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## Appeal Decision

Inquiry opened on 10 September 2013

Site visits made on 20 September 2013

**by R J Marshall LLB DipTP MRTPI**

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

**Decision date: 30 October 2013**

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**Appeal Ref: APP/C3810/A/13/2196029**

**Woodgate Centre, Oak Tree Lane, Chichester PO20 3GU**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Builtform Developments Ltd against the decision of Arun District Council.
  - The application Ref AL/106/12, dated 26 September 2012, was refused by notice dated 28 March 2013.
  - The development proposed is outline application for 2.85 ha of residential development (up to 60 open market dwellings, and up to 25 affordable dwellings (30%)), 2.9 ha of public open space, and 0.2 ha for community services.
  - The inquiry sat for 4 days on 10/11/12 September and 20 September 2013.
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### Decision

1. The appeal is dismissed.

### Background/procedural matters

2. The application is an outline with all matters other than access reserved for later consideration. However, submitted with the application are various sketch plans. Amongst other things they provide an indicative layout and show improvements to the Woodgate Road/A29 junction.
3. One of the reasons for which permission was refused was the absence of a legal agreement to secure financial contributions towards the library, fire service and healthcare infrastructure that the proposed development would generate a need for. A further reason was the absence of a legal agreement to secure the affordable housing element of the development in the long term. The appellant has subsequently provided a Unilateral Undertaking making the required infrastructure contributions. This is to the satisfaction of the Council. The undertaking also seeks to secure the affordable housing. However, the Council is not satisfied that the wording of this element of the Undertaking would ensure that this is achieved.
4. In 2012 appeal, APP/C3810/A/11/2163208, for a development on the current appeal site of to 100 dwellings (up to 30% affordable), together with landscaped open space and amenity woodland, was dismissed. The Inspector found a presumption in favour of development given the degree of undersupply of housing in the District and that harm arising from the character and appearance of the area and highway and pedestrian safety would not alone

justify dismissing the appeal. However, he concluded that taking these disadvantages together with the poor level of sustainability of the site the case against the proposed development overrode all other benefits including the provision of housing. It is the appellant's case that changes in the nature of the current application, additional benefits, further survey evidence and the current 5-year housing land supply situation justifies a favourable decision on the proposal before me.

## **Main Issues**

5. The main issues in this appeal are: **first**, the location of the proposed development with special reference to sustainability in terms of accessibility to facilities; **second**, highway safety and the free flow of traffic with special reference to the effect of traffic generated by the proposed development at the A29/Woodgate Road junction and at the level crossing; **third**, whether adequate measures are in place to secure the affordable housing element of the proposal; and **fourth**, the implications of the absence of a 5-year housing land supply.

## **Reasons**

### ***Site location and sustainability***

6. The appeal site lies just beyond the settlement boundary of Westergate/Woodgate. This is a lengthy linear settlement concentrated along the main A29. At the southern end of the settlement the A29 is bisected by a railway line running east-west. Westergate lies to the north of the railway line and is by far the largest part of the settlement. The much smaller area of Woodgate lies to the south of the railway. The appeal site adjoins this part of the settlement.
7. Policy GEN2 of the Arun District Local Plan (2003) defines built-up area boundaries beyond which Policy GEN3 seeks to resist development in order to protect the countryside. The proposed development is therefore strictly contrary to these Policies. However, it is undisputed that housing has not come forward at the required rate. The Council accepts that the built up area boundaries in the Local Plan carry significantly reduced weight and do not relate to the housing provision beyond 2011. Thus local housing Policies are out of date and housing sites will be required outside the currently defined built-up area boundaries.
8. The Council thus has no objection to the proposed development solely on grounds of the site lying beyond a development boundary. Moreover, the Council's stance now is that the appeal site could be developed in the manner proposed without any demonstrable adverse effects on the character and appearance of the countryside sufficient to justify refusing permission. The Council's concern is on the sustainability of the proposed development having regard to accessibility to facilities.

### ***Westergate/Woodgate***

9. In support of the proposed development the appellant says that Westergate/Woodgate is: reasonably close in geographical terms to Chichester and Bognor Regis; has been identified in the Arun Settlement Sustainability Study (2007) as having a high-ranking given the number of people living in reasonable walking distance of facilities; has twice been identified in Strategic

Housing Land Supply Assessments (SHLAAs) as a suitable site for development; and the Aldington Community Profile, which covers an area in which the appeal site lies, says that this area fares well in relation to travel distances to facilities by walking, cycling and by car. Furthermore, it is said, the draft Local Plan identifies a site-specific housing allocation within the Barnham, Eastergate and Westergate area and that a Visioning Brief showing how this could be undertaken includes the appeal site.

10. I doubt that things would have been taken so far in the draft Local Plan unless the Council considered this area broadly had the potential to provide reasonably sustainably located housing. However, this does not in itself show that the proposed development would necessarily provide such housing. On this point consideration has to be given to the specific location of the site within Westergate/Woodgate. I am of this view notwithstanding the site's identification within SHLAAs as being suitable for housing. References in the SHLAAs to the accessibility of the site have to be read in the context that it is said that the site could contribute to the creation of a sustainable mixed use community. The Local Plan is not at a sufficiently advanced stage to judge whether that community, in the form of the site-specific housing allocation within the Barnham, Eastergate and Westergate area, would be developed. The appeal site may, in the context of wider development involving a substantial amount of new housing and providing additional services and pedestrian/transport links, provide an opportunity for sustainable development. However, I am not satisfied, for reasons given later, that this would be the case for development of the appeal site in isolation.
11. In arriving at this view I have taken into account that the Visioning Brief referred to above says that "Development to the east of Westergate could take place at any time during the construction of the main settlement...". I do not read this as meaning that this land, and especially the appeal site to the south of the railway line, is suitable for development at any time regardless of whether the main settlement is constructed. Nor do I read observations in a Committee Report of 23 May 2013 as saying this.

*Development of appeal site now*

12. Westergate/Woodgate has a good level of community facilities. There are 2 primary schools, the Westergate Community College which includes an adult education centre, a pre-school and day nursery, a sports and community centre and the Six Villages Sports Centre. In nearby Eastergate there is a doctor's surgery. The proposed development would provide some on-site amenity space.
13. However, the appeal site is removed from all the existing community facilities referred to above, which are to the north of railway line. Moreover, with the exception of Aldingbourne primary school, at 750 metres from the site, these facilities are at a substantial distance away. All the other schools are well over the "acceptable" 1000 metres Institute of Highways and Transportation (IHT) walk distance. Although within the "maximum" 2000 metres IHT walk distance they are sufficiently removed from the appeal site to be likely to increase the numbers of children who would be driven to the pre-school and day nursery. The distances involved would also make walking less attractive to those attending the Westergate Community College. And although this College is within a reasonable cycling distance of the appeal site the extent of traffic on

- the A29, especially, at peak hours would be a strong disincentive to cycling. I am of this view notwithstanding the existence of a cycle route that could be used to reduce the time taken on the main road. The appellant says that if I came to this view a Grampian condition could be imposed incorporating measures to make the A29 more cycle friendly. However, in the absence of more substantial evidence that such works could be satisfactorily undertaken it would not be appropriate to impose such a condition. And in any event even with improved cycle safety measures I can see some reluctance amongst parents to allow children to cycle on a road that is so busy and congested at peak time.
14. Moreover, account has to be taken of the impact of the railway level crossing on the A29 which people from the site would need to cross to get to the schools. It is a busy railway line and the crossing barriers are frequently closed. The appellant has undertaken a detailed survey of delays to pedestrians at the crossing. He concludes that on average there is only a 34 second delay, albeit this figure hides some notably higher delays. Moreover, the potential for delay is substantial. A survey shows that in the morning peak hour of 8am to 9am the delay between the lights going on and the barriers going up was frequently around 3 minutes and on occasion more than 4 minutes. In my view it is this potential for delay which would be most in people's minds when assessing whether to walk to the schools, and would add a further substantial disincentive to so doing.
  15. The doctors surgery is much too far removed from the appeal site for many to be prepared to access it by foot. It is within reasonable cycling distance. However, in the absence of highway infrastructure to assist safer cycling, and bearing in mind the health and age range of many who use surgeries, it is unlikely that many would choose to cycle there.
  16. Turning to other facilities, shopping is limited to 4 local small convenience stores. There is only 1 store within reasonable walking distance of the appeal site providing a reasonable range of goods for the "topping up" of provisions. Moreover, for most purchases, even of food, it is likely that the majority of residents would travel elsewhere. As for employment, the appellant has listed a fairly significant number of businesses in the village. However, from what I saw few are likely to offer significant employment opportunities and no substantial evidence has been provided to the contrary. Outline planning permission has been granted for 940 square metres of B1 commercial development in the vicinity of the appeal site. However, no reserved matters application has yet been submitted. In any event this relatively small degree of commercial floorspace would not make it substantially more likely that people would live and work in the settlement. Thus for employment, and all but limited top-up shopping, most residents of the proposed development would need to travel elsewhere.
  17. Journeys to Bognor Regis for employment or shopping would be quick and convenient by car. By contrast it would be too far to walk and the width of the road and infrequent bends would seriously inhibit cycling. The bus service to the main commercial and shopping areas in Bognor Regis would be reasonably speedy by public transport. However, the relative infrequency of the bus service would be likely to make travel by car a more popular choice.

18. Travelling by car to Chichester for work or shopping would also be reasonably quick and convenient. Travelling by public transport would most likely be undertaken by taking a bus to Barnham and from there a train to Chichester. The parties disagree on the time that this would take, the Council suggesting 50 minutes and the appellant 35 minutes. However, in both cases the journey time would be longer than by car even taking into account the time taken for a parking. Moreover, the relative infrequency of the bus service to Barnham would be likely to reduce the extent to which the combined bus and train route would be used. Cycling to Barnham to catch the train to Chichester, or to access employment in that village, is unlikely to prove popular for many given traffic densities at peak times. Whilst accident statistics shown few accidents to cyclists the perception of risk would in my view be high. To some extent this is borne out by the appellant's survey which showed limited cycle movements in the vicinity of the site in peak hours.
19. Recent census data on journeys to work from locations in the vicinity the appeal site show that by far the greatest percentage of people travel by car and that a significantly higher percentage travel by car than is the case in the District Council area as a whole. Only limited numbers use trains or walk. This supports the conclusions arrived at above on the substantial reliance on car usage that those on site are likely to make in relation to travel to work.
20. The appellant sought to resolve this by seeking an agreement with the bus operator and the County Council to provide more frequent services given the increased population that would arise from the proposed development. However, this was not successful which shows that a limited number of houses, as now proposed, is unlikely to result in improved bus services.
21. This has led to the appellant proposing a community bus service and supporting infrastructure. The service would be restricted to use by those on the site with the intention that it would meet gaps in current services. It would be likely to be a mini-bus service and would not be allowed to make a profit. It is intended that it would run at peak times between the site and Barnham and Bognor Regis and also serve the Community school. The appellant anticipates that a substantial number of those on site would be potential users of the service. Marketing would be carried out in accordance with a Travel Plan.
22. It is proposed that the service would be secured by use of a planning condition. This would provide for the provision and management of the scheme for a minimum of 5 years. I can see the potential benefit in such a service. However, its financial viability is dependant on its take-up and no substantial evidence has been provided of similar schemes. The supporting documentation for the scheme says that the proposal would be viable subject to detailed consultation with future residents. At this stage it seems to me there is no guarantee that it would work. Moreover, there is a commitment to run the scheme only for a minimum of 5 years. Thus, whilst I note the appellant's observation that this is often the case, there is no guarantee that a long-term sustainable solution would be provided.
23. The Travel Plan also includes measures such as the provision of a travel pack and the promotion of car sharing/walking/cycling/public transport. However, whilst this may be of some benefit it would not substantially reduce reliance on the private car by those on this unsustainably located site.

24. It is concluded that the appeal site is an unsuitable location for the proposed development with special reference to sustainability in terms of access to facilities. It would conflict with the requirement in the Framework that new development should be located where the need to travel is minimised and the use of sustainable transport modes can be maximised.

***Highway safety and free flow of traffic***

25. The vehicular access to and from the site would be from Woodgate Road, a cul-de-sac serving around 30 dwellings. Woodgate Road leads onto the A29. The junction between the 2 roads is some 140 metres south of the level crossing. There is an acknowledged problem of local congestion on the A29 largely associated with the substantial lengths of time that the barriers are closed. During peak travel periods there is regular queuing by northbound traffic for distances well beyond the Woodgate Road/A29 junction. The Council is concerned that traffic from the proposed development would add to the queues on the A29 and that the junction between that road and Woodgate Road would not, even as proposed to be improved, safely accommodate additional traffic.

*Traffic queues on A29*

26. Using the TRICS database the appellant concludes that at a weekday morning peak hour there would be 13 arrivals and 31 departures from the site and in the evening peak hour 33 arrivals and 20 departures. These figures correlate closely with survey findings of Woodgate Road and an adjoining cul-de-sac and as such I consider them to be robust. A detailed analysis carried out by the appellant shows that this level of traffic would add only one additional car in each direction to the traffic queuing at the crossing when the barriers are down. Given that the queues are regularly over 50 vehicles long this would be in an insignificant increase.

*The A29/ Woodgate Road junction*

27. The frequency with which the crossing barriers are down and the length of queues at peak hours, commonly extending beyond the A29/Woodgate Road junction, means that there would be delays for those leaving the junction to travel north. I consider the appellant's assessment that at peak hours this would lead to traffic queues on Woodgate Road at junction increasing by approximately 2 vehicles to be reasonable. Surveys show that this queue would last on average around 3 minutes.
28. The Council is concerned that drivers wishing to turn left (south) from Woodgate Road might be tempted to pass those queuing at the junction waiting to turn north and then turn left in front of them. This is not an ideal manoeuvre. However, the appellant is proposing a right turn lane on the A29 at this junction which may be secured by a Grampian condition. Along with making it easier for drivers travelling north on the A29 to turn right towards the site it could accommodate the 2 additional cars that might otherwise be queuing on Woodgate Road at the junction. This would reduce the potential for the undesirable manoeuvres identified above.
29. The Council is concerned that the right turn lane would have unacceptably narrow running lane widths to either side. However, at 3 metres wide they would accord with standards set out in Design Manual for Roads and Bridges (DMRB). Nor should the provision of a right turn lane in this built up location

with a 30mph speed limit encourage dangerous overtaking manoeuvres in the way that might arise on a rural trunk road. Guidance in Manual for Streets suggests that adequate sight lines would be provided.

30. The Council is also concerned about the proposed pedestrian refuges on the A29. One of the pedestrian refuges would be to the north of the A29/Woodgate Road junction and the other would be to the south. They have been designed to increase pedestrian accessibility to the nearby school and convenience store and make such journeys safer. On the northernmost refuge the Council made a late representation, following an e-mail from Network Rail, to the effect that it may result in drivers giving way to pedestrians and blocking the level crossing. However, this observation appears to be based upon problems surrounding a refuge in a London suburb. There is no substantial evidence that the circumstances there are so similar to the one before me that it should influence my decision. Not is there any indication that Network Rail has undertaken a detailed assessment of the current proposal. With regard to both refuges the Council's concerns that there would be inadequate carriageway widths to either side of the refuges are simply not borne out by the evidence.
31. A further proposed highway improvement is the slight easing of the northern radii of the Woodgate Road/A29 junction. This would still not be sufficient to enable a large refuse type vehicle to turn left into Woodgate Road when a car, sited towards the centre line, was waiting to exit the road. This is not an ideal situation. However, it is unlikely that development of the kind proposed would lead to a substantial increase in traffic of this type and size entering Woodgate Road. Thus such conflict would be extremely rare.
32. The appellant has had a Stage 1 Road Safety Audit undertaken on the suggested highway improvements referred to above. This raises no major concerns and I am satisfied that the minor points referred to could have been addressed at detailed design stage. The Council has raised concerns about the audit it and its process. However, I am satisfied from evidence of the auditor that it is sufficiently comprehensive and has been properly undertaken.
33. It is concluded that whilst access arrangements may not be ideal there would be no substantial detriment to highway safety and the free flow of traffic. As such there would be no substantial conflict with Local Plan Policy GEN7 on requiring safe pedestrian and vehicular movements, nor any conflict with the Framework which says that development should only be refused on transport grounds where the residual cumulative impacts of development are severe.
34. In arriving at this view I have had regard to local concerns, maintained to some degree by the Council, on the adequacy of Woodgate Road to serve the proposed development given its width and roadside parking. However, Woodgate Road, at approximately 4.8 metres wide, is sufficient to allow a car and lorry to pass. And, although the footpath to either side is narrow, highway verges provide sufficient space for pedestrians to step aside to allow another to pass. From what I saw cars parked on Woodgate Road would be more likely to beneficially slow traffic speeds down than to unduly hinder vehicle movements or be detrimental to highway safety. Without more substantial evidence to the contrary there are no grounds to differ from the conclusions of the previous inspector on this matter.

### **Affordable Housing**

35. The proposed development incorporates the provision of up to 30% affordable housing. The Council has provided substantial evidence on the need for such housing in the District as a whole and the appellant does not dispute the necessity for this to be secured by condition or legal agreement.
36. The Unilateral Undertaking submitted by the appellant makes provision for affordable housing. However, the Council is concerned that the absence of a specified cascade mechanism in the Undertaking calls into question whether it would deliver the affordable housing required.
37. Whilst I note the Council's concerns the Undertaking has been drawn up in a way that requires its written approval to a scheme providing details of: the number type and tenure of the housing; the timing of its construction in relation to the market housing units; the arrangements for the transfer of the affordable housing to an affordable housing provider; the arrangements to ensure that provision is affordable to both first and subsequent occupiers; and the occupancy criteria to be used for those who would occupy the housing. As such, it complies with the terms of conditions frequently used to secure affordable housing. In the absence of more substantial evidence I thus see no reason why the Undertaking would not satisfactorily secure its provision.
38. It is concluded that adequate measures are in place to secure the affordable housing element of the proposal. As such there would be no conflict with Local Plan Policy DEV7 on the provision of such housing.

### **Housing land supply**

39. In the previous appeal on this site it was concluded that the most pessimistic assessment of a 5 year housing land supply was of 3.8 years or less. However, he considered that this was unlikely to be borne out in practice but that the 5 year supply would be no more than about 4.7 years based on the need for a 20% buffer.
40. It is common ground between the parties that there remains an absence of a 5 year land supply and that paragraph 49 of the Framework therefore applies. This says that in such circumstances relevant policies for the supply of houses should not be considered up to date. However, the parties differ on the extent of the shortfall. The Council contends that there is a 4.6 year supply whilst the appellant says that there is a 3.4 year supply.
41. There is agreement between the parties that the available housing land supply for the relevant 5 year period (2013 - 2018) is 3,050. However, the Council considers that the housing requirement for this period is 3,450 dwellings (having regard to a 5% buffer) whereas the appellant contends that the figure should be 4,527 dwellings (having regard to a 20% buffer). It is this which gives rise to the difference in view on the 5 year land supply.
42. The Council bases its view on the findings in appeal decision APP/C3810/A/12/2180855 (the Garden Crescent appeal) made in January 2013. Here the Inspector acknowledged the Government's then stated intention to revoke the South East Plan (SEP) but said that it currently provided the only realistic basis for assessment of housing need in the District. He gave little weight to the emerging Arun District Local Plan given that it was still at an early stage. His finding on the 5 year housing requirement for 2013 - 2018



was based upon the South East Plan figure and an additional element arising from a frontloading of undersupply between 2006 -2012. The 5% buffer was applied because, although there was a shortfall in some years, for 2 years housing delivery exceed the requirement and for 1 year fell only slightly below it. He did not regard this as a pattern of persistent under delivery of a kind which according to the Framework would justify a 20% buffer. In applying the 5% buffer the Inspector discounted the appellant's view that account should be taken of undersupply pre 2006. This was because nothing in the relevant Policy in the SE Plan indicated that such undersupply should be added to the Plan's housing requirements.

43. The appellant contends that the findings in the Garden Crescent appeal, which predates the revocation of the SEP, have been overtaken by events. Following the revocation of that plan the development plan comprises the Local Plan and saved Policy GEN5 sets out the housing requirement in the period 1996-2011 against which previous under delivery can be assessed. The Council has recently determined a locally generated housing requirement of 10,410 for the period 2011-2029 using an up-to-date evidence base. The appellant contends that with this information, and housing completion dates for the period 2012-2013, the Council had the necessary data to have calculated an up-to-date housing land supply assessment but chose not to.
44. It is based on the above, and assuming that a shortfall in the previous 5 year plan period should be added to the baseline requirement and that a 20% buffer should be added to the figure for the period 2013 – 2018, that the appellant arrives at his housing land supply figure. The 20% buffer is justified on the basis of a consistent under delivery against current development plan housing targets in every 5 year period between 1996 and 2011 and because of an under delivery in 2011-2013.
45. On the appropriate buffer to apply, which appears to be a major ground of contention between the parties I favour the assessment of the Council. The Garden Crescent decision is fairly recent and is particularly thorough in its assessment of the principle of the SEP undersupply, which in part informed the decision on the appropriate buffer. I find the approach taken on this matter, that nothing in the relevant Policy in the SE Plan indicated that such undersupply should be added to the housing requirement, to be persuasive. As such I attach greater weight to this decision than some earlier decisions, including that on the appeal site, which adopted a 20% buffer. Without more substantial evidence from the appellant I am not convinced that the housing requirement set out in Local Plan Policy GEN5 should have any substantial bearing on the buffer to be applied. Nor do the latest housing completion figures support the appellant's argument in this regard for they show higher recorded completion figures for certain periods than the projected figures submitted on the previous appeal decisions on this site and the Garden Crescent site.
46. I can see some merit in the appellant's argument that the Council should now be using the locally generated housing requirement figure rather than the one in the SEP. However, the appellant has given no clear indication as to how using this figure supports his conclusion on the level of housing land supply. Nor is there any substantial evidence to support a view that a previous undersupply should be added to the locally generated figure.

47. Drawing together my views on housing need I see strengths and potential weaknesses in both parties' cases. However, with the Council having made a stronger case on the appropriate buffer, and the appellant giving no clear indication on how the locally generated figure supports his case, I am inclined to give greater weight to the Council's assessment. That said the provisions of paragraph 49 of the Framework still remains engaged.

### **Other matters**

48. The predominant local concerns relate to the highway safety and sustainability, matters already covered above. Additionally there are concerns on matters such as flooding, foul sewerage, harm to trees and loss of wildlife. I am satisfied from the appellant's detailed appraisals on these matters, and the consultation responses of statutory undertakers, that there would be no unacceptable harm in these respects. The impact of the proposed development on the living conditions of those in Woodgate Road, on grounds of noise and disturbance would be no greater than in many residential areas. Concerns on overlooking could have been dealt with at reserved matter stage. From all the evidence before me concerns that schools and doctor's surgeries would be oversubscribed need not stand against the proposal. Although on the previous appeal the Inspector found some limited harm to the character and appearance of the area from all that I saw, and from the evidence of both parties, this would not be the case with the current proposal.

49. As I am minded to dismiss the appeal Regulation 122 of the Community Infrastructure Regulations (CIL), on the limitation on the use of planning obligations does not apply. It is thus unnecessary in the determination of this appeal to assess the submitted obligation against its tests.

### **Conclusion**

50. The Framework has a presumption in favour of sustainable development and the absence of a 5 year housing land supply means that development plan policies on the provision of housing are out of to date. In such circumstances permission should be granted for development unless any adverse impact of so doing would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole.

51. In support of the proposed development it would contribute to the economy and provide needed houses, including affordable houses, in an area where there is an absence of a 5 year housing land supply. Moreover, objections raised by the Council on highway safety, and other concerns raised by third parties, should not for the reasons given above stand against the proposal.

52. However, the proposed development would be in an unsustainable location. It would not provide development sufficiently accessible to local services and would encourage travel by car which would impact adversely on the use of natural resources and the need to adapt to climate change including moving to a low carbon economy. I find this to be the decisive consideration in this case and it is so regardless of which parties' housing land supply assessment I take into account. Even on the lower figure propounded by the appellant the harm referred to above would outweigh the advantages of the proposal. I am of this view notwithstanding the delays to the production of the emerging Local Plan and consequent delays in allocating sites.

53. For the reasons given above it is concluded that the appeal should be dismissed.

*RJ Marshall*

INSPECTOR

Richborough Estates

## APPEARANCES

### FOR THE LOCAL PLANNING AUTHORITY:

Mr E Grant	Of Counsel (Instructed by the Council Solicitor)
He called	
Mr P Cleveland MSc	Senior Planner
MRTPI	
Mr T Townsend AMCIHT	Of the County Highway Authority

### FOR THE APPELLANT:

Mr G Keen	Of Counsel (Instructed by Strutt and Parker)
He called	
Mr P Collins BA (hons)	Of Strutt and Parker
DipTP MRTPI	
Mr P Bell BEng(Hons)	Director of Motion Consultants Limited
MCIT MILT MIHT	

### INTERESTED PERSONS:

Mr M Burton	Local Resident
Mrs C Hastings	Local Resident
Mr M Turner	Chair of Village Action Group

## DOCUMENTS

- 1 Letters of notification of hearing and those notified.
- 2 Opening Statement for Council.
- 3 Opening Statement for appellant.
- 4 Letter of 9 Sept 2013 from Gateway TSP to Mr Bell.
- 5 E mail of 9 Sept 2013 from T Townsend to E Grant.
- 6 Appellant's documents re Mitcham crossing.
- 7 Council document on pedestrian refuge islands.
- 8 E Mail of 9 Sept 2013 from E Munns to T Townsend.
- 9 Appeal decision APP/C3810/A/11/2155343.
- 10 Additional condition.
- 11 Plans.
- 12 Council's Closing submissions.
- 13 Appellant's Closing submissions.