Planning Inspectorate

Appeal Decision

Site visit made on 29 June 2026

by Claire Coles MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 August 2026

Appeal Ref: 6007104
Land adjacent to Cedar Cottage, Furners Lane, Henfield BN5 9HS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Thomas and Abi Cullum against the decision of Horsham District Council.
- The application Ref is DC/24/0535.
- The development proposed is erection of 2no. pairs of semi-detached dwellings and 1no. detached dwelling together with upgraded access onto Furners Lane. Associated hard and soft landscaping works.

Decision

1. The appeal is allowed and planning permission is granted for erection of 2no pairs of semi-detached dwellings and 1no detached dwelling together with upgraded access onto Furners Lane and associated hard and soft landscaping works at Land adjacent to Cedar Cottage, Furners Lane, Henfield BN5 9HS in accordance with the terms of the application, Ref DC/24/0535, subject to the conditions in the attached schedule.

Preliminary Matters

2. Reason for refusal 2 relates to the submission of insufficient information to demonstrate the potential impact of the proposed development on reptiles, a statutory protected species. The Council's Ecologist has now confirmed the appellant has indicated a site within the appellant's ownership, located 2.8km east of the appeal site within which appropriate mitigation and compensation measures can be secured by a condition of any consent. Given the above, the Council is satisfied that sufficient information has now been provided to overcome reason for refusal 2 and I have not been provided with substantive evidence to take a different view. As a result, I will not consider reason for refusal 2 in my decision.

3. During this appeal I was provided with the decision notice for an appeal for the erection of up to 191 dwellings on land directly to the north of this appeal site (APP/Z3825/W/25/3376143 (3376143)). The main parties agree this is a material consideration in my determination of this appeal and have been given the opportunity to provide comment on the relevance of 3376143 to this appeal. I have referred to appeal ref 3376143 in my decision and taken into account the comments made by the main parties.

Main Issue

4. The main issue in this appeal is whether the proposed development would be in a suitable location, having regard to the local development strategy.

Reasons

5. The appeal site comprises two fields of undeveloped agricultural land separated by a dense line of vegetation to the north of Furners Lane and east of The Old Orchard (Cedar Cottage). Open fields extend beyond the site to the north, east and south, therefore the site forms part of a wider, rural landscape. However, planning permission has been granted on appeal ref: 3376143 for the erection of up to 191 dwellings on land directly north of the appeal site.

6. The site is relatively well enclosed by post and wire fencing, mature vegetation and a number of mature trees. A Tree Preservation Order (TPO) applies to four trees within the site. Three are located along the southern boundary adjacent to Furners Lane, and one is situated centrally within the site's existing subdivision.

7. The proposal seeks the erection of five open market dwellings comprising of 2no pairs of semi-detached dwellings and 1no detached dwelling. The dwellings are proposed to front south onto Furners Lane and would be of a traditional design with pitched roofs, large gable on the principal elevation, hanging clay tiles and facing brickwork. Each dwelling is proposed with a private garden with access taken from Furners Lane through the existing field access which is to be retained and widened. Two parking spaces are proposed per dwelling.

Location

8. The site lies outside the Built-up Area Boundary (BUAB) as defined by Policy 1 of the Henfield Neighbourhood Plan 2021 (HNP). The BUAB lies to the west of the site and the site is therefore within the countryside for planning purposes.

9. Policy 2 of the Horsham District Planning Framework 2015 (HDPF) seeks to maintain the district's unique rural character whilst ensuring that the needs of the community are met through sustainable growth and suitable access to services and local employment. It allows for growth in accordance with the identified settlement hierarchy and supports the sustainable development of settlements of an appropriate scale which retains the existing settlement pattern and enhances natural environmental resources, including landscape character.

10. Henfield is a 'tier 2 settlement', as indicated by the development hierarchy at HDPF Policy 3. These settlements offer a good range of services and facilities, strong community networks, local employment provision, and reasonable public transport services. The site is in an accessible location, close to High Street services, the primary school, and bus stops.

11. However, criterion P1.2 of HNP Policy 1 supports development proposals outside of the BUAB only where it conforms with relevant national policies and HDPF policies for development in the countryside. HDPF Policy 26 seeks to protect the countryside against inappropriate development by limiting development outside BUABs to types with an essential need for a countryside location, such as to support agriculture, forestry, mineral extraction, waste disposal, recreation, and to enable the sustainable development of rural areas. It has not been demonstrated that the proposed development has an essential need for a countryside location.

12. HDPF Policy 4 also enables development outside BUABs to support the growth of settlements to meet identified development needs under certain circumstances such as being allocated in a neighbourhood plan.

13. The main parties agree appeal 3376143 is a material consideration in the determination of this appeal. Whilst there are significant differences between the two schemes, namely the quantum of development and greater housing provision / affordable housing provision within 3376143, nonetheless, in allowing appeal 3376143, the Inspector's decision addresses many of the same policy considerations, including the application of policy S6 of the National Planning Policy Framework 2026 (the Framework) (formerly paragraph 14 of the 2024 Framework) and conflict with the HNP. I will return to these matters in the planning balance.

14. As set out above, the policies of the development plan do not positively favour development in the proposed location. Therefore, having regard to the local development strategy, namely HDPF Policies 2, 4 and 26, and HNP Policy 1, the proposed development would not be in a suitable location.

Other Matters

15. The appellant has received confirmation from NatureSpace that a Great Crested Newt District Licence has been issued. The issuing of this licence demonstrates that the impacts of the proposed development on Great Crested Newts can be addressed through the Councils District Licence Scheme. In light of this, it is considered that any impacts on Great Crests Newt have been appropriately mitigated and compensated for.

16. Whilst the proposed development would lead to an increase in traffic along Furners Lane and a temporary increase in construction traffic, the Local Highway Authority do not consider the proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. I have not been provided with substantive evidence to the contrary that would lead me to a different conclusion. Matters relating to the maintenance of a private road are civil matters.

17. The proposed development would by its very nature result in an urbanising effect on the site. Notwithstanding this, the site is well enclosed with existing mature vegetation which would be further enhanced through the introduction of additional trees along the northern and eastern boundaries. The proposed development would extend the BUAB into the countryside, however this would be mitigated by the sites natural enclosure and the development to the north granted under appeal ref 3376143. The design of the proposed development would be consistent with the prevailing character of the surrounding development and at an appropriate density.

18. The site layout has taken into consideration the location of trees subject to a TPO. I have not been provided with substantive evidence the proposed development would have a significant impact on the health of the protected trees that would warrant a refusal on those grounds.

19. I have determined this appeal on the basis of the submitted plans. If there are any discrepancies regarding boundaries, this would be a civil matter and not a matter that can be dealt with through a planning appeal.

Planning balance

20. Policy HO3 of the Framework requires local plans to identify a supply of deliverable sites for five years. Since the HDPF is more than five years old, the Framework requires the Council identify and update annually a supply of specific deliverable

sites sufficient to provide a minimum of five years' worth of housing against their local housing need, rather than against the target set by the HDPF. In addition, as the latest available Housing Delivery Test (HDT) measurement indicates significant under delivery of housing in the past, the Housing Delivery Test measurement rule book of the Framework requires a 20% buffer be applied to the identified supply. Set against the total housing requirement, the Council's Authority Monitoring Report December 2025 demonstrates a 1.7 years' supply of housing land. Therefore, within the Council's area there is a significant shortfall in the supply of housing.

21. In this circumstance, policy S5 (j) of the Framework applies, whereby planning permission should be granted for development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test), and where the development would:

    i. Be physically well-related to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure.

22. In applying this policy, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.

23. The proposal would comply with the national decision-making policies in the Framework and policy S5(j) of the Framework provides support for the proposal.

24. Annex A of the Framework states development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in this Framework should be given very limited weight. The only exception to this is where they have been examined and adopted or made against this Framework. Other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of this Framework. As set out above, I have found the proposal would conflict with HDPF Policies 2, 4 and 26, and HNP Policy 1, although the weight given to the conflict is limited when considered in light of Policy S5(j) of the Framework.

25. The proposal would result in a loss of countryside. However, the Council's Shaping Development in Horsham District Planning Advice Note 2025 (SDPAN) recognises the HDPF's housing target can no longer be used for calculating housing land supply and expects development proposals will come forward in locations not supported by the development plan. Whilst the SDPAN does not reduce the statutory weight of the development plan, it sets out how the Council will support development to meet identified needs and other objectives. Therefore, there would be an expectation that the SDPAN would be applied in decision-making and the SDPAN forms a material consideration in my decision.

26. Paragraph 5.12 of the SDPAN sets out criteria which development proposals are expected to meet. These broadly reflect criteria 1 to 5 of HDPF Policy 4 but crucially, omits the requirement for the site to be allocated by the development plan. A function of the SPAN is to enable development to come forward on unallocated

land outside BUABs where opportunities for development would normally be restricted by HDPF Policy 26. The appeal scheme complies with all the criteria set out in paragraph 5.12 of the SDPAN which weighs heavily in support of the appeal scheme.

27. Therefore, taking account the degree of consistency with the Framework and having regard to the SDPAN, the conflict between the appeal proposal and HDPF Policies 2, 4 and 26 carries only limited weight against the proposal. However, the conflict with HDPF Policy 26 would, by extension, result in conflict Policy 1 of the HNP.

28. The Framework states the planning system should be genuinely plan-led. The Framework's presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making but recognises the application of the presumption has implications for the way communities engage in neighbourhood planning. Consequently, policy S6 of the Framework advises that:

'For development proposals involving the provision of housing, the benefits of approving development are likely to be substantially outweighed by the adverse effects where a proposal would conflict with a neighbourhood plan, provided the following apply:

a. The neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and

b. The neighbourhood plan contains allocations to meet its identified housing requirement (see policy HO2).

29. The HNP was made by the Council on 23 June 2021 and is therefore more than five years old at the time of writing this decision. Since the HNP became part of the development plan more than five years from the date of my decision, the test at Framework policy S6(a) is not met.

30. The HNP identifies a housing requirement figure of 270 dwellings for the neighbourhood area. HNP Policy 2 provides site allocations. The HNP policies and allocations has made provision for more than the 270 dwellings, thereby exceeding the HNP's requirement. Therefore, the test at Framework policy S6(b) is met.

31. Policy HO2 of the Framework requires spatial development strategies should establish a housing requirement for each local planning authority within the strategy area and HO2 (5) states that in the case of local plans, a housing requirement figure should also be set for designated neighbourhood plan areas. HDPF Policy 15 makes provision for the development of at least 16,000 dwellings or an average of 800 dwellings per annum over the period 2011-2031. Of this total, Policy 15 of the HDPF requires at least 1,500 dwellings be allocated through neighbourhood planning.

32. The Council's annual housing need has significantly increased from the figure set out by HDPF Policy 15, and this target can no longer be relied upon. Within the context of this significant uplift, I cannot consider the HNP's housing requirement to remain a credible indicator of current housing need.

33. Henfield Parish Council is currently undertaking a review of the HNP. However, the review appears to be at the early stages and therefore I have not been provided with any substantive evidence which I can afford any weight.

34. In summary, the HNP is now more than five years old but does contain policies and allocations to meet its housing requirement. However, significant material changes in circumstances since the HNP was made suggest its identified housing requirement is no longer reliable. Furthermore, the shortfall in housing land supply across the Council's area is not likely to be remedied in the short term, and I anticipate will persist until the emerging Local Plan reaches adoption. Therefore, the weight to be afforded to the proposal's conflict with HNP Policy 1 is diminished.

35. Set against these policy conflicts, within the context of a significant shortfall in the supply of housing and the government's objective to significantly boost the supply of homes, the provision of five dwellings attracts significant weight in favour of the proposal.

Conditions

36. I have had regard to the list of suggested conditions provided by the Council and have considered these in light of the Framework and the Planning Practice Guidance.

37. In the interests of certainty, I have included conditions relating to commencement of development and the approved plans.

38. To conserve protected and priority species and to allow the Local Planning Authority to discharge its duties under the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) I have included conditions requiring details to be submitted regarding reptile mitigation, a Biodiversity Enhancement Strategy, lighting and a Construction Environmental Management Plan and securing full accordance with the District Licencing Scheme for Great Crested Newts.

39. To ensure the development actively manages foul and surface water drainage to prevent the increased risk of flooding and protect water quality, I have included conditions requiring the submission of details of the foul and surface water drainage systems.

40. To protect the longevity of the trees on the site I have included a condition requiring tree protection measures to be installed and maintained and for the submission and approval of an Arboricultural Method Statement.

41. To protect the amenities of occupiers of neighbouring properties, I have applied conditions requiring the submission and approval of the construction site set up and limiting the hours of construction.

42. In order to protect the character and appearance of the area, conditions requiring the submission of details of the proposed external materials and finishes, finished floor levels and landscaping are imposed.

43. To ensure the adequate provision of recycling facilities, a condition requiring the submission of details of refuse and recycling is imposed.

44. To ensure a sustainable development, I have imposed conditions requiring the implementation of broadband facilities and limitations on water usage.

45. To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure

that any pollution is dealt with a condition is imposed regarding how to deal with contamination if found on the site.

46. To provide alternative travel options to the car, I have imposed a condition requiring the submission of details of cycle parking on the site.

47. To ensure adequate levels of car parking are maintained, I have imposed a condition requiring car parking spaces to be provided and retained in accordance with the site plan.

Conclusion

48. In conclusion, the adverse impact of allowing development that conflicts with the HNP is a matter of dimished weight and importance. Therefore, in this circumstance, the adverse impacts of allowing development that conflicts with the local development strategy, would not significantly and demonstrably outweigh the benefits of the proposal such as the provision of additional housing at a time of significant housing shortfall. As a result, the presumption in favour of sustainable development would apply, and the appeal should be allowed.

Claire Coles

INSPECTOR

Schedule of Conditions

1) The development hereby permitted shall begin not later than three years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: Design and Access Statement; Plot 1 and 2 Plans and Elevations - As Proposed (PL.04 A); Site Plan – As Proposed (PL.02 E); Plot 3 and 4 Plans and Elevations – As Proposed (PL.03 A); Location and Block Plans – As Proposed (PL.01 E); Plot 3 Plans and Elevations – As Proposed (PL.05); Topographic Survey; Arboricultural Implications Assessment for proposed Five House Development (J63.48).

3) No development shall commence until precise details (to include details shown on a plan) of the existing and proposed finished floor levels and external ground levels of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

4) No development shall commence and no site preparation, site investigations or site clearance works shall take place until an ecological mitigation strategy (EMS) has been submitted to and approved in writing by the Local Planning Authority and has been implemented as approved. The submitted strategy shall include:

   (a) updated reptile survey;

   (b) details of required mitigation;

   (c) detailed methodology to implement mitigation;

   (d) plans demonstrating where the mitigation will be implemented to include details of the off-site receptor site;

   (e) details/evidence that the habitat of the off-site translocation site would be capable of supporting reptiles, would benefit reptile conservation, and confirmation that the proposed off-site translocation site will be able to support an increased number of reptiles;

   (f) the extent and location/area of the proposed off-site translocation receptor site, and evidence that the receptor site is at least the same size of the habitat to be lost on the development site, and details of connectivity to other sites as and if required;

   (g) the quantity and quality of the habitats located within the off-site translocation receptor site;

   (h) the extent of any proposed works required on the off-site translocation receptor site, details of which are to be shown on appropriate scale maps and plans;

   (i) a timetable for implementation of the works, including details of the method and timetable for the capture of reptiles on the development site and their relocation to the off-site translocation site;

   (j) a site management and monitoring plan including details of initial aftercare of the receptor area;

(k) details of an ongoing annual monitoring plan for a five year period for the off-site translocation site, including monitoring to be undertaken by a suitably qualified ecologist and any amendments to the plan arising from the monitoring shall be submitted to and approved in writing by the Local Planning Authority.

l) details of persons responsible for implementing the works.

m) details for disposal of any wastes arising from works.

5) No development shall take place until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following.

a) Risk assessment of potentially damaging construction activities.

b) Identification of “biodiversity protection zones”.

c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).

d) The location and timing of sensitive works to avoid harm to biodiversity features.

e) The times during construction when specialist ecologists need to be present on site to oversee works.

f) Responsible persons and lines of communication.

g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

6) No development shall commence until details of the proposed foul drainage system have been submitted to and approved in writing by the Local Planning Authority. The details shall include details of its siting, design and subsequent management/maintenance, if appropriate, alongside a phasing and implemented plan detailing how the development will be phased to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that wastewater network capacity is available to adequately drain the development. Thereafter, no dwelling shall be occupied otherwise than in accordance with the submitted details and the phasing and implementation plan.

7) No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until, the BS5837 specification tree protection fencing has been installed as per Tree Protection Plan documents prepared by Broad Oak Tree Consultants Limited on the 24/09/24. The person(s) responsible for supervising the works must meet the Arboricultural Officer of the Local Planning Authority on site, so the Arboricultural Officer can agree the in situ

BS5837 specification barrier fencing and supervise that condition 9 (below) is fully complied with.

Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.

Areas so fenced off shall be treated as zones of prohibited access and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

8) No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.

(a) the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)

(b) the provision of wheel washing facilities (if necessary) and dust suppression facilities

The approved details shall be adhered to throughout the construction period.

9) No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until, an Arboricultural Method Statement including the specific details on the access drive design and installation methodology, has been submitted and approved in writing by the Local Planning Authority. The approved details shall be adhered to throughout the construction period.

10) No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

11) No development shall commence until a detailed surface water drainage scheme including a Surface Water Drainage Statement, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall be fully coordinated with the landscape scheme. The development shall subsequently be implemented prior to first occupation in accordance with the approved details and thereafter retained as such.

12) Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, priority and threatened species, prepared by a suitably qualified ecologist, shall be submitted to and approved in writing by the Local Planning Authority. The content of the Biodiversity Enhancement Strategy shall include the following:

a) Purpose and conservation objectives for the proposed enhancement measures;

b) detailed designs or product descriptions to achieve stated objectives;

c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);

d) persons responsible for implementing the enhancement measures; and

e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

13) No part of the development hereby permitted shall be occupied until a verification report demonstrating that the SuDS drainage system has been constructed in accordance with the approved design drawings has been submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.

14) No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

(a) Details of all existing trees and planting to be removed and retained

(b) Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details

(c) Details of all hard surfacing materials and finishes

(d) Details of all boundary treatments

(e) Details of all external lighting

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site (other than those within private gardens) shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 30 years after completion of the development. Any proposed or retained planting outside of private gardens, which dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

15) No part of the development hereby permitted shall be occupied until details for the provision for the storage of refuse and recycling facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided prior to occupation (or use) of the development hereby permitted and thereafter be retained for use at all times.

16) Prior to the first occupation of each dwelling, the necessary in building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection shall be provided to the premises.

17) No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and

details to be submitted to and approved by the Local Planning Authority. These spaces shall always thereafter be kept for their designated purpose.

18) No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall always thereafter be kept for their designated purpose.

19) Prior to occupation, a “lighting design strategy for biodiversity” in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through provision of appropriate lighting plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

20) The development hereby approved shall be carried out in accordance with the approved BS:5837 Survey, Arboricultural implications Assessment & Method Statement (once submitted) documents prepared by Broad Oak Tree Consultants Limited on the 24/09/24, Method Statement (date to be inserted when received as per Pre Commencement Condition).

21) No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or Public Holidays.

22) If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the Local Planning Authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

23) The dwellings hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

24) No development hereby permitted shall take place except in accordance with the terms and conditions of the Council’s Organisational Licence (WML-OR177, or a ‘Further Licence’) and with the proposals detailed on plan “Land Adjacent to Cedar Cottage, Furners Lane: Impact plan for great crested newt District Licensing (Version 1)" dated 3rd June 2026.

**** End of Schedule****