



The Planning Inspectorate

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Head of Development Control
Horsham District Council
Park North
North Street
Horsham
West Sussex
RH12 1RL

Your Ref: DC/14/2248
Our Ref: APP/Z3825/W/15/3022944

09 July 2015

Dear Head of Development Control,

Town and Country Planning Act 1990
Appeal by Castle Land & Development LLP
Site Address: Land West of Smock Alley, West Chiltington, West Sussex, RH20
2QS

I have received appeal forms and documents for this site. I am the case officer, if you have any questions, please contact me.

I have checked the papers and confirm that the appeal(s) is valid. If I later find out that this is not the case, I will write to you again.

The procedure and starting date

The appellant(s) asked for this appeal(s) to be dealt with by the Inquiry procedure. However, we have applied the criteria and considered all representations received, including the appellant(s) preferred choice. We consider that the Hearing procedure is the most suitable for this appeal for the following reason(s):

We have carefully considered the views of both parties and reviewed the evidence currently before us. It would appear to us at this stage that a single day would be insufficient to cover all the issues at appeal, including any raised by interested parties. Adding a site visit, possible discussion over contributions and conditions, a two day event looks more appropriate. Having regard to the reference to a draft statement of common ground, it would suggest a number of matters are agreed between the main parties, with sustainability and landscaping remaining in dispute. We consider that on balance, the issues would suit a Hearing, in particular the ability for discussions to continue on site, and are not convinced that the case for an inquiry has been demonstrated. Also, in our view, there is not a proven need for formal cross-examination in order to aid an Inspector to come to a view on the matters at issue, as set out in the Council's refusal notice and the appellant's statement of case. Instead the Inspectorate considers that these can be dealt with satisfactorily by an Inspector acting inquisitorially at a hearing. To confirm, the appeal will follow the Hearing procedure, with a two day event arranged.

We therefore intend to determine this appeal(s) by this procedure.

The date of this letter is the starting date for the appeal(s). The timetable for the appeal(s) begins from this date.

Sending documents to us and looking at the appeal

If you post your documents, please:

- send one copy of the questionnaire and its supporting documents;
- send two copies of other documents as specified below;
- put the full appeal reference number on each copy.

If you email them please quote the full appeal reference number(s). Guidance on communicating with us electronically can be found at: www.planningportal.gov.uk/planning/appeals/guidance

Where applicable, you can use the Internet to submit documents, to see information and to check the progress of cases through the Planning Portal. The address of our search page is - www.planningportal.gov.uk/planning/appeals/online/search

Keeping to the timetable

You must keep to the timetable set out below and make sure that you send us the relevant documents within these deadlines. This will mean that we can deal with the appeal(s) promptly and fairly. If you do not send us the relevant documents in time, the Inspector will not normally look at them and we will return them to you unless there are exceptional reasons for accepting them. You must note the details of the following timetable because we will not send any reminders.

The following documents must be sent within this timetable.

By 16 July 2015

You must notify any person who was notified or consulted about the application in accordance with the Act or a development order and any other interested persons who made representations to you about the application, that the appeal(s) has been made. You should tell them:-

- i) that any comments they made at application stage will be sent to me and the appellant(s) and will be considered by the Inspector (unless they withdraw them within the 5 week deadline). If they want to make any additional comments they must submit 3 copies within 5 weeks of the starting date, by 13 August 2015. If comments are submitted after the deadline, the Inspector will not normally look at them and they will be returned;
- ii) when and where the appeal documents will be available for inspection;
- iii) that the Planning Inspectorate will not acknowledge representations. We will, however, ensure that letters received by the deadline are passed on to the Inspector

dealing with the appeal(s);

iv) that they can get a copy of our booklet 'Guide to taking part in planning appeals proceeding by Hearing' either free of charge from you, or on the Planning Portal (www.planningportal.gov.uk); and

v) that the decision will be published on the Planning Portal.

You must send a copy of a completed appeal questionnaire and supporting documents, a copy of your notification letter and a list of those notified to the appellant(s) and me. You have the opportunity to state your preferred choice of procedure by answering Question 1 of the appeal questionnaire.

By 13 August 2015

Please send me 2 copies of your statement giving full details of the case which you will put forward at the hearing including copies of any documents (maps, plans etc) to which you will refer. It is best practice to provide a summary of your statement. This summary should not be more than 500 words long.

I will send a copy of your statement (and summary) to the appellant(s) and you must send a copy of your statement and (summary) to any statutory parties. I will also send you and the appellant(s) a copy of any comments received from other interested persons or organisations.

You must also submit a copy of the completed agreed statement of common ground, listing all matters agreed. Further guidance on producing statements of common ground (and a model form) is available from www.planningportal.gov.uk/pcs.

Planning obligations - section 106 agreements

A planning obligation, often referred to as a 'section 106 agreement', is either a legal agreement made between the LPA and a person 'interested in the land' or a legally binding undertaking signed unilaterally by a person 'interested in the land'. If you intend to submit a planning obligation, you must read the guidance provided on our Planning Portal – www.planningportal.gov.uk/planning/appeals/guidance. A final draft, agreed by all parties to it, must be submitted to me no later than 10 days before the hearing opens.

Statutory parties

'Statutory parties' are owners or tenants of the application/appeal site who made comments within the time limit on the application, or who do so on appeal. You must give details of any statutory parties at application stage on the questionnaire. I will tell you about any statutory parties who write to us at appeal stage, before your statement of case is due.

Withdrawing the appeal(s)

If you hear that the appeal(s) is to be withdrawn, please telephone me immediately. If I receive written confirmation of this from the appellant(s), I will write to you.

Costs

The appellant(s) has been directed to our Planning Portal for further information regarding costs – www.planningportal.gov.uk/planning/appeals/guidance/costs. You should also be aware that costs may be awarded to either party.

Additionally, a Planning Inspector or the Secretary of State may on their own initiative make an award of costs, in full or in part, if they judge that a party has behaved unreasonably resulting in unnecessary appeal expense.

Further information

Further information about the appeals process can be accessed at - www.planningportal.gov.uk/planning/appeals/guidance. I recommend that you read the relevant guidance.

Yours sincerely,

Simon Dunn

Simon Dunn