

Planning Application Reference: DC/26/0266

Proposal: Demolition of existing buildings and the redevelopment of the site to provide 150 dwellings, including affordable housing, land for the community land trust, works to public right of way and associated landscaping, open space and infrastructure.
(AMENDMENTS INCLUDING AMENDED PLANS, SITE LOCATION PLAN AND RED LINE BOUNDARY)

Response to Thakeham Parish Council's Consultation Response

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EXECUTIVE SUMMARY

This representation concerns Thakeham Parish Council (“**TPC**”) substantial change of consultation position on the 2026 Application, from its previously sustained “**STRONGLY OBJECT**” position to a conditional “No Objection”.

The purpose of this representation is to bring to Horsham District Council’s (“**HDC**”) attention the planning history, relevant evidence and outstanding questions arising from TPC’s change of consultation position and the revised development proposal. It does not suggest that TPC was not entitled to change its position, nor does it allege impropriety. Rather, it presents a detailed examination of the circumstances surrounding the change, the proposed land transfer, and the extent to which the substantive planning concerns previously raised have been addressed.

TPC’s opposition to the previous 2024 Application for 247 dwellings was extensive. It raised concerns including the scale and sustainability of the development, traffic and transport, infrastructure, drainage and SuDS, water neutrality, education and school capacity, landscape, settlement character and cumulative development. TPC maintained those objections during the subsequent appeal. The appeal was dismissed on 13th June 2025, with the Inspector finding, among other matters, that the 2024 scheme conflicted with the spatial strategy because of its nature and substantial scale and its poor relationship with facilities and services, particularly by sustainable modes of travel. The Inspector also found that the proposed measures could not overcome the location disadvantages or materially reduce reliance on private vehicles.

The 2026 Application contains material changes, most notably a reduction from 247 to 150 dwellings and the proposed transfer of substantial areas of greenspace and habitat land to TPC. The Applicant states that the land would be transferred to TPC for a nominal sum of £1, with TPC owning, managing and maintaining it. TPC’s own consultation response states that, after its earlier objection, it was approached by the Applicant with an offer of substantial community greenspace and a revised plan reflecting that offer. TPC’s revised “No Objection” is expressly conditional upon the proposed community benefits and freehold transfer being secured through legally binding arrangements, and TPC states that its position would be withdrawn if those arrangements were

not secured.

These circumstances do not establish that TPC acted improperly. They do, however, make it important for HDC to distinguish between two separate matters: first, the planning merits and legal basis of the proposed land transfer and associated community benefits; and second, the circumstances and appropriate weight of TPC's revised consultation position.

The key question for HDC is therefore whether TPC's substantive previous planning concerns have been resolved by the 2026 Application, and, if so, by what evidence and to what extent. In particular, HDC is invited to consider whether the reduction from 247 to 150 dwellings materially addresses the previously identified concerns regarding settlement scale, sustainability, accessibility, transport, reliance on private vehicles, infrastructure, water, drainage, flooding, education, landscape and settlement.

This question is particularly relevant in light of the latest West Sussex County Council Highways consultation response. WSCC Highways initially recorded "No Objection" with conditions on 2nd September 2026, but subsequently changed its position on 21st September 2026 to "Objection / More Information". It identified the removal of the previously proposed demand-responsive transport service as increasing reliance on private vehicles and concluded that the amended transport package did not sufficiently encourage or enable sustainable travel.

HDC is invited to consider this representation as a whole, together with the application documents and other relevant representation and consultation responses, in accordance with its planning responsibilities. The matters raised are presented for HDC's considerations; the assessment of their relevance and weight, the planning merits of the revised proposal, and the determination of the application remain matters for HDC.

A. Purpose of Representation

1. In the extra-ordinary meeting held on 15th September 2026 (“**Extra-Ordinary Meeting**”), Thakeham Parish Council (“**TPC**”) passed a resolution to withdraw its “**STRONGLY OBJECT**” position and replace it with a “No Objection” stance for the Applicant’s current application for 150 dwellings (“**2026 Application**”).
2. TPC then submitted a 3-page consultation response for the 2026 Application dated 16th September 2026 (“**TPC’s Consultation Response**”).
3. As a resident in Thakeham, I am writing to invite Horsham District Council (“**HDC**”) to consider:-
 - the circumstances and reasons for TPC’s substantial change of position; and
 - the weight that should properly be given to TPC’s revised position in light of those circumstances.
4. This representation does not invite HDC to substitute its own judgment for that of TPC, nor does it suggest that TPC’s Consultation Response is invalid. Rather, the purpose is to distinguish between the circumstances and weight of TPC’s revised consultation position and the separate question of whether the 2026 Application itself satisfactorily addresses the substantive planning concerns previously identified in relation to the site. HDC is invited to determine the latter question independently, having regard to all current material planning considerations and the latest consultee evidence.

B. TPC’s Documented “STRONGLY OBJECT” Position in the 2024 Application

5. The Applicant submitted an application for 247 dwellings at the same former Thakeham Mushroom Site on 11th January 2024 under Application Number DC/24/0021 (“**2024 Application**”).
6. TPC submitted two consultation responses to HDC on the 2024 Application:-

- a. The first 62-page response attached with Technical Note: Transport Assessment Review prepared by Motion upon TPC's instructions was received by HDC on 8th February 2024 ("**TPC's 1st Response**"); and
 - b. The second 4-page response was dated 4th June 2024 ("**TPC's 2nd Response**").
7. In the TPC's 1st Response, the strong objection of TPC covered a number of important planning issues against the 2024 Application such as:-
- a. sustainability of Thakeham's location;
 - b. the scale of development, namely 247 dwellings;
 - c. traffic and transport;
 - d. education resource impact;
 - e. infrastructure;
 - f. water neutrality;
 - g. landscape;
 - h. ecology;
 - i. settlement character;
 - j. cumulative development; and
 - k. proportional impact of the 247 dwellings.
8. The TPC's 2nd Response was specifically prepared in response to Bellway/Savills' attempt to address TPC's 1st Response. TPC expressly stated that the Applicant had not addressed its substantive objections. For example, TPC:-
- a. maintained that Thakeham remained a small village with very limited facilities;
 - b. raised that the cumulative effect of multiple developments, including concerns about aquifer capacity;
 - c. regarded the additional 247 dwellings as severely aggravating the village's existing over-development;
 - d. maintained concerns about the site's location and layout, including the scale and height of the southern flats and effects on existing properties;
 - e. endorsed the LLFA's concerns regarding SuDS;
 - f. maintained that the development had not conclusively demonstrated water neutrality;

- g. raised serious concerns regarding education, walking/cycling accessibility and school capacity;
 - h. most significantly, stated in its conclusion that the Applicant had failed to demonstrate significant additional community benefits and had failed to understand its objections; and
 - i. then specifically stated that the Applicant had not attempted to address the traffic and transportation objection, and that the WSCC Highways Authority report of 3rd June 2024 actually strengthened those concerns.
9. The 2024 Application was refused by HDC on 31st July 2024 (“**Refusal Decision**”).

C. TPC’s Continued Opposition during the Appeal

10. On 13th August 2024, the Applicant appealed against the Refusal Decision under Appeal Ref: APP/Z3825/W/24/3350094 (“**Appeal**”)
11. During the Appeal, TPC submitted three representations maintaining its “STRONGLY OBJECT” position:-
- a. A 1-page Representation received by HDC on 13th February 2025 (“**TPC’s 1st Representation**”);
 - b. An 18-page Representation received by HDC on 13th February 2025 (“**TPC’s 2nd Representation**”); and
 - c. A 9-page Representation received by HDC on 22nd April 2025 and 15th May 2025 (“**TPC’s 3rd Representation**”).
12. In the TPC’s 1st Representation, TPC stressed that the 2024 Application proposed further housing development in Thakeham and that additional housing development in the small village, in its view, was beyond sustainable levels.
13. Further, TPC expressly stated in the TPC’s 2nd Representation that it was against the Appeal, supported Refusal Decision, and stood by its original objections to the 247 dwellings as TPC’s 1st Response and TPC’s 2nd Response.

14. After reviewing 40+ additional documents containing 1,000+ pages from Bellway, TPC subsequently emphasised in the TPC's 3rd Representation that it *"still stand by our original objections and submissions"*.
15. The Appeal was finally dismissed on 13th June 2025 ("**Appeal Decision**") by H Nicholls, an Inspector appointed by the Secretary of State ("**Inspector**").
16. The issues and concerns raised by TPC in its above responses and representations were also considered by the Inspector in determining the Appeal. In paragraph 65 of the Appeal Decision, the Inspector found, among other matters, that:-

"I have found that the proposed scheme would conflict with the spatial strategy of the HDPF [Horsham District Planning Framework (adopted 2015)] and TNP [Thakeham Neighbourhood Plan (adopted 2017)] in relation to its nature, substantial scale and poor relationship to facilities and services, particularly by sustainable modes of travel. The proposed facilities within the scheme, improvements to various PROWs [Public Right of Way], bus service improvements and associated travel plan measures could not overcome the location disadvantages of the site or materially reduce the reliance on private vehicles. I also find that there are sequentially preferable sites in flood risk terms, which is a further harm that weighs against the scheme."

D. Material Changes in the 2026 Application

17. The 2026 Application contains modifications from the 2024 Application, including a reduction of scale of development from 247 to 150 dwellings and a proposed land transfer to TPC ("**Proposed Land Transfer**").
18. As far as the Proposed Land Transfer is concerned, the Applicant stated in paragraph 2.5 of its Planning Statement Addendum for the 2026 Application:-

"Extension to the application site area to include the greenfield land to the west of the footpath (PROW 2474) within the Applicant's ownership."

*The use of the land to the west of the footpath is proposed to be changed from agriculture to public open space and enhanced habitat land. The proposed features within this area include a circular recreational route, woodland walks, extensive play provision, lookout points, meadow habitat, a wildlife pond, a small car park, and a storage and maintenance building. **This land, together with the public open space proposed as part of the original development, will be transferred to Thakeham Parish Council (TPC), which will be responsible for its ongoing delivery, management, and maintenance.** It is proposed that the detailed design and layout of the new public open space and associated play facilities and hard and soft landscaping will be secured by planning condition(s)". (**emphasis added**)*

19. In the Bellway Residents' Questions and Answers, the Applicant subsequently provided more information about the Proposed Land Transfer:-

"Q4. Who will own and manage the public open space?

*The intention is for **the majority of the public open space and habitat land to be transferred to Thakeham Parish Council, for a nominal sum of £1.** The important point is that the Parish Council would own and control the land itself. The current intention is not to place the land under the control of a private estate management company. The Parish Council would be responsible for managing and maintaining the land in accordance with an agreed Management and Maintenance Plan." (**emphasis added**)*

20. The Applicant's statements indicate that the Proposed Land Transfer forms part of the amended development proposal.
21. However, the information presently available from TPC raises additional questions concerning the Proposed Land Transfer which are not fully explained by the Applicant's published description.
22. As shown in the Appendix, the Clerk to TPC sent his reply dated 17th September 2026 to the questions raised in my email message on the previous day, i.e. 1 day after the Extra-Ordinary Meeting. The Clerk's

reply raises material questions concerning the proposed legal mechanism, the possible relationship between the transfer and TPC's consultation position, and the extent to which any transfer might arise independently through planning obligations. The correspondence reproduced below does not by itself establish that the land transfer was conditional upon TPC's consultation position; it does, however, indicate that the legal mechanism and relationship between the transfer and the consultation position were not fully clear from the published application documents:-

Q1: there will be a separate legal agreement between TPC and Bellway for the arrangement of transfer of land to west of the footpath (PRoW 2474)

Ans1: *It is my understanding that there would be an agreement set up between the Council and the developer via the S106 route (HDC). If this were the case, to stop any future variations of the agreement by the developer (in any future planning applications) - the Parish Council would have an additional legal agreement (as insurance).*

Q2: the transfer of land will be subject to TPC's "No Objection" to be submitted to Horsham District Council (HDC) if Bellway's revised application is approved by HDC

Ans2: **Potentially Yes.** *HDC and the S106 process could override this. As Bellway have included the land in with the application - it will form part of HDC's decision and as the LPA - they will have final say.*

Q3a: there will be no transfer of land if TPC continues its "Strongly Object" stance in the following scenario:-
Bellway's revised application is approved by HDC

Ans3a: **Potentially Yes.** *However, there will be some transfer of land by means of an S106 agreement to be decided by the HDC and the developer due to the BNG and conditions regarding the previous application on the site.*

Q3b: there will be no transfer of land if TPC continues its "Strongly Object" stance in the following scenario:-
Bellway's revised application is refused by HDC but eventually

allowed on appeal

*Ans3b: **Potentially Yes**. Dependant on the outcome of the appeal. During the previous appeal, Bellway and HDC discussed mitigation terms which involved land coming to TPC and/or a large cash sum. This S106 may still exist as a document within HDC.*

(emphasis added)

E. TPC's Historic Request Concerning the Land West of PROW 2474

23. It is worth drawing HDC's attention to the TPC's 1st Response. While TPC stood firm in its "STRONGLY OBJECT" position against the 2024 Application (see paragraph 7 above), it further submitted a recommendation as follows:-

"2.16 The applicant has stated that the Land to the West of PROW bridleway THA/2474/1 is intended for Greenspace/recreational use.

*Therefore, TPC recommend that **as a condition** of any sort of development, then **the land is either transferred to the Parish or to HDC in perpetuity** as a green corner to protect against settlement coalescence and overdevelopment of the site for future generations."*

(emphasis added)

24. Paragraph 2.16 provides a clear basis for TPC welcoming this aspect of the revised scheme. It does not, however, demonstrate that TPC would withdraw its objections to the development as a whole if the land were transferred. TPC nevertheless maintained its "STRONGLY OBJECT" position in relation to the 2024 Application, notwithstanding its recommendation that the land be transferred to the Parish or HDC in perpetuity as a condition of any development.

F. Circumstances Surrounding TPC's Change of Stance

25. The modifications in the 2026 Application do not, without further analysis, demonstrate that the substantive planning concerns previously identified by TPC and considered by the Inspector as shown in the Appeal Decision have been resolved. In particular, HDC is requested to consider whether

the revised proposal materially alters the matters concerning settlement scale, accessibility, sustainable transport, reliance upon private vehicles and the other planning considerations identified in the Appeal Decision and in TPC's previous responses and representations in the 2024 Application.

26. In this regard the relevant question is therefore not simply whether the 2026 Application is materially different from the 2024 Application, but whether the changes are sufficient to address the specific planning harms identified by the Inspector in the Appeal Decision.
27. I would like to emphasise that TPC's original objection to the 2024 Application and the Appeal covered a range of substantive planning issues, as summarised in paragraphs 7 and 8 above in addition to its specific recommendation concerning the land west of PRow 2474 in the above Section E.
28. TPC's 2024 response stated that transfer of land was intended to protect against settlement coalescence and overdevelopment and to preserve greenspace for future generations. HDC is invited to consider the extent to which the Proposed Land Transfer in the 2026 Application now achieves those objectives, and whether that explains only TPC's support for the land-transfer element or also its withdrawal of opposition to the development as a whole.

G. Matters from TPC's 2024 Objection requiring Explanation

29. A comparison of TPC's position between the 2024 Application and the 2026 Application is prepared for HDC's easy reference:-

TPC's Concerns in 2024 Application	Questions for 2026 Application to be answered
Scale and proportional impact of development	Does the reduction from 247 to 150 dwellings materially address TPC's previous concerns about the scale of development, its proportional impact on the village, and the appropriateness of the development in its local context?

Sustainability and location	Has the revised proposed materially addressed the previously concerns about Thakeham's limited facilities, the site's relationship to those facilities, and the sustainability of the location, particularly in light of the Inspector's findings in the Appeal?
Traffic / sustainable transport	Has the evidence materially changed the previous concerns regarding traffic generation, accessibility, sustainable transport and reliance on private vehicles? <i>See Section H below concerning the subsequent WSCC Highways response dated 21st September 2026.</i>
Infrastructure, including Water neutrality / water resources / education	Have the revised proposal and supporting evidence adequately addressed the previous concerns about infrastructure capacity, including water neutrality, aquifer capacity, education provision and school capacity?
Landscape / settlement character	Do the revised layout, landscaping and open-space proposals materially address the previous landscape impact and the character and setting of the settlement?
Ecology	Do the revised ecological assessments and mitigation or enhancement proposals adequately address the ecological concerns previously raised by TPC?
Cumulative development	Has the 2026 Application adequately assessed and addressed the cumulative impact of this proposal alongside other existing, approved or proposed development in Thakeham, including the resulting pressure on local infrastructure and services?
Green-space aspiration	Does the proposed transfer to TPC materially achieve the specific objectives identified in paragraph 2.16 of TPC's 1 st Response?

30. On the information presently available, TPC's "No Objection" does not identify in sufficient detail:-

- a. which of its substantive 2024 objections it considers to have been resolved by the 2026 Application;
- b. what evidence supports those conclusions; or
- c. what weight it has given to matters which it expressly continues to recognise, including increased traffic, the absence of public transport and reliance upon private vehicles.

31. TPC's Consultation Response now provides further evidence concerning the circumstances of its change of position. TPC expressly states that:-

- a. after its objection to the 2024 Application, it was approached by the Applicant with an offer of substantial community greenspace and a revised plan reflecting that offer;
- b. its "No Objection" is strictly conditional upon the proposed community benefits and the freehold transfer of the specified community land to TPC being secured through a legally binding Section 106 agreement and/or other legally binding agreement; and
- c. if the Applicant fails to enter into that agreement or the land is omitted from the final proposals, its "No Objection" is automatically withdrawn.

32. TPC's Consultation Response itself recognises the potential difficulty in distinguishing the proposed community benefit from its consultation position. TPC therefore states that:-

- a. continuing to object to the 2026 Application could be perceived as an attempt to leverage further concessions through the Section 106 process; and
- b. while support for the 2026 Application could be perceived as accepting an offering in return for a favourable decision.

This does not suggest that either proposition establishes impropriety. Rather, TPC's own acknowledgement, together with the chronology and

express conditionality of its response, provides a proper basis for HDC to distinguish between the planning merits of the Proposed Land Transfer and the circumstances and weight of TPC's revised consultation position.

33. In determining the weight properly attributable to it, HDC is respectfully asked to:-

- a. consider the circumstances surrounding TPC's revised "No Objection"; and
- b. determine independently whether the substantive planning concerns previously identified in relation to the site have been materially resolved by the 2026 Application.

H. WSCC Highways' Change of Position from "No Objection" (with conditions) to "Objection / More Information"

34. TPC's Consultation Response itself indicates that some substantive transport concerns remain relevant. TPC:-

- a. continues to recognise that the 2026 Application would add a considerable number of vehicles to the local road network;
- b. describes the relevant location as dangerous;
- c. acknowledges that there is no public transport provision within the revised proposal; and
- d. accepts that future residents are likely to be car users.

Its revised consultation position does not, on its face, establish that its previous concerns regarding accessibility, sustainable transport and reliance upon private vehicles have been resolved.

35. This is particularly significant when considered alongside the subsequent response of the West Sussex County Council Highways Authority ("**WSCC Highways**").

36. On 2nd September 2026, WSCC Highways submitted a response recording "No Objection" (with conditions) subject to conditions in relation to the 2026 Application. Following further information and amendments, WSCC

Highways issued a second consultation response dated 21st September 2026, expressly changing its recommendation to “Objection / More Information”.

37. Of particular significance, WSCC Highways expressly states that the demand-responsive transport service previously proposed is no longer proposed and then concludes that:-

“The removal of any form of public transport provision would further increase the reliance on the private vehicle.”

WSCC further records that the majority of the remaining sustainable-transport measures were already promoted through the previous application and that the previous WSCC comments, together with the Inspector’s findings, indicate that those measures would not reduce reliance on the private vehicle.

38. WSCC Highways therefore considers that the present amended transport package proposed does not sufficiently encourage or enable environmentally sustainable means of travel, including walking, cycling and public transport, so as to minimise the impact of car journeys. It concludes that the proposal would not achieve this objective and would conflict with the identified transport policies, including NPPF 2026 Policies TR3 and TR6 as well as Horsham Local Plan Policy 40.
39. Moreover, WSCC Highways does not regard the proposed traffic-calming measures as sufficient to resolve those concerns. Although traffic calming could reduce vehicle speeds and potentially encourage a minor increase in pedestrian trips, WSCC expressly states that the localised pedestrian network is not itself the principal barrier to sustainable travel and that the proposed traffic-calming scheme would not address the concerns raised in the previous application. WSCC has requested further information, including scheme drawings, a Stage 1 Road Safety Audit and appropriate consultation.
40. The latest WSCC Highways response provides an important independent evidential basis for HDC’s assessment of whether the transport concerns previously identified have materially been resolved. This is important

given that the Inspector's previous finding that the facilities, PROW improvements, bus service improvements and travel-plan measures associated with the 2024 Application could not overcome the local disadvantage or materially reduce reliance upon private vehicles.

I. Planning and Legal Significance of the Proposed Land Transfer

41. Under Article 25(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, HDC is required to take into account representations made by TPC. TPC's Consultation Response must therefore be taken into account, but it is not determinative of the planning merits of the 2026 application. HDC must reach its own planning judgment having regard to all relevant material considerations and the evidence before it.
42. In particular, the circumstances surrounding the change of position are potentially relevant to the context and weight of TPC's Consultation Response. TPC would acquire a direct land ownership benefit proposed to be transferred as part of the amended development scheme, if planning permission is granted and the proposed arrangements are completed. That circumstance does not of itself establish bias, predetermination, impropriety or invalidity of TPC's response. Rather, it reinforces the need for HDC to consider TPC's change of position separately from the independent planning merits of the Proposed Land Transfer and the 2026 Application as a whole.
43. The Supreme Court's decision in ***R (Wright) v Resilient Energy Severndale Ltd*** [2019] UKSC 53 is relevant to the assessment of the Proposed Land Transfer as a planning consideration. The Court reaffirmed the long-established principle that planning permission cannot be bought or sold and explained that a proposed benefit must have a proper planning purpose and sufficient relationship with the development. My present representation does not allege that the Proposed Land Transfer constitutes an unlawful inducement. In light of the chronology and the express conditionality of TPC's revised position, HDC should ensure that the proposed transfer is assessed on its own merits and is not treated as a substitute for assessing whether the development itself is acceptable in

planning terms.

44. If the Proposed Land Transfer is intended to form part of a planning obligation, HDC should also identify the legal mechanism by which it is to be secured and consider the requirements of Regulation 122(2) of the Community Infrastructure Levy Regulations 2010. In particular, a planning obligation may only constitute a reason for granting planning permission if it is necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. The fact that the transfer may provide a substantial community benefit does not, by itself, establish that these statutory requirements are satisfied.
45. The factual circumstances in ***R (Hampton Bishop Parish Council) v Herefordshire Council*** [2013] EWHC 3947 (Admin) are also relevant. In that case, on the facts before the Court, the proposed transfer of land to the Council for a nominal sum of £1 formed part of a Section 106 arrangement and was considered by the planning committee as a material planning consideration. The case illustrates that a land transfer at a nominal consideration can, depending upon its planning purpose and relationship to the development, constitute a legitimate planning consideration. It does not, however, remove the need in the present case for HDC to establish the planning purpose, legal mechanism and relationship of the Proposed Land Transfer to the 2026 Application.
46. The two issues should therefore be kept separate in HDC's assessment:-
 - a. The Proposed Land Transfer: whether it is a legitimate and material planning consideration, and, if secured through a planning obligation, whether the applicable statutory tests are satisfied; and
 - b. TPC's Consultant Response: what weight should be given to its revised "No Objection", having regard to the circumstances in which that position was reached and the extent to which TPCs previous planning concerns have been addressed by the 2026 Application.

J. Requests to HDC

47. HDC is respectfully invited to address, insofar as relevant and supported by the evidence before it, the following matters in its assessment of the 2026 Application:-
- a. TPC's original "STRONGLY OBJECT" stance and the planning reasons for it;
 - b. the circumstances, terms and legal basis of the Applicant's offer of land transfer, and the extent to which that offer and the associated community benefits formed part of the circumstances leading to TPC's change of consultation position, including the significance of TPC's statement that its "No Objection" is conditional upon those benefits being secured;
 - c. which of TPC's substantive 2024 objections it considers to have been resolved by the 2026 Application, by what evidence and to what extent;
 - d. the basis upon which TPC considers the revised 2026 Application has addressed potential flooding issues;
 - e. the extent to which TPC continues to recognise concerns regarding transport and reliance upon private vehicles, notwithstanding its revised consultation position;
 - f. the nature and value of the proprietary benefit which TPC would receive;
 - g. whether the Proposed Land Transfer is intended to constitute a planning obligation and, if so, whether it satisfies the statutory tests applicable to such an obligation;
 - h. the weight which HDC considers appropriate to give to TPC's revised "No Objection" representation having regard to all of those circumstances;
 - i. separately, the planning merits, materiality and legal basis of the Proposed Land Transfer, including its relationship to the 2026 Application, the statutory tests applicable to any planning obligation, and the extent to which the Applicant relies upon the Proposed Land Transfer as a planning benefit distinct from its relevance to TPC's Consultation Response.
48. Independently of TPC's consultation position and the Proposed Land Transfer, HDC should assess the material planning considerations arising

from the 2026 Application, including sustainability, infrastructure, transport, flooding, drainage, site levels, SuDS, public safety and residential amenity.

In particular, HDC should take into account the WSCC Highways response dated 21st September 2026, which changed its previous “No Objection” position to “Objection / More Information” and identified the removal of public transport provision as increasing reliance on private vehicles. WSCC further concluded that the revised proposal would not sufficiently encourage or enable environmentally sustainable means of travel.

TPC’s revised “No Objection” should therefore be considered as one consultee representation, rather than as evidence that the underlying planning issues have necessarily been resolved.

49. Thank you very much for your attention.


20 Nursery Rise
Thakeham
Pulborough
RH20 3RD
30th September 2026

Appendix

17/09/2026, 16:25

Gmail - Revised Planning Application for the Mushroom Site (DC/26/0266)



Revised Planning Application for the Mushroom Site (DC/26/0266)

2 messages

To: Thakeham Parish Clerk <abrown@thakehamparish.gov.uk>

Wed, Sep 16, 2026 at 3:55 PM

Dear Andrew,

I refer you to the Extra Ordinary Planning Meeting of the Thakeham Parish Council (TPC) in the Village Hall last evening.

Would you please confirm by return email whether my understanding of your information provided to the councillors about the negotiations/discussions by you on behalf of TPC and Bellways are correct:-

1. there will be a separate legal agreement between TPC and Bellways for the arrangement of transfer of land to west of the footpath (PRoW 2474);
2. the transfer of land will be subject to TPC's "No Objection" to be submitted to Horsham District Council (HDC) if Bellway's revised application is approved by HDC;
3. there will be no transfer of land if TPC continues its "Strongly Object" stance in the following scenarios:-
 - (a) Bellway's revised application is approved by HDC; or
 - (b) Bellway's revised application is refused by HDC but eventually allowed on appeal.

Your early reply will be appreciated.

Thakeham Parish Clerk <abrown@thakehamparish.gov.uk>
Reply-To: Thakeham Parish Clerk <abrown@thakehamparish.gov.uk>
To:

Thu, Sep 17, 2026 at 3:02 PM

Dear

Thank you for your email.

I have attempted to answer the questions below for you. I cannot speak for the developer or HDC in this instance, only for the Parish on the information I have to date. These discussions have been modelled on the previous discussions between TPC, a developer and HDC when deciding the previous Abingworth Meadows sites in relations to land for the buffer zone and allotments (which are still ongoing!!)

1. It is my understanding that there would be an agreement set up between the Council and the developer via the S106 route (HDC). If this were the case, to stop any future variations of the agreement by the developer (in any future planning applications) - the Parish Council would have an additional legal agreement (as insurance).

1/2

17/09/2026, 16:25

Gmail - Revised Planning Application for the Mushroom Site (DC/26/0266)

2. Potentially Yes. HDC and the S106 process could override this. As Bellway have included the land in with the application - it will form part of HDC's decision and as the LPA - they will have final say.
- 3a. Potentially Yes. However, there will be some transfer of land by means of an S106 agreement to be decided by the HDC and the developer due to the BNG and conditions regarding the previous application on the site.
- 3b. Potentially Yes. Dependant on the outcome of the appeal. During the previous appeal, Bellway and HDC discussed mitigation terms which involved land coming to TPC and/or a large cash sum. This S106 may still exist as a document within HDC.

I apologise for the potentials as we are in constant dialogue with HDC and Bellway as this situation unfolds. When we first met with Bellway they were requesting that we remove the Objection - but TPC couldn't agree any form of support. The neutral position is No Objection as used in planning terms for statutory consultees. As the dialogue continues, the wording and terms change. However, we have deadlines in which to submit comments as well as the fact that the process will be governed by S106 requirements laid out by HDC - to which the developer and ourselves can respond.

Should you have any further questions - please let me know.

Kind regards,

Andrew

Clerk, Thakeham Parish Council
07942 181695
thakehamparish.gov.uk

----- Original Message -----

From: [REDACTED]
To: "Thakeham Parish Clerk" <abrown@thakehamparish.gov.uk>
Date: 16/09/2026 15:55:01
Subject: Revised Planning Application for the Mushroom Site (DC/26/0266)
[Quoted text hidden]