the S106 agreement, discussed below. Similarly, the impact on health services has been addressed through the S106 agreement. The effect on existing property values is not a matter for me.
33. Notwithstanding local concerns that crime and disorder could arise from the proposed development, but, for fear of crime to be a material consideration, there needs to be some reasonable evidential basis for that fear. In this instance no such evidence is before me.

34. Residents have pointed out that the development would not be built out by the appellant, but it is well established that planning permission runs with the land, and is made personal only in exceptional circumstances.
35. It is variously contended that the occupiers of the proposed dwellings would be commuters who would play no part in village life, or that they would change the character of Henfield. However, it was accepted at the Inquiry that residents from the Parsonage Farm development use the village shops at weekends and are beginning to become involved in the village.
36. Objectors refer to an earlier appeal on the site, but as the past planning history does not include any appeals, I take this to be an error.
37. My attention has been drawn to the Localism Act and to the opportunities for neighbourhood planning. However, there is not yet a Neighbourhood Plan in force for Henfield and, in any event, Neighbourhood Plans should not promote less development than set out in strategic targets. Moreover, proposals for sustainable development should be allowed to go ahead without delay.

S106 Agreement

38. The agreement includes a number of obligations made either to Horsham District Council or to WSCC. As the exact number and mix of the dwellings to be provided are matters to be determined at the detailed stage, many of the obligations are of necessity formulaic. The calculations for each obligation in the S106 agreement accord with the Council's Planning Obligations Supplementary Planning Document (SPD), 2007. As such, they are fairly and reasonably related in scale and kind to the development. However, as required by CIL Regulation 122, I have also taken account of the likely impacts of the proposed development so as to consider whether the contributions would make the development acceptable in planning terms, and whether the obligations are directly related to the development.
39. *Affordable housing:* 40% of the dwellings within the development would be affordable, including both affordable rented housing units and shared ownership units. There is an identified local need for affordable housing. The Parish Council minutes note that there were around 250 people requesting social housing in Henfield in July 2011. The obligation to provide for affordable housing is necessary and related to the development, and I have, therefore, taken this obligation into account.
40. *Refuse and recycling:* As a need for refuse and recycling facilities arises from all households, I accept that this obligation is necessary and related to the development. I have taken it into account in reaching my decision.
41. *Open space and recreation contribution:* The SPD does not seek to resolve any existing inadequate provision in the District through planning obligations, but to ensure that adequate provision is made for new development. It states that contributions will depend on identified local need, but notwithstanding the anecdotal submissions concerning the existing use of the site, there is no quantitative information before me concerning the extent of local provision or need. It has not, therefore, been demonstrated that it is necessary to make the development acceptable, and I have not taken this obligation into account.
42. *Health Provisions:* Many local people have objected on the basis that the development would place additional pressure on the busy health centre and

other services within Henfield. However, the NHS West Sussex Primary Care Trust seeks this contribution towards the provision of all health services including GP and Community services. I agree that it is necessary, and related to the development. I have taken it into account in reaching my decision.

43. *Community facilities contribution:* The financial contribution would be used for the improvement of public parking and allotments or to benefit the Parish Council area of Henfield. Given the objections concerning parking problems in the village, the contribution towards parking improvements is necessary and related to the development. However, there is no information about demand or need for allotments within Henfield or for the need for improvements to the Parish Council area in the village. I have, therefore, taken this into account only insofar as it relates to parking improvements.
44. *Public art:* The contribution towards public art would be pooled with other contributions for the provision of public art elsewhere in the District. The SPD does not explain whether this relates to any development plan policies, or whether the payment would contribute towards a specific project. It is not clear whether it is necessary to make the development acceptable, and so I have not taken this obligation into account.
45. *Fire Hydrants and the Fire & Rescue contribution:* A contribution would be necessary to provide 3 fire hydrants within the proposed development. In addition, the Fire & Rescue contribution would be used to improve service provision within the Southern Division of the County. As the development would increase the area to be covered by the Fire & Rescue services, I accept that both contributions are necessary and related to the development. I have taken them into account in my decision.
46. *Education:* WSCC has identified a shortfall in secondary/further education places within the catchment area of the site. The contribution would be used to address this problem, and is, therefore, necessary, and directly related to the development. I have taken it into account.
47. *Libraries:* The contribution towards library facilities would be used in the parishes of Pullborough, Billingham, Henfield, South Water, Styning, Storrington and Horsham. There is no explanation as to why the development would impinge on so many libraries. As there is a library in Henfield, and there is no evidence that further library facilities are required, it has not been demonstrated that the obligation is necessary or directly related to the development. Consequently, I have not taken this contribution into account.
48. *Transport:* The Transport Contribution would be used by WSCC towards the cost of infrastructure and other, unspecified, measures to improve access between the appeal site and local amenities. As the A281 London Road/High Street runs separated the site from many of the village facilities, I accept that this is both necessary, and directly related to the development. I have taken it into consideration.

Conditions

49. I have considered the conditions suggested by the Council. As the application was submitted in outline, the usual conditions relating to reserved matters are necessary, except that the period for the application for the reserved matters is limited to 18 months in recognition of the need for additional housing, including affordable housing, within the area. The condition reflects the requirement in

- FAD criterion 18 for sites to be deliverable. I am satisfied that it would be a realistic condition inasmuch as the appellant company that it would be able to address all pre-commencement conditions within this timeframe.
50. A minimum of 0.6ha of recreational space within the detailed layout is necessary in the interests of the living conditions of existing and future residents. It is necessary for the details to include the finished floor levels of the dwellings, together with a restriction on the roof ridge heights in the interests of the character and appearance of the development and its visibility from the adjoining open countryside. Similarly, it is necessary to control the materials to be used on the external surfaces of the dwellings, and the retention of trees and hedges, together with measures for their protection during development, in the interests of visual amenity.
51. A construction method statement, together with control over the hours of working, is necessary in the interests of the living conditions of neighbouring residents. The appellant accepts, and I agree, that a condition requiring a minimum of 10% energy to be provided from renewable energies is necessary, as is a requirement for the homes to achieve at least Level 3 of the Code for Sustainable Homes, in the interests of reducing carbon emissions.
52. A condition to control the connection of foul drainage from the site to the sewerage system, and a sustainable surface water drainage scheme is necessary to control run-off from the site. A condition is necessary to require the access to the site to be provided, with vehicular access solely from Wantley Hall Estate, in accordance with specified drawings, in the interests of highway safety. A condition requiring a Travel Plan to be submitted and agreed in writing is necessary in order to achieve a 12 hour weekday vehicle trip rate, which would be at least 10% lower than the rate predicted in the absence of a Travel Plan, in the interests of sustainable development. A condition requiring a programme of archaeological work to be carried out is necessary as remains of prehistoric, Roman and medieval finds have been reported close to the site. The County Archaeologist considers that these remains may extend into the site.
53. An ecological mitigation plan is necessary to provide replacement habitats, bat and other boxes and to relocate identified protected species from the site before development takes place. A condition to preclude floodlighting on the site is necessary to protect the character of the adjoining countryside and in the interests of biodiversity.
54. Conditions to control the provision of car parking spaces, secure cycle storage and storage for refuse and recycling are necessary in the interests of highway safety, and public health and safety respectively.
55. Otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans, insofar as they relate to the identification of the site and the proposed means of vehicular access, the trees and hedge to be retained, and the highway improvements within Wantley Hill Estate, for the avoidance of doubt and in the interests of proper planning.

Conclusions

56. Notwithstanding the strong concerns expressed by many local people, there is no evidence that any effects arising from the development would significantly

and demonstrably outweigh the benefits. It would not conflict with the development plan policies, the FAD or the Framework. I therefore conclude that, subject to the conditions discussed above, the appeal should be allowed.

57. I have considered all other matters raised, but they do not alter my decision.

CA Newmarch

INSPECTOR

Schedule of conditions

- 1) Application for approval of the reserved matters shall be made to the local planning authority not later than eighteen months from the date of this permission.
- 2) Details of the appearance, landscaping, layout (including a minimum of 0.6ha of land for recreational open space), and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins. The details shall include the finished floor levels of all dwellings, hard and soft landscaping including fencing. Development shall be carried out as approved, and retained as such thereafter.
- 3) In this condition "retained tree" means Trees T31 and T32 and the hedge along the eastern boundary of the site, as identified on Drawing Ref 'Tree Constraint Plan TCP Sheet (TCP) Sheet 2 Drawing 1a.' Paragraphs (i) and (ii) below shall have effect until the expiration of 1 year from the date of the occupation of the buildings for their permitted use.
 - i. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
 - ii. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
 - iii. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with Section 9 of BS 5837 *Trees in Relation to Construction* before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the local planning authority.

- 4) No roof ridge shall exceed 8.2m above the finished floor level of the dwelling it serves.
- 5) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 6) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- 7) No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. hours of working;
 - ii. the parking of vehicles of site operatives and visitors;
 - iii. loading and unloading of plant and materials;
 - iv. storage of plant and materials used in constructing the development;
 - v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - vi. wheel washing facilities;
 - vii. measures to control the emission of dust and dirt during construction; and
 - viii. a scheme for recycling/disposing of waste resulting from site clearance and construction works, and the preclusion of burning materials on the site.
- 8) No development shall take place except between 08:00hours and 18:00hours on Mondays to Fridays, and between 08:00hours and 13:00hours on Saturdays. No development shall take place on Sundays, Bank and Public Holidays.
- 9) Before the development begins a scheme (including a timetable for implementation) to secure at least 10% of the energy supply of the development from decentralised and renewable or low carbon energy sources shall be submitted to and approved in writing by the Local Planning Authority as part of the reserved matters submissions required by condition 2. The approved scheme shall be implemented and retained as operational thereafter.
- 10) The dwellings shall achieve at least Level 3 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that at least Code Level 3 has been achieved.
- 11) No development shall take place until details of foul and sustainable surface water drainage have been submitted to and approved by the local planning authority. The sustainable drainage scheme shall include an assessment of the hydrological and hydro-geological context of the development, an overland flood flow exceedance route, and details of the management and maintenance of the sustainable drainage scheme.

Development shall be carried out in accordance with the approved details before the occupation of the dwellings hereby permitted. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

- 12) The dwellings shall not be occupied until accesses to the site have been implemented in accordance with drawings 90720-01 Rev A and 90720-02 Rev B, and with details to be submitted to and approved in writing by the local planning authority. The means of vehicular access to the permitted development shall be from Wantley Hill Estate only. No vehicular access, other than for emergency vehicles and cycles, shall be from Benson Road.
- 13) No development shall take place until a Travel Plan has been submitted to and approved in writing by the local planning authority. It shall be implemented in accordance with the approved details.
- 14) No development shall take place until a programme of archaeological work has been implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.
- 15) No development shall take place until an ecological mitigation plan has been submitted to and approved by the local planning authority. The plan shall be implemented in accordance with the approved details.
- 16) No external floodlighting shall be installed.
- 17) No dwelling shall be occupied until space has been laid out within the site for car parking and secure covered cycle storage in accordance with details to be submitted to and approved in writing by the local planning authority.
- 18) No dwelling shall be occupied until space has been laid out within the site for the storage of refuse and recycling bins in accordance with details to be submitted to and approved in writing by the local planning authority.
- 19) The development hereby permitted shall be carried out in accordance with the following approved plans insofar as they relate to the identification of the site, the means of vehicular access, the trees and hedge to be retained and the highway improvements within Wantley Hill Estate, but not insofar as they relate to indicative matters which have been reserved for determination at the detailed stage: 1102/C101A, 1102/C102, 1102/C103, 1102/P101A, 1102/S101, 1102/S102, 1102/P01, Tree Constraint Plan TCP Sheet (TCP) Sheet 2 Drawing 1a, 90720-01 Rev A, 90720-02 Rev B.

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mrs Ruth Stewart	Solicitor
Mrs Nicola Mason	Senior Planning officer

FOR THE APPELLANT:

Mark Lowe QC	Instructed by John Baird, Partner, Osborne Clarke Solicitors
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He called	
Ms Charlotte Yarker	Montague Evans LLP

BA(Hons), Dip Urban Planning, MRTPI	
Mr Stephen Kirkpatrick	Chris Blandford Associates
Mr Steve Parsons	Motion Transport Planning
Mr Isenghi	WSP Group

INTERESTED PERSONS:

Mr Raymond Osgood	Chairman, Henfield Parish Council
Mrs Carol Eastwood	Chairman, Henfield's Own Preservation Society (HOPS)
Mr Richard Kendall	Henfield Community Partnership Management Committee member
Mr Desmond Weeden	HOPS
Dr Roger Smith	CPRE Sussex, Horsham & Crawley District Committee Chairman
Cllr Brian O'Connell	Horsham District Council ward member
Mrs Sharon Ridgley	HOPS
Mr Khan	West Sussex County Council

DOCUMENTS

- 1 Council's second Notification letter and change of venue letter giving details of the inquiry, and distribution list
- 2 Ms Yarker's Core Documents folders Volumes A, B & C
- 3 Statement setting out justification for the planning obligations in the S106 agreement
- 4 Horsham District Council's Housing Supply Position
- 5 Response note to Horsham District Council's decision notice in respect of DC/12/1004
- 6 Horsham District LDF Annual Monitoring Report 1 April 2010-31 March 2011
- 7 Response by Henfield Parish Council to the appeal
- 8 S106 agreement
- 9 Freedom of Information request relating to the housing land supply figure provided to the Planning Committee on 17 July 2012
- 10 Statement by Carol Eastwood
- 11 Text of verbal presentation by Richard Kendall
- 12 Henfield Community Action Plan 2011-2015
- 13 Statement by Mr Weeden
- 14 Statement by Dr R F Smith
- 15 Henfield Parish Design Statement Supplementary Planning Document December 2008
- 16 Statement by Sharon Ridgeley
- 17 Petition containing 1647 signatures objecting to the appeal
- 18 Statement from Motion regarding changes to bus services
- 19 Statement from Cllr Brian O'Connell
- 20 Heraldry of the Weald - The Coat of Arms Henfield Parish Council
- 21 Extract from 'A sense of place - West Sussex Parish Maps'
- 22 Information Update from Horsham District Council regarding the trajectory of Figure 6 of the Annual Monitoring Statement
- 23 E-mail from West Sussex County Council confirming that no financial contribution would be required in respect of primary schools