



HORSHAM DISTRICT COUNCIL CONSULTATION

TO:	Horsham District Council – Planning Dept
LOCATION:	Former Novartis Site, Parsonage Road, West Sussex Horsham
DESCRIPTION:	Residential development comprising approximately 206 dwellings, including the conversion of 'Building 3' and demolition of 'Building 36'. Vehicular access taken from Wimblehurst Road. Car and cycle parking, landscaping and open space and associated works. The replacement of the existing cedar trees at the site.
REFERENCE:	DC/25/0629
RECOMMENDATION:	Advice / No Objection / Objection / More Information / Modification / Refusal

SUMMARY OF COMMENTS & RECOMMENDATION:

The re-use of this vacant previously developed site in Horsham town is, in principle, welcomed and the proposal would make a contribution towards meeting the housing needs, including affordable housing. However, the proposal conflicts with **Policies 2** and **8** of the Horsham District Planning Framework (2015) which seek employment on the strategic allocation site. It therefore forms a departure from the adopted Development Plan.

It also fails to accord with **Policy 7** of the HDPF because, since the adoption of the HDPF, it forms an identified site for employment. In addition to this, it fails to accord with **Policy 9** of the HDPF because it fails to clearly demonstrate the site is no longer needed and/or viable for employment use.

The site forms part of the former Novartis site, a former pharmaceutical research & development and manufacturing site, and is considered to form employment land. A lapsed outline consent, with all matters reserved except for access, sought mixed used which included some housing to act as enabling development to secure employment. Mixed use falls within Sui Generis Use Class it is not considered therefore, as the applicant asserts, that the principle of housing unrelated to employment has been established on this site.

There are a number of material planning considerations which need to be taken into account in the determination of the unique circumstances of this proposal and regard given to the respective weight to be given to each when considered collectively.

MAIN COMMENTS:**The Site, Proposal & Planning History:****The Site**

The 2.8 hectares application site lies within the built-up area of Horsham town to the north of the main town centre and the railway station. The southern boundary is bordered by a railway line beyond which lies residential and the playing fields of a sixth form college, to the west and to the north is residential and to the east is the wider 'former Novartis' site within which the application site lies (eastern section is 4.7 hectares).

Novartis was a 7.5 hectares employment site providing pharmaceutical research and manufacturing premises which became vacant in 2014. The University of Brighton sought to provide a new campus on the site, in alignment with the Coast to Capital Local Economic Partnership and Gatwick Diamond objectives/role. However, the University's aspiration ended when funding fell through soon after the adoption of the HDPF (including Policy 8 which includes the former Novartis as a strategic allocation seeking sequentially higher education followed by training and employment, then solely employment). West Sussex County Council (WSCC) purchased the former Novartis site in November/December 2016 after its allocation in the adopted HDPF.

For the purposes of these policies comments, taking into account Development Plan policy and in the absence of a lawful development certificate or extant planning consent, it is considered that the last operational lawful use of this site was employment. These comments are therefore provided on the basis that this is an employment site albeit vacant. Should this be found not to be the case these policy comments are likely to require review.

Proposal (Full Application)

This proposal seeks housing, 206 dwellings (C3 Use Class) (133 [65%] market units and 73 [35%] affordable units) including the conversion of a local listed building, with vehicular access of Wimblehurst Road and open space, on a third of the former Novartis employment site which the applicant calls phase 1 and 2 (the rest of the site they call phase 3).

The wider former Novartis site was subject to an outline consent for employment redevelopment via planning application DC/18/2687 and enabling housing development (outlined further below). The applicant has submitted a separate application (DC/25/0415) for residential development (244 homes) on the remaining two thirds of the former Novartis employment site which they call phase 3. This means that the applicant now intends for the whole of the 7.5 hectares former Novartis employment site to be lost to residential development (delivering around 450 dwellings in total including a proportion as affordable homes).

Key Planning History**DC/18/2687 (lapsed outline application):**

Outline planning permission was granted for the redevelopment of the whole of the former Novartis site in 2020 (application reference: DC/18/2687) for mixed-use development comprising up to 300 dwellings (C3), up to 25,000sqm employment (B1) floorspace, 618sqm of flexible commercial/community space (A1, A2, A3, D1 Creche), and associated parking, landscaping, and pedestrian and vehicular access improvements. All matters were reserved except for access. The applicant states in paragraph 7.5 of their Planning and Affordable Housing Statement that the permission has not been implemented and has now lapsed.

The committee report to the 16 October 2019 Full Council recommended delegated approval for DC/18/2687 (in order to finalise the Legal Agreement). It stated in paragraph i) within the reasons for recommendation section "*The proposal would provide much needed high quality employment space as well as an appropriate residential area. The proposal utilises a brownfield site in a central and sustainable location, resulting in the regeneration of this strategic town centre site.*" Paragraph 4.10 states "*The applicants have commented that the residential element of this development is the direct enabler for the delivery of new, much needed commercial space on the site.*"

The committee report to the 6 August 2019 Planning Committee North makes clear in paragraphs 1.4 and 1.5 that a third of the former Novartis site is proposed for housing and the remaining two thirds is proposed for employment. Noting in paragraph 6.13 that the majority of the site would be for employment uses which would be in accordance with the requirements of Policy 8 (of the HDPF).

Paragraphs 6.6-6.9 of the committee report to the 6 August 2019 Planning Committee North make clear that the inclusion of residential dwellings would be contrary to Policy 8 of the HDPF and that the proposal is a departure from the Local Plan. However, they make clear the housing sought by the DC/18/2687 proposal was enabling development which secured the retention of employment on the largest portion of the site. These paragraphs also make clear that circa 200 dwellings would be sufficient to act as enabling development however it was considered the significantly higher 300 dwellings was appropriate in urban design terms given the arrangement of existing buildings and space on the site and the need to ensure an appropriate relationship between residential and commercial uses (outlined later in the report).

This reflects the applicants planning statement in relation to DC/18/2687 which reflects in paragraphs 3.2, 4.1 to 4.5 and 8.4 to 8.19 that the mixed-use scheme enables a range of uses including high quality employment space consistent with the WSCC Economic Growth Plan 2018-2023. Paragraph 8.90 advises that the proposed new jobs would clearly benefit the local and wider economy, particularly as the site is within the most accessible and sustainable town within the district.

Paragraph 6.12 of the report to the 6 August 2019 Planning Committee North makes clear that the site's location, near the town centre and railway station, makes it attractive to B1 floorspace. It states "*the provision of new commercial floorspace is strongly supported as it provides the opportunity for inward investment, the expansion of existing businesses and support for start-ups, including research and development and light industrial business as well as offices.*" Paragraphs 6.86-6.89 conclude that 'on balance', having regard to the wider benefits of the development in regenerating the brownfield site with high quality employment uses and additional housing, the proposal is considered acceptable as a departure from the development plan.

The s106 linked to the granting of DC/18/2687 reflected the applicant's enabling 'housing development' approach and secured in Schedule 2 that no more than 150 residential units were to be occupied until a minimum of 5,000sqm of employment floorspace was completed and made available for occupation; and reserved matters for a minimum of a further 2,500sqm employment floorspace had been submitted and validated.

Mixed use is considered to fall within a Sui Generis Use Class (see [ODPM Circular 03/2005](#)).

DC/25/0415 (pending full application):

In view of the outline application detailed which covered the whole of the former Novartis site and Policy 8 of the HDPF which seeks re-use as comprehensive strategic development it is considered this pending application is relevant given relates to the eastern section of the former Novartis site. It seeks the construction of 244 new homes (Use Class C3) with access from Parsonage Road, public open space, ancillary and associated works. It forms about two thirds of the former Novartis site and is the area where the outline had illustrated employment would be delivered in conjunction with the enabling housing development which was shown to lie within the current application site (western section).

National Planning Policy Framework 2024 (NPPF):

The NPPF is a key material consideration:

Paragraph 12 of the NPPF reaffirms the statutory status of the development plan and confirms it to be the starting point for decision-making. It states that "*Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed*".

Paragraphs 2 and 48 of the NPPF confirm that '*planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise*'.

In terms of housing delivery, **paragraph 78** of the NPPF states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements set out in adopted strategic policies or their housing needs where the policy is more than 5 years old. This should include an additional buffer of 5% to ensure choice and competition in the market for land OR 20% where there has been a record of persistent under delivery of housing in the District over the previous five years and/or where the annual average housing requirement in a Local Plan adopted within the past five years is 80% or less of the most up to date local housing need figure calculated using the national standard method.

Due to the unprecedented and unique impacts of water neutrality, the Council is unable to demonstrate a 5 year housing land supply (5YHLS) which technically means a 20% buffer should be applied and that **paragraph 11.d** of the NPPF would come into force. This means permission should be granted unless there are strong reasons the development conflicts with the policies of the NPPF; or any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the NPPF. (For further information on this please see the section covered later in these comments titled 'Five-year housing land supply' and also the latest Authority Monitoring Report)

Paragraph 77 of the NPPF reflects that the supply of large numbers (*which is not defined*) of new homes is normally best achieved through planning for larger scale development. It makes clear that it is for strategic policy-making authorities to identify suitable locations, with the support of their communities and other authorities if appropriate, where this can help to meet identified needs in a sustainable way. When doing this the size and location should support a sustainable community, with sufficient access to services and employment opportunities within the development itself or in larger towns to which there is good access. It endorses Garden City principles and the use of masterplans to secure a variety of well-designed homes to meet the need of different groups in the community.

Paragraph 85 of the NPPF makes clear that planning should help create the conditions in which businesses can invest, expand and adapt. and states '*significant weight should*

be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development... areas with high levels of productivity... should be able to capitalise on their performance and potential.'

Paragraph 86 of the NPPF makes clear that planning should positively and proactively encourage sustainable economic development and should meet the economic development needs of the area.

Paragraph 87 of the NPPF makes clear planning should recognise and address specific locational requirements of different sectors including clusters or networks of knowledge and data-driven, creative or high technology industries.

Paragraphs 124 and 125 of the NPPF seek effective use of land in meeting the need for homes and other uses and when accommodating objectively assessed needs strategic policies should do this in a way that makes as much use as possible of previously-developed or 'brownfield' land except where this would conflict with other policies in the NPPF. Substantial weight should be given to the value of using suitable brownfield land for identified needs, unless substantial harm would be caused, and appropriate opportunities to remediate land should be supported. (*N.B. objectively assessed needs relates to employment as well as housing*)

Paragraphs 129 and 130 of the NPPF seek to ensure appropriate densities are created to ensure efficient use of land. Where there is a shortage of land for meeting identified housing need it is especially important that decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site. It makes clear that '*Local planning authorities should refuse applications which they consider fail to make efficient use of land*'.

Paragraph 136 of the NPPF seeks the retention of existing trees and the seeks to ensure new streets are tree-lined.

Development Plan – Key Documents:

[Relevant Policies:

HDPF (adopted Nov 2015, plan period to 2011-2031) - 1, 2, 3, 4, 5, 7, 8, 9, 15, 16, 24, 25, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43;

WSWLP (adopted 2014, reviewed 2019 and 2024, plan period to 2031) – W23]

The development plan in respect of this site includes the Horsham District Development Framework (HDPF, 2015), the West Sussex Joint Minerals Local Plan (WSJMLP, 2018; reviewed in 2023, plan period to 2033) and its 'Soft Sand' formal revision (adopted March 2021), and the West Sussex Waste Local Plan (WSWLP, 2014), which was reviewed in 2019 and 2024 with a finding that no updates were required. The area is not covered by made Neighbourhood Plan following the withdrawal of the North Horsham Neighbourhood Plan on the 30 July 2018 by the Parish Council. It is almost 10 years since the adoption of the HDPF. Details on the local plan review are given in a later section.

Horsham District Planning Framework 2015 (HDPF)

The plan should be read as a whole but the following policies are of particular relevance to this proposal:

Policy 2 (Strategic Policy: Strategic Development) of the HDPF is an overarching policy that covers location and amount of development in terms of economy, housing, retail and infrastructure, which focuses development in and around the primary settlement of Horsham. It seeks to deliver sustainable growth including access to services and local employment, and makes clear the spatial strategy to 2031 includes the bringing forward

of a strategic mixed used opportunity at the former Novartis site in Horsham for employment, education and specialist housing at the equivalent of around 200 units (*Policy 8 makes clear this relates to the provision of student housing in connection with the proposed education to minimise consequent impacts on the local housing market*). It encourages effective use of previously developed land and makes clear the spatial strategy to 2031 includes the identification of existing sites of important employment use and the safeguarding of their function through flexible policies to allow people the opportunity to work close to where they live. It also seeks to provide for the varied housing needs of the community.

The proposal conflicts with Policy 2 as it will fail to bring forward a strategic mixed use opportunity for employment at the former Novartis site and undermines the opportunity for people to work close to where they live within the primary settlement in the district.

Since the adoption of the HDPF the site has been identified for employment in the Council approved review of the spatial strategy by virtue of the HDLP (Table 5 of paragraph 9.11 and paragraph 9.24).

In addition to this, in the Council's latest planning evidence base, the Northern West Sussex Economic Growth Assessment (January 2020) (EGA) reflects in Appendices 4 and 5, site 15, that the site has a "*great location near to Horsham train station and Horsham town centre, offers a very attractive business location within Horsham town centre*" and it is easily accessible and has "*significant potential for re-use to provide a key employment site within the town.*"

The main EGA report (Jan 2020) reflects the importance of the Novartis site given its significant scope to enhance the quality of employment offer particularly in the office market where it "*represents a significant opportunity to support the revitalisation of Horsham town's commercial property market and offer, with proximity to the town centre a particular draw for occupiers*" and "*to transform the District's office market to appeal to a wider range of office occupiers*" also stating the "*site represents a key employment development opportunity for both the town of Horsham and the wider District. Redevelopment of this site for business uses would help the town to retain its traditional employment role, which has suffered over recent years through the introduction of office to residential PDR.*" (EGA para's 10, 7.33, 7.47, 7.48[7], 8.75, 9.18, 10.15, 10.20, 10.42).

This recognition is maintained in paragraphs 3.3 (Table 3.1) and 4.5 of the EGA Focused Update for Horsham (November 2020) which also took into account the potential impacts of Covid.

As discussed above, the application site is within the Built-up Area Boundary (BUAB) of Horsham. **Policy 3** (Strategic Policy: Development Hierarchy) of the HDPF (Strategic Policy: Development Hierarchy) defines Horsham as the main town in the District which meets the majority of its own needs and many of those in smaller settlements. It makes clear Horsham town acts as the key hub for the district. It confirms that development will be approved within towns and villages which have defined built-up areas and that any infilling and redevelopment will be required to demonstrate that it is of an appropriate nature and scale to maintain characteristics and function of the settlement in accordance with the settlement hierarchy.

Policy 5 (Strategic Policy: Horsham Town) of the HDPF, in recognition of the important role of Horsham town within the district, specifically seeks to promote the prosperity of Horsham and maintain and strengthen its role as the primary economic and cultural centre in the District and wider economic area. It promotes development subject to compliance with specified criteria. These include a need to contribute to the economy of the town, as well as supporting the wider economy including Gatwick Diamond, and the economy of the south east including the provision of a wide range of employment. It also seeks the delivery of a mix of residential properties which meet the need of the population and contributes to quality modern living.

The Council's latest planning evidence base, Table 4.5 of Northern West Sussex Economic Growth Assessment (January 2020), makes clear that Horsham town is the primary commercial settlement within the district providing 37.8% of jobs, in comparison, the second largest is Southwater at 4.5% and third is Billingshurst at 3.8%. In respect of population, based on the data provided in Table 9.4.1 of the Horsham District Open Space, Sport and Recreation Review (June 2021), Horsham town hosts around 37% of the district's residents, Southwater hosts around 8% and Billingshurst hosts around 7% of the district's residents. This highlights the primacy of Horsham town in respect of employment.

Policy 7 (Strategic Policy: Economic Development) of the HDPF sets out how sustainable employment development in the district will be achieved for the period up to 2031. This includes the redevelopment, regeneration, intensification and smart growth of existing employment sites, and also the identification of additional employment areas to meet the need for appropriate new business activity.

As highlighted above in relation to Policy 2, the site has been identified, since the adoption of the HDPF, as an employment area to meet the need for appropriate new business activity.

Policy 8 (Strategic Allocation: University Quarter Mixed Used Development) of the HDPF allocates the whole of the former Novartis site for re-use as comprehensive, mixed use strategic development for a higher education facility including supporting facilities (such as 200 student housing units), complementary employment uses and associated infrastructure. It seeks to ensure the re-development supports and enhances the employment and training opportunities in the district and the wider Gatwick Diamond economic area. It promotes the re-use of the modern laboratories (which have since been demolished primarily by Novartis in part to contain any potential contamination prior to selling) and associated facilities as well as the historic buildings.

It highlights the opportunity for improving the connections between the area and the town centre and enhanced public access to the historic buildings on site for wider community benefit and enjoyment. It also sets out a number of design and transport requirements. It permits alternative use should a higher education use not be developed by 2021 but applies a sequential test with a combined training and employment use first, and employment use solely second.

This proposal conflicts with Policy 8 and fails to meet the sequential test in Policy 8(15).

Policy 9 (Employment Development) of the HDPF seeks the retention of employment sites unless they can demonstrate the site/premises is no longer needed and/or viable for employment use.

The policy does not restrict the regard to need or viability to the existing use meaning it applies to all employment uses (i.e. B2, B8, E(g) Use Classes). This reflects that employment sites are harder to find than most other uses due to impacts on amenity, traffic etc

Policy 15 (Strategic Policy: Housing Provision) of the HDPF sets out explicitly where provision will be made for at least 16,000 homes within the plan period (from 2011 to 2031), that includes existing commitments; strategic development sites; the provision of at least 1,500 homes allocated through Neighbourhood Planning; and 750 windfall units.

The proposal would make a significant contribution towards the overall requirement and complies with the settlement hierarchy approach especially when regard is given to current lack of a 5 year housing land supply and past housing delivery due to the unique and unprecedented impacts of water neutrality (outlined further below). However in assessing against NPPF, a 'presumption in favour' of the benefits delivered by housing is subject to there being no adverse impacts that would significantly and demonstrably outweigh the benefits in accordance with NPPF paragraph 11.d (including impacts on habitats sites – see NPPF footnote 7), also taking into account the plan-led approach set out in legislation and paragraphs 2, 12 and 48 of the NPPF. The benefits of housing therefore need to be

considered in relation to the conflict with Policies 2 and 8 of the HDPF and relevant material planning considerations.

Policy 16 (1) (Strategic Policy: Meeting Local Housing Needs) of the HDPF states that development should provide a mix of housing sizes, types and tenures to meet the needs of the District's communities, as evidenced in the latest Strategic Housing Market Assessment. It also states that the appropriate mix will depend upon the established character and density of the neighbourhood and viability of the scheme. **Policy 16 (3a)** states that on sites providing 15 units or more, the Council will require 35% of dwellings to be affordable. The provision of affordable housing is material to the consideration of this proposal.

The applicants supporting Planning and Affordable Housing Statement makes clear in paragraph 1.5 that the proposal would deliver at least a policy compliant provision of affordable units which is 35% of total dwellings. It says the proposal might deliver 100% of the homes as affordable subject to Homes England Affordable Homes Programme grant funding and a Registered Provider partner. The 100% affordable is therefore presented without commitment and in a caveated way. There is therefore a high risk development would default to the 35% should the principle of housing be accepted on this site, which means that limited weight should be given to any promise of 100% affordable housing unless there are clear mechanisms for securing it within a legal agreement so that it remains in force throughout the whole build-out of the site and its occupation if not in perpetuity.

It is noted that Policy 39 of the HDLP sought to drop the affordable housing proportion to 10% within brownfield sites, albeit the supporting text stated that larger brownfield sites, or those with a low existing use value, will deliver a proportion well above the minimum target. It was also made clear in the Local Plan Affordable Housing Study (para 7.27) that for brownfield sites, affordable housing can be negotiated on a site-by-site basis and subject to availability. However, as raised above the HDLP carries limited weight. It is also noted that the provision of a minimum of 35% is not in dispute, which reflects the unique circumstances of this proposal that lies within a strategic allocation for training/employment in Policy 8 of the adopted HDPF. It is however considered appropriate to have regard to the mix sought in Policy 39 of the HDLP given it is based on latest needs data (SHMA, 2019 and Horsham Social Rented Housing and First Homes Study, 2022).

Draft Horsham District Local Plan 2023-40 (HDLP)

[The plan should be read as a whole but the following policies are of particular relevance to this proposal: 1, 2, 4, 6, 7, 8, 9, 10, 11, 12, 13, 17, 19, 20, 21, 23, 24, 25, 27, 28, 29, 30, 37, 38, 39, 40.]

The HDPF was adopted in 2015. Legislation requires all Local Plans to be reviewed at least every five years from adoption. It is almost ten years since the adoption of the HDPF and whilst it seeks to set the planning strategy for the years up to 2031 it is acknowledged that some policies may no longer be considered up-to-date, with the weight of each policy varying subject to consideration of whether they are out of date or not. Paragraph 11.d of the NPPF makes clear that where policies which are most important for determining the application are out-of-date, permission should be granted unless there are strong reasons the development conflicts with the policies of the NPPF; or any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the NPPF.

Given that the HDPF is over 5 years old, Horsham District Council has reviewed the HDPF and prepared the draft Horsham District Local Plan 2023-2040 (HDLP) which was submitted to the Secretary of State for formal examination in July 2024. The draft plan

sets out planning policies and proposals intended to guide development in the district, excluding the South Downs National Park, up to 2040. Examination hearings started in December 2024 but the remaining hearings were cancelled by the Inspector in a Holding Letter dated 16 December 2024. On 22 April 2025 the Council published the Inspector's subsequent Interim Findings Letter which has recommended that the Plan be withdrawn, due to his view that the Council has failed to satisfactorily comply with the legal Duty to Co-operate.

In his Interim findings letter, the inspector has indicated that in relation to its evidence base "*the Council could utilise much of the good and comprehensive work already undertaken*" to commence work on a new Local Plan. There is therefore no reason to think that relevant sections of the local plan evidence could not equally be used in determining planning applications.

There is nothing in the Inspector's Report to suggest that there were any concerns over the proposed employment or housing allocations, and the Inspector's concerns were not related to site-specific allocations, but more broadly related to whether sufficient housing was being planned for overall.

Notwithstanding the Inspector's letter, the draft Local Plan (HDLP) remains the Council's own agreed policy position, and has been subject to two periods of representation or comment. A key purpose of the draft plan was to provide a strategy for the delivery of housing and employment development within Horsham District. It sought to help contribute towards the Government's aim of boosting housing growth. The housing policies and allocations in the draft HDLP have sought to address this need. Therefore in certain circumstances it may be reasonable to attach some limited weight to the site specific policies or other policies seeking to maximise the delivery of housing / affordable housing and meet employment needs. The HDLP remains a material consideration, albeit of limited weight, as a Council approved spatial strategy, unless it is withdrawn a decision over which has not yet been taken.

The HDLP allocated a number of employment and housing sites. The site did not form one of them, although the former Novartis site was noted as providing a large employment commitment delivering 25,000sqm employment floorspace. The Site Assessment Report Appendix assessed the former Novartis site (SA390) to be a site with planning permission notably for employment.

The Council's evidence base forms a material consideration including when determining the weight to be given to respective HDPF policies and whether they are out of date or not. As raised above, the evidence base was endorsed by the Inspector examining the draft Local Plan (HDLP), in paragraph 95 of his letter dated 04/04/2025, as being "*good and comprehensive work*".

Other Matters:

Supplementary Planning Documents (SPD's)

Current SPD's may be used to aid the consideration of applications. Appropriate consideration should be given to the following:

- Horsham District Local Cycling and Walking Infrastructure Plan (2020)
- Planning Obligations SPD, adopted September (2017)
- Community Infrastructure Levy (CIL) Charging Schedule (2017)
- Horsham Town Design Statement (2008)

Water Neutrality

On 14 September 2021, the council received a Position Statement from Natural England. The Natural England position is that it cannot be concluded that the existing abstraction within the Sussex North Water Supply Zone is not having an impact on the Arun Valley Special Area of Conservation (SAC). It advises that development within this zone must not add to this impact. The Position Statement is a material consideration and the consequence of this is that Horsham District Council is unable to determine current planning applications positively unless it can be demonstrated they are 'water neutral' and/or that they do not result in a significant effect. If an application cannot demonstrate water neutrality is reasonably achievable (for which a combination of high water efficiency standard, and off-site offsetting measures, will be necessary), this will mean the development will not meet the requirements of section 63 of the Habitats Regulations, and the application could not be determined positively.

The application is supported by a Water Neutrality Statement which has not be assessed as part of these comments. It is for the Case Officer to assess whether the terms of the Natural England Position Statement can be met and secured.

The Council and its partners are due to launch the Sussex North Offsetting Water Scheme (SNOWS) imminently and will likely be in a position to allocate credits to facilitate development that meet the SNOWS access criteria. No assessment is made of whether the proposed scheme would gain access to SNOWS beyond noting that the proposed development is not allocated or proposed for allocation. The Water Neutrality Project Manager should be consulted on this matter.

Five-year housing land supply

The most recent Authority Monitoring Report (AMR) for the period 1st April 2022 to 31st March 2023 indicates that the Council has a 2.9 year housing land supply. This is primarily as a result of the Natural England Position Statement (Sept 2021), which requires water neutrality to ensure no adverse effects on the Arun Valley SPA. There has been a significant drop in the planning permissions granted over the last 3+ years as proposed development must be able to demonstrate that it will be water neutral. It should be noted that a revised AMR relating to the period April 2023 to March 2024 is due to be published imminently which is expected to show a significant deterioration in the supply figure.

Where development is water neutral (as outlined below), this will trigger the "presumption in favour of sustainable development" set out in paragraph 11.d of the NPPF. Paragraph 11.d requires that those policies most important for determining applications be deemed out-of-date in circumstances where a Council is unable to demonstrate a five-year supply of deliverable housing sites. In such circumstances it requires that planning permission be granted unless:

- i) The application of policies in the Framework that protect areas or assets of particular importance (footnote 7 indicates these to be designated sites re habitat / landscape / heritage / Local Green Space / flood risk) provides a clear reason for refusing the development proposed;
- ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. Footnote 9 is

inserted at the end and specifies a number of paragraphs in the NPPF (66,84, 91, 110, 115, 129, 135 and 139) which include an expectation that the required affordable housing within major housing development meets identified local needs (social rent, other affordable housing for rent and affordable home ownership tenures), clarity that the planning system should actively manage patterns of growth in support of the sustainable transport objectives in the NPPF, a need to prioritise sustainable transport modes within proposals, provision of appropriate densities, take into account the identified need for different types of housing and **other forms of development and the availability of land suitable for accommodating it** (*planning policy officer emphasis*), establish or maintain a strong sense of place and creation of welcoming and distinctive places to live/work/visit, a need to optimise the potential of the site both in terms of the amount and mix of development and green/public space, and clarity that development should be refused where it fails to reflect local design policies and government guidance on design.

Biodiversity Net Gain (BNG)

The 2021 Environment Act aims to improve air and water quality, tackle waste, increase recycling, halt the decline of species, and improve our natural environment. Of particular note is the requirement for all development, unless it falls within a specified exemption, to deliver biodiversity net gain to ensure proposals deliver at least 10% increase in biodiversity. This mandatory requirement is a material consideration when determining planning applications.

Employment within Horsham District and Town, and Applicant's Marketing Audit and Feasibility Assessment

Enterprising Horsham Framework:

Enterprising Horsham is Horsham District Council's plan to unlock the full potential of the District's communities, economy and places, to ensure fairer and greener economic prosperity for all. It supersedes the Horsham District Economic Strategy 2017-2027.

The Council's vision is to improve prosperity and the quality of life for residents whilst enhancing the area as an attractive and sustainable place to live, work, visit, invest and do business with a focus on driving job creation and retention for the benefit of residents. The vision is underpinned by five Guiding Principles: Securing Green Prosperity; Nurturing Business Development; Creating and Curating Sustainable Quality Places; Attracting Investment; and Enhancing the Skill Base.

Horsham Growth Deal/Horsham District Deal (2018-2023):

The County Council led Horsham Growth Deal/Horsham District Deal (2018-2023) sets out a joint undertaking between Horsham District Council and West Sussex County Council to combine resources to deliver shared priorities, providing new homes and jobs in the District and seeking to secure new funds. The shared strategic growth priorities are based on those set out in the Horsham Place Plan (2016). The District Deal sets out four priorities, one of which is the redevelopment of the Former Novartis Site. It notes that the site is a key employment site in Horsham District, offering employment opportunities on the edge of the Horsham town centre, and in close proximity to Horsham railway station, major roads (A24 and A264) and Gatwick Airport. It states:

"The key driver for WSCC's investment in the acquisition was to sustain and build on the site's long-established position as a major centre for high value employment, and a key contributor to the local, county and sub-regional economy. Following acquisition, WSCC

commissioned consultants to undertake initial site capacity analysis and development feasibility option assessments. In broad terms, this work confirmed the site's suitability for commercial development, but less so for a specific health and life sciences park, which had been part of the initial vision."

Whilst it is understood the Horsham District Deal is being reviewed the clear position in the 2018-2023 document raises a query over why the County's approach has significantly changed from one seeking comprehensive redevelopment to enable employment to one that splits the site just focusing on housing.

Policy 8 of the HDPF reflected the opportunities in the Gatwick Diamond area. It is considered pertinent to consider how this may have changed to ensure future proposals for the site continue to reflect the opportunities in the Gatwick Diamond that may or may not exist. In addition to this, the release of this site for housing could undermine the future economic growth opportunities that Horsham District Council seeks to prioritise with West Sussex County Council in the future Growth Deal.

Gatwick Diamond Initiative:

In December 2024 the Chief Executive, Brett North, of the Gatwick Diamond Initiative wrote to the Director of Place advising the Initiative firmly believes that Horsham's opportunities to capitalise on coming regional growth trends are intrinsically linked to the redevelopment of the strategically located former Novartis site as workspace. It raises the projected growth in the region due to the new Gatwick Airport Regional Airport Economic Zone and the Northern Runway investment. It also raises the significant investment in employment and science sites which is driving further demand and strengthening the regional business clustering, particularly in high-tech and science-based business space. He advises the Initiative has seen a surge in demand for commercial property particularly in smaller flexible units between 1,500 and 5,000sqft (140sqm to 465sqm) but that supply is constrained for SMEs or investor seeking adaptable spaces. They forecast up to 800,000sqft (75,000sqm) of enquiries in the Horsham area for B-class uses. The letter advises that redeveloping legacy industrial sites like Novartis into modern, scalable commercial spaces would be key to attracting this type of investment to the town, securing a future for fast-growing local businesses with the flexibility to grow.

Northern West Sussex Economic Growth Assessment (Jan 2020), and Northern West Sussex Economic Growth Assessment Focused Update for Horsham (November 2020) – (EGAs)

For the purposes of planning policy 'employment use' relates to Use Classes B2, B8 and E(g) (former Use Class B1). The need for such uses is assessed and evidenced via the Northern West Sussex Economic Growth Assessments (Jan 2020 and Nov 2020).

The EGAs identify Horsham town as secondary to Crawley which is the primary commercial centre within the North West Sussex Functional Market Area (FEMA). However, as reflected in Policy 5 of the HDPF, Horsham town is the main commercial area within the district. Based on the Northern West Sussex Economic Growth Assessment (Jan 2020) (EGA) Horsham town provides around 37.8% of the jobs in the district, for comparison the next biggest commercial settlement is Southwater which provides around 4.5% of the jobs. The EGA also makes clear that 90.5% of businesses in the District are micro (0 to 9 employees) and 8.1% are small (10 to 49 employees) with only 1.1% being medium (50 to 249 employees) and 0.2% being large businesses (250+ employees).

The Northern West Sussex Economic Growth Assessment (Jan 2020) notes the important role existing employment sites in the District play in accommodating economic development activity – such as paragraphs 9.15, 9.21 and 9.22. It highlights that the continued protection of these sites is needed to ensure economic growth is not undermined

by a lack of sites and premises. This recognises the difficulties that exist around finding suitable locations for B2 (general industrial) and B8 (storage or distribution) Use Classes given they are separate to E(g) Use Class which covers industrial process 'which can be carried out in any residential area without causing detriment to the amenity of the area'.

The EGAs make clear there is a need for additional employment floorspace. The Focused Update for Horsham (Nov 2020) makes clear that the employment need by 2037 within the District is between 13,300sqm (Job Growth/Oxford Economic forecast) to 303,820sqm (based on Labour Supply/delivery of 1,400 dwellings per annum) depending on the forecasting scenario applied. Both EGAs also take into account 'commitments' which are sites with planning permission for employment. This included a number of the large commitments, including the former Novartis site based on the outline permission for 25,000sqm employment floorspace and assessed as office but policy just seeks employment use as the backstop after 'training and employment' (the large commitments are detailed in Table 3.1 of the EGA Focused Update for Horsham, Nov 2020 and the site is included as site 15 in Appendix 4 of the EGA, Jan 2020). Paragraph 4.5 of the EGA Focused Update for Horsham also reflects that the former Novartis site forms a key employment regeneration and development site.

Paragraph 7.47 of the EGA (January 2020) highlights the redevelopment of the former Novartis site represents a significant opportunity to support the revitalisation of Horsham town's commercial property market and offer, with proximity to the town centre a particular draw for occupiers. Paragraph 9.18 reflects the site represents a key employment development opportunity for both the town of Horsham and the wider District and that it would help the town to retain its traditional employment role, which has suffered over recent years through the introduction of office to residential permitted development rights.

The EGAs assess different forecasting scenarios in accordance with NPPG to help in the determination of future employment need. The following is an extract from the Focused Update for Horsham (Nov 2020) setting out the various employment need scenarios depending on forecast method applied:

Table 3.2 Demand/supply balance to 2037

	1. Baseline Job Growth (OE 2020)	2. Past Development Rates	3. Baseline Labour Supply	4. Alternative Labour Supply (med)	4. Alternative Labour Supply (high)
Requirement for B Class Space (sqm)	13,300	179,240	166,990	240,910	303,820
Available Employment Space (sqm)			215,296		
Surplus / Shortfall (sqm)	+201,996	+36,056	+48,306	-25,614	-88,524

Source: Lichfields analysis

The amendment to the standard housing method undertaken since the EGAs were prepared will have an impact (i.e. it changed from being based on 2014 housing projections to being based on 8% of the existing housing stock). Based on the published AMR (2023/24 Report) the amended Standard Method calculates the housing need at December 2024 to be 1,357 per year. The implications of the change to the standard housing method base on the three labour supply employment need scenario figures (baseline, medium, high) is uncertain especially given that the status of the HDLP is uncertain hence future rates of household growth are currently difficult to predict.

It is however clear in the EGA that existing employment sites should be retained particularly those, like the former Novartis site, which have been assessed and found to have significant scope for employment. In addition to this, one of the large commitments considered in the EGA Focused Update for Horsham, relating to an extension to a headquarters for Schroders at Broadlands Business Campus for 9,080sqm employment floorspace, is unlikely to come forward because the business has implemented a subsequent permission for solar panels on the respective site potentially to assist the company towards net zero.

Applicant's Marketing Audit and Feasibility Assessment:

The applicant's marketing has not focused on what is most likely to be successful within the District/Horsham town, taking into account that nearly all businesses in the District are micro, nor does it explore how this might be viably delivered. It focusses on pre-let single occupier office development and a collection of smaller occupiers in a campus arrangement.

The applicant's marketing has focused on seeking to deliver high quality large premises commanding high rents subject to pre-let. It has focused on 45,000sqft to 230,000sqft (4,180sqm to 21,370 sqm) of flex-to-fit workspace to be built to meet future occupants' requirements. The report indicates delivery is only viable on a 'pre-let' basis whereby an occupier is secured prior to construction (circa 3 year lead in time). It does not really address why lower cost buildings with lower rents, constructed in phases if necessary, that would be attractive to the main demand in the district could not be delivered.

The applicant's assessment reflects that smaller and medium enterprises normally seek to keep their overheads to a minimum during growth stage and that they are less likely to be able to justify paying the higher rents that would be sought from the type of premises marketed. It reflects that Horsham's market consists of tenants who generally only look for alternative accommodation typically at a maximum of 12 months prior to any lease event and are unlikely to commit to something that is not already built.

The applicant's assessment indicates interest from small businesses seeking around 3,000sqft to 10,000sqft (280sqm to 930sqm) but advises that it is not viable to rent and build at this scale. It is not considered the applicant's assessment clearly demonstrates why this could not be viable.

The applicant's viability assessment includes a number of assumptions that should be reviewed such as the following. The applicant's marketing and viability assessment states provision will have to be grade A accommodation with an EPC rating of A (therefore upper quartile BCIS costs for the base build requiring rents in excess of £40.00 per sq ft to be viable which is significantly more than what is considered realistic in the District). The inclusion of a significant standalone cost for a multi-storey car park as part of office provision is also queried given the intensity of use at the site is likely to be limited due to the impact on the surrounding road network. This means under-croft/semi-basement parking and/or street level/ground floor parking may be more suitable.

In respect of the industrial/warehouse calculations, given the typical small scale nature of the businesses in the District, it is also considered unrealistic to expect the demand is only for 24/7 operation. Nor is it considered appropriate to assume noise restrictions would have to be placed on all units given the relatively large size of the site and proximity to the railway line with employment beyond, meaning B2 Use Classes should not be precluded on this basis. The appropriateness of a 9 month rent free period for a 10 year lease commitment for the smaller units is also queried given small enterprises may not seek such a long lease in the first instance and the impact this has on the development costs.

Indeed, the nature of the market in the district and Horsham town's secondary standing to Crawley, along with the HDPF policy requirements, was evident when the site was purchased, so these should have been reflected in the purchase price. It is acknowledged markets can change but, as reflected in the applicants marketing and viability report, historic Horsham office rents are sub £20.00 per sq ft and the Horsham market is not 'sophisticated' meaning tenants are unlikely to commit to pre-lets.

Notwithstanding the normal expectations in respect of site purchase price, the outline application DC/18/2687 accepted the introduction of housing as an enabler to ensure employment would be viable. It is unclear why this option has been removed and why West Sussex County Council has split the site so that the former enabling housing site no longer forms part of a comprehensive redevelopment of the former Novartis site as sought by Policy 8 of the HDPF.

It is noted that Chapter 6 of the applicants marketing and viability report sets out a number of unprecedented impacts on the market. However, many of the impacts set out would also affect housing delivery. There is therefore a lack of evidence that housing would be delivered much faster than employment on the site. Housing unrelated to employment is likely to command a higher land value undermining the retention of employment land and delivery of employment should the site remain vacant.

This highlights a need to be cautious in respect of releasing an identified employment site / strategic 'training/employment' allocation site for housing. Such a release should be considered through the plan making process rather than via speculative applications so that the longer term employment needs of Horsham town and District versus housing needs can be fully assessed and planned for taking into account achievability which may include a planned approach to enabling development to achieve comprehensive redevelopment.

Concluding Comments

The re-use of this vacant previously developed site in Horsham town is, in principle, welcomed and the proposal would make a contribution towards meeting the housing requirements. The proposed provision of circa 5% of the dwellings being in compliance with M4(3) standards with wheelchair accessibility would also be welcomed. However, the proposal conflicts with **Policies 2 and 8** of the Horsham District Planning Framework (2015) which seek training/employment or employment on the strategic allocation site. It therefore forms a departure from the adopted Development Plan.

It also fails to accord with **Policy 7** of the HDPF because, since the adoption of the HDPF, it forms an identified site for employment. In addition to this, it fails to accord with **Policy 9** of the HDPF because it fails to clearly demonstrate the site is no longer needed and/or viable for employment use.

It is important that the District has a range of commercial floorspace on offer to provide opportunities for businesses to start-up, grow and remain in the district. In turn this is essential for supporting local jobs and the local economy. The planning system seeks to ensure sustainable communities are created and maintained. This requires a sustainable mix of uses in sustainable locations, which balances the need for both housing and employment as well as other uses.

The balance between housing and jobs can be particularly affected when an existing employment site is lost to provide additional housing as this leads to a reduction in employment land not just for the existing community but for the proposed new residents unless the employment can be sustainably relocated which normally means within the built up area. This includes undeveloped/vacant employment land because finding suitable

land for employment, especially within a built up area, is normally more difficult than finding land for housing given the impacts upon amenity, traffic/road networks and land values. It is not considered sustainable to lose an existing employment site, which has been assessed as meeting employment need, to housing when it necessitates a need to release greenfield countryside land (which conflicts with policy) for replacement employment.

Regard should be given to this along with all material planning considerations when determining whether there are any adverse impacts that would significantly and demonstrably outweigh the benefits of the proposal in accordance with paragraph 11.d of the NPPF.

In view that this affects a strategic allocation for comprehensive redevelopment of the former Novartis site within an adopted development plan/spatial strategy to 2031, the employment policies of which are still considered to be relevant, up to date and in compliance with the NPPF, it is considered the level of conflict with the development plan presented by this proposal should be given significant weight. Indeed, alternative development on a strategic site is something that is normally considered through the plan making process. The Council's formally expressed position is also material, with regard to its endorsement of a review of the Local Plan at Full Council on the 11th December 2023 within which this site formed an identified employment site by virtue of Table 5 and paragraph 9.24 of the HDLP. Especially when the HDLP's Inspector recommendation that the plan should be withdrawn was due to his view there was a failure to meet the Duty to Cooperate, and not related to any concern with policies relating to employment land.

The HDLP did not carry over a strategic allocation for the site because the delivery of employment was considered to be secured by the outline application consent, which accepted some housing in order to provide 'enabling development' for the employment, and the sign up of both West Sussex County Council and Horsham District Council to the Horsham Growth Deal/Horsham District Deal. The outline consent has now lapsed and given the housing element of the consent had been enabling development in order to retain employment and that the last use of the site was employment it is not considered the principle of housing unrelated to employment has been established. Indeed, the outline consent, which reserved all matters except for access, established mixed use on the former Novartis site which is considered to fall within Sui Generis Use Class.

The EGAs highlight the type of floorspace that is in demand in the district and makes clear in Table 4.4 of the EGA (Jan 2020) that the majority of businesses are micro (0 to 9 employees). This is reflected in the draft Local Plan review (HDLP) which highlights a need for provision of flexible units ranging from 18sq to 185sqm. It acknowledges that typically the size of starter units in demand is often 35sqm to 45sqm so that if larger units were proposed that were not meeting a specific occupiers need then flexibility enabling sub-division is to be demonstrated. The findings of the EGA have been available prior to the submission of this application and during the marketing undertaken by the applicant, as has the HDLP.

The applicant's marketing is focused on larger scale pre-lets on the basis anything other would not be viable and yet this has not been clearly demonstrated. Given the nature of the market in the area it is not surprising that the applicant's assessment finds a lack of demand for pre-lets at this scale. As highlighted above in the employment section and in the applicants marketing and viability report this is not what is in demand within the District, including Horsham town, which casts significant doubt on the validity of the applicant's marketing and viability evidence. Their assessment seems to focus on high cost build to achieve high rents but reflects the area will not achieve the high rents needed to make such a build viable because this is not a prime employment location. It also applies a number of assumptions based on the region and lacks a more granular look at the actual demand in the district. It does not therefore appear to actively explore the

most achievable options for this site and location nor whether, or how, such options could be made viable. Nor does it appear to assess the viability of the former lapsed outline illustrative masterplan or the option of enabling housing development which was previously adopted in the outline application for the wider site / former Novartis site.

Despite the reasons presented as to why the provision of employment new builds would be unviable (eg builds costs would be too high relative to rents), the district has seen new employment built including in locations that would command lower rents than Horsham town; this is evidenced in the Authority Monitoring Reports and summarised in Table 1 below. Once the employment space has become available it has been occupied quickly. In addition to this, there is very little vacancy within the Industrial Estates/Business Parks within the District which also indicates a healthy demand.

Table 1: Net Employment Floorspace m² between 1 April 2019 to 31 March 2024 (source: Authority Monitoring Reports.)

Use / Total	2019/20	2020/21	2021/22	2022/23	2023/24	TOTAL
B1a/Eg(i) (Office)	481	258	1,104	348	1,194	3,385
B1c/Eg(iii) (Industrial processes)	5,099	360	931	743	4,898	12,031
B2	5,173	3,745	570	-	620	10,108
B8	12,439	7,701	2,897	3,929	3,414	30,380
Mixed B1 / Mixed B (inc E)	1,181	5,970	-468	2,322	1,878	10,883
TOTAL	24,373	18,034	5,034	7,342	12,004	66,787

It is therefore recommended an independent review be undertaken of the applicants Marketing Audit and Employment Viability Assessment given the conflict with Policy 8 (Strategic Allocation) of the HDPF and the requirement in Policy 9 (criterion 2) of the HDPF for proposals seeking the redevelopment of employment sites to demonstrate that the site is no longer needed and/or viable for employment use, and also to ensure accordance with NPPG ([Reference ID: 66-001-20190722](#)). The independent review should assess whether the very focused approach on large scale pre-lets is justified or whether smaller phased lower cost premises with lower rents with realistic investment planning could be achieved on this site. The latter would enable some to be built and occupied in phases to be more in step with demand minimising void costs to the developer/investor, these potentially could have shared kitchen/canteen and bathroom facilities to minimise build costs.

The review should take into account the funding opportunities open to a County Council, both solely and with partners, and also whether employment could be retained with some enabling development such as housing. (Enabling development is something that may not be policy compliant except for the fact that it would secure the future provision of employment, for example development with a higher land value so when it is sold it will subsidise the provision of employment. Further information on the key principles behind enabling development is clearly set out by Historic England which includes it as an approach that may be appropriate in order to retain and enhance historic assets: [Enabling development and historic assets](#)).

The review should also take into account Building Regulations which means employment premises do not have to be grade A accommodation with an EPC rating of A and high rents as illustrated in the applicant's report (which applies upper quartile BCIS costs for the base build requiring rents in excess of £40 per sq ft for office space and £19.50 per sq ft for industrial space – which are more than what is considered typical in the District). The

focus of the review should be on the ability to provide viable employment that helps meet the demand in the town/District/FEMA.

For the purposes of any review of the applicants marketing and viability report, employment means Class E(g) and B2 and B8 given that Policy 8 of the HDPF does not restrict employment to office/light industrial/research and development.

There are therefore a number of material planning considerations which need to be taken into account in the determination of the unique circumstances of this proposal and regard given to the respective weight to be given to each when considered collectively. These are not necessarily exhaustive but include:

- The weight to be given to an adopted Local Plan that is more than 5 years old in accordance with legislation which sets a plan-led planning system including a requirement to review a Local Plan within 5 years of adoption.
- The lack of a demonstrable 5 year housing land supply and the presumption in favour of sustainable development set out in paragraph 11 of the National Planning Policy Framework (NPPF) when development plan policies are considered out of date and the consequent need for any adverse impacts to significantly and demonstrably outweigh the benefits of an application when assessed against the policies in the NPPF taken as a whole with particular regard to a number of specified policies.
- The unique and unprecedented water neutrality reason for the above and therefore the weight to be given to a lack of a 5 year housing land supply/failed housing delivery test.
- The consequent weight to be applied to the adopted Local Plan policies, including the sites strategic allocation in Policy 8 of the HDPF which reflected its importance to the district and the wider Gatwick Diamond economic area in respect of its employment opportunities. It seeks re-use of the whole of the former Novartis site as comprehensive, mixed use strategic development it is therefore unclear why WSCC has split the site given the lapsed outline application covered the whole of the former Novartis site. The lapsed outline justified housing on this parcel on the basis it enabled the retention of employment on the current application site. It would not be appropriate to consider the viability of the application site in isolation if it artificially undermines the viability of delivering some employment on the wider site covered by Policy 8 unless there is an appropriate reason for splitting the site and lack of continued regard to enabling development to facilitate the retention of employment use of the land (in part) and provision of employment floorspace.
- Regard to the strategic significance of this site within a strategic allocation for comprehensive re-use in an adopted development plan, in light of the plan led planning system set by legislation, and whether it is appropriate to consider alternative uses outside the plan making process.
- The status of DC/18/2687 (granted 11/02/2020, applicants stated it has not been implemented and has now lapsed), the development principles it is considered to have set, and the lawful use of the site.
- The weight to be given to the length of time the site has been vacant, changing markets and the West Sussex County Council's Horsham Growth Deal, prepared in partnership with Horsham District Council, which clearly sets as one of its four priorities the development of a new employment and residential quarter in the heart of Horsham on the former Novartis site.

- The weight to be given to the delivery of policy compliant affordable housing units.
- The robustness of the applicants marketing strategy and viability assessment and weight to be given to it within past/current market. The suitability of the marketing being focused on pre-lets, the lack of start-up units and the indicative large scale size of units within the brochure (c.4,200sqm to 21,400sqm) versus the demand reflected in the EGAs.
- Regard given to the ability to retain/provide some employment use/floorspace by the retention of consideration to 'enabling development' given the significant size of the site and also the wider site, which the HDPF seeks to be redeveloped comprehensively, and formerly shown via lapsed outline consent (DC/18/2687) to only need 200 dwellings in the 'phase 1 and 2' area to retain the 'phase 3' land at employment.
- The weight to be given to employment need versus housing need/requirements and the creation of sustainable communities, taking into account the Council's evidence base and the wider impact if this proposal were to proceed acknowledging that the sustainability of a town depends upon a balance between employment and housing. Impacts on sustainability when an existing employment site is removed to deliver housing, including affordable homes, which would increase demand for employment. Also taking into account that it is normally more difficult to find a location for employment within a town than housing due to land values and potential impacts upon amenity/restrictions on hours of use including consequent impacts on nighttime environment at street level.
- Regard given to the potential for land pollution/contamination and consequent remediation costs needed to deliver residential and/or viability impact on delivery of affordable dwellings.

Previous demolition applications gave reference to contamination/pollution as does the submitted Historical Land Quality Investigations Data Review and Preliminary Risk Assessment (March 2016). The submitted review and assessment does not include corresponding maps (e.g. figures 1, 2 and 4) to clearly show the land investigated and requiring further investigation but given the reference in section 3.2 to a site area of some 7.2 hectares it is assumed the report applies to the whole of the former Novartis site. It indicates land within Phase 1 and potentially Phase 2 may have contaminants due to historical operation or disposal of wastes in former clay pit on site (Tables 8 and 9). Indeed, it is not uncommon for former waste 'landfill' sites to form employment sites due to the land pollution/contamination. Within Phase 2 land it notes there were former underground and potentially above ground solvent stores, spirit store, oil storage depots and petrol tanks. Table 12 page 26 and 29 (i.e two Table 12's) indicate concentrations of some chemicals within ground to be above Soil Generic Assessment Criteria (GAC) for residential use, asbestos was present in some of ground the samples and ground gas was present on site. Table 12 page 29 indicates the site also had an incinerator and electricity sub station. Table 17 shows a number of further investigations are required.

(NB the land quality submission with this application is different to the Land Quality Interim Report, Nov 2016 and Land Quality Investigation Novartis Horsham, Oct 2014 submitted under DC/25/0415 – the reason for this difference

should be clarified to ensure an appropriate understanding of the land conditions is understood. Especially given the reports submitted with DC/25/0415 indicates, based on pre-sale to WSCC data, trace asbestos fibres in near surface soils, elevated inorganics and PAHs concentrations which may cause human health harm in residential end use, and also the installation of a cap in areas. Retention of capped surfaces are difficult to secure 'in perpetuity', and are therefore not normally appropriate, within residential areas where occupants may remove in order to provide planting/grow vegetables.)

- How the proposal complies with other development plan policies and the NPPF, for example, in respect of density/making effective use of a site, traffic, parking, open space, landscape, provision of any self build and/or supported housing etc. In respect of density it is noted the lapsed outline application (DC/18/2687) had indicated up to 300 dwellings could be delivered whilst this application only seeks approximately 206 dwellings.
- The impact the separation of this part of the site from the rest of the former Novartis site on the future development of that site given the splitting of the site hinders the ability to take a wholistic and comprehensive approach to masterplanning and impacts, including traffic impacts, which could unduly undermine the ability to deliver employment on the former Novartis site.

Extent of policy comments

These comments relate only to those which relate to the principle of development. It is for the Case Officer to consider detailed matters and to assess the merits of the proposal against all relevant policies.

ANY RECOMMENDED CONDITIONS:

In the event that the scheme was recommended for approval, it is recommended conditions, and where appropriate legal agreements, should be imposed that secure the following taking into account respective information submitted with the application and policy requirements:

- Affordable Housing – securing at least 35% of all residential units of appropriate mix in size, type and tenure
- Design Code
- Landscape Statement and Plans, including open space that meet the latest open space standards
- Heritage Statement
- Transport Assessment
- Green Travel Plan
- Environment Statement
- Biodiversity Strategy
- Energy Statement
- Management Plan
- Water Neutrality Statement / Grampian condition to secure water neutrality in advance of development.

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DEPARTMENT:	Planning Policy
DATE:	12/05/2025