



Horsham  
District  
Council

## HORSHAM DISTRICT COUNCIL CONSULTATION

<b>TO:</b>	Horsham District Council – Planning Dept
<b>LOCATION:</b>	Land East of Mousdell Close Rectory Lane Ashington RH20 3GS
<b>DESCRIPTION:</b>	Erection of 74 dwellings with associated access, parking and landscaping.
<b>REFERENCE:</b>	DC/25/1327
<b>RECOMMENDATION:</b>	<i>Advice / No Objection / Objection / More Information / Modification / Refusal</i>
<b>SUMMARY OF COMMENTS &amp; RECOMMENDATION:</b>	
<p>The application site is located to the south of Rectory Lane in Ashington and extends to approximately 2.19 hectares. The proposal seeks to deliver a development of 74 new homes, including 35% affordable housing. Land East of Mousell Close is an identified allocation in the emerging Horsham Local Plan. The local plan examination is paused as Horsham Council seeks further clarification from the Inspector on issues relating to duty to cooperate.</p> <p>Ashington is a medium village in the settlement hierarchy (Policy 4 – HDPF). Ashington Parish has a made neighbourhood plan which is less than five years old. The neighbourhood plan allocates 225 dwellings to meet a local housing need up to 2031.</p>	

## **MAIN COMMENTS:**

### **Preamble:**

The application site is located to the south of Rectory Lane in Ashington and extends to approximately 2.19 hectares. The site is bordered by existing housing to the west and by Chanctonbury House and other residential properties to the east. The southern edge of the site also adjoins an area of woodland and beyond the woodland lies the neighbourhood plan allocation (AS11) for 150 dwellings. To the east of Mousell Close lies Chanctonbury Nursery and identified for 75 dwellings in the made neighbourhood plan (ASH10).

The proposal seeks to deliver a development of 74 new homes, including 35% affordable housing.

These comments focus on potential conflicts with the Development Plan (namely the HDPF), Ashington Neighbourhood Plan and with national planning policy and guidance. The status of the emerging Horsham District Local Plan 2023-40 (HDLP) is also considered towards the end of these comments. All views are without prejudice to the recommendation of the Case Officer. The comments do not discuss the Council's Housing Land Supply position or Housing Delivery Test performance in any detail. In addition, the comments provide no commentary relating to the need for development to be water neutral, of which the case officer will also be aware.

### **Horsham District Planning Framework 2015 (HDPF)**

The HDPF was adopted by the Council on the 27 November 2015 and, together with "made" Neighbourhood Plans, forms the current development plan for the Horsham District. The HDPF sets policies and proposals for development in the district up to 2031. It is for the case officer to determine the weight of relevant HDPF policies in the context of the Council's five year housing land supply position and as weighed against the tilted balance; this will respectively depend on the policies' alignment with the NPPF, and the evidence relevant to matters covered by those policies including evidence related to the site. The following advice is given:

### **Strategic Policy 3: Development Hierarchy (advice)**

This policy sets out the hierarchy of towns and villages where development will be supported within built-up area boundaries, ensuring the pattern of development and rural nature of the district is retained. Ashington is identified in the settlement hierarchy in the medium villages tier. Medium villages identified within this tier have moderate services, facilities, moderate social networks but with some accessibility to public transport. Typically, medium villages are dependent on larger settlements for higher level services and employment. In Ashington's case there is a limited retail offer (a small Co-op in the middle of the village and a service station incorporating a small Marks and Spencer grocery store can be found on the northern edge of the village); there is no doctor's surgery located within the village but local residents can travel to Storrington to see a local doctor (a distance of approx. 4.5 miles); there is no direct public transport link). There is a pub and a local primary school which are also located in the centre of the village.

#### **Strategic Policy 4: Settlement Expansion (advice)**

**Strategic Policy 4 of the HDPF** support expansion of settlements subject to specified criteria including whether allocated in the Development Plan, settlement hierarchy context and meeting local housing need.

The site is not allocated in the HDPF.

#### **Shaping Development in Horsham District (SDPAN)**

The Council has produced the Shaping Development in Horsham District (SDPAN) which will be a material consideration in planning applications. The document replaces the previous guidance note Facilitating Appropriate Development in Horsham (FAD). The SDPAN sets out the Council's aspirations and the weight that can be given to current policy within the context of current legislation, national policy and guidance. The SDPAN was endorsed at Cabinet on 17 September 2025.

Paragraph 5.12 of the SDPAN sets Policy 4 of the HDPF in the context of current circumstances regarding the 'tilted balance' and status of the emerging Local Plan (see below). It advises that the following should be observed for new development proposals.:

*The Council recognises that it is likely to receive applications outside of defined BUABs and on unallocated sites as it is unable to demonstrate a five-year housing land supply. Given this position and the principles behind HDPF Policy 4, it will consider positively applications that meet all of the criteria below:*

- 1. The site adjoins the existing settlement edge as defined by the BUAB;*
- 2. The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;*
- 3. The proposal demonstrates that it meets local housing needs or will assist the retention and enhancement of community facilities and services;*
- 4. The impact of the development individually or cumulatively does not prejudice comprehensive long-term development; and*
- 5. The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced.*

The SDPAN is a key material consideration in applications for housing applications in Horsham District. With a five-year housing land supply and/or where Housing Delivery Test performance is less than 75%, Paragraph 11 (and footnote 8) indicates that policies that affect that supply of housing may be considered out-of-date (see below).

#### **Five-year housing land supply**

Paragraph 11(d) of the NPPF and footnote 8 sets out that where a Council is unable to demonstrate a 5-year housing land supply, or sufficiently delivered housing against relevant targets over the past 3 years (using the Housing delivery Test), relevant development plan policies will be considered out-of-date. This engages the "tilted balance", where a presumption in favour of sustainable development applies. It is confirmed that the Council is unable to demonstrate a 5-year housing land supply (and at the current time can only demonstrate a 1-year supply), and further has not met the 75% threshold for 'passing' the Housing Delivery Test in recent years. Therefore the "tilted balance" is engaged, and there is a presumption

that planning applications for housing be approved, albeit the Ashington Neighbourhood Plan also holds significant weight (see below).

### **Water Neutrality**

The application is supported by a Water Neutrality Statement which has not been 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.

### **Horsham District Local Plan (HDLP) 2023-2040**

The Council embarked on a review of the HDPF and prepared the draft Horsham District Local Plan 2023-2040 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 base could not equally be used in determining planning applications.

Following member discussion at Communities and Place Policy and Scrutiny Committee on 23 July and upon direction from members, and a subsequent Cabinet Member Decision taken on 8 August by the Cabinet Member for Planning and Infrastructure, the Council wrote to the Planning Inspector on 18 August 2025. The letter requested that he reopen the examination hearings to revisit his conclusions on the Duty to Cooperate and conduct a further hearing on the matter, that includes representatives of neighbouring authorities, particularly given the context of proposed changes to the planning system (which includes the revocation of the Duty to Cooperate) and local government reorganisation. A response to the letter was received from the Inspector on 28 August 2028 inviting further evidence from the Council, which it is due to provide shortly.

It is the Council's view that the submission Horsham District Local Plan 2023-2040 remains the emerging Local Plan (eLP) in the context of NPPF para 49 at the time of writing. However, given the context described, it is considered that only limited weight should be given to its policies.

The housing policies and site allocations in the emerging draft Horsham Local Plan have sought to address housing need. Therefore, in certain circumstances it may be reasonable to attach some limited weight to site specific policies, or other policies seeking to maximise the delivery of housing and affordable housing. It is noted that there is nothing in the Inspector's Initial Findings Letter to suggest that there were any concerns over the proposed housing site allocations. Of most relevance to this application is Policy HA5, together with ASN1. The case officer will need to review the proposed draft policy in full. But, in summary HA5 seeks to deliver at least 75 dwellings including affordable housing subject to the following policy criterion:

- a) To ensure no adverse effect on the integrity of the Arun Valley SPA / Ramsar site any application will be supported by a HRA and a wintering bird survey.
- b) There is connectivity from the site to key local amenities and services and that these are enhanced through improvements to local pedestrian and cycling networks.

With regards to (a), reference should be made to **the eLP Policy 31: Biodiversity and Green Infrastructure** criterion (5) which stipulates any development with the potential to impact Arun Valley SPA or the Mens SAC will be subject to a HRA to determine the need for an Appropriate Assessment. The case officer will evaluate if the proposal is in conformity with the Habitat Regulations.

### **Ashington Neighbourhood Plan**

The Ashington Neighbourhood Plan was made in 2021 and is part of the Horsham District Development Plan. It is less than five years old and allocates 225 housing to meet identified local needs up to 2031 as identified in a Housing Needs Assessment undertaken in July 2017. According to Paragraph 14 of the NPPF, when considering housing applications, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided that:

- a) the plan is less than five years old, and
- b) it includes policies and housing allocations to meet its identified housing requirement.

The Ashington Neighbourhood Plan meets these conditions. NPPF paragraph 14 is therefore engaged.

I have considered whether, despite DC/25/1327 conflicting with the Ashington Neighbourhood Plan, the negative impact of permitting a proposal that conflicts with neighbourhood plans would significantly and demonstrably outweigh the potential benefits. The Ashington Neighbourhood Plan meets housing needs up to 2031. Nevertheless the proposal will contribute to meeting a local housing need in Ashington beyond 2031, provide affordable housing as part of the housing mix, Furthermore, as discussed above, the emerging Horsham Local Plan included Strategic Policy HA5: Ashington with a housing allocation at Land at Mousell Close (SMD1) which indicates the Council's in-principle support for allocation of at least 75 homes on the application site. This proposed allocation was supported by the Site Assessment Report Part C (SA866<sup>1</sup>).

Given that the proposed site allocations in the emerging Horsham Local Plan were based on robust evidence which demonstrates the site is capable of accommodating sustainable development, and in light of the Council only being able to demonstrate a 1 year supply of housing, on balance I consider the proposed development should be supported in principle, notwithstanding the conflict with the neighbourhood plan and subject to conformity with other policies in the development plan.

It is advised that non - housing neighbourhood plan policies should be afforded equivalent weight as the HDPF. These may be a more relevant consideration at the reserved matters stage. The following policies will be of relevance to this proposal:

1. POLICY ASH1: OVERALL SPATIAL STRATEGY FOR ASHINGTON;
2. POLICY ASH2: INCREASING WALKING IN ASHINGTON;
3. POLICY ASH3: PARKING PROVISION;

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<sup>1</sup> [https://www.horsham.gov.uk/\\_data/assets/pdf\\_file/0003/131736/HDC-Reg-19-Site-Assessment-Report-Part-III-Preferred-Smaller-Sites-Dec-2023.pdf](https://www.horsham.gov.uk/_data/assets/pdf_file/0003/131736/HDC-Reg-19-Site-Assessment-Report-Part-III-Preferred-Smaller-Sites-Dec-2023.pdf)

4. POLICY ASH5: LANDSCAPING AND COUNTRYSIDE ACCESS;
5. POLICY ASH6: NOISE IMPACTS and
6. POLICY ASH8: ASHINGTON COMMUNITY CLUSTER.

Comments in this response are limited only to those which relate to the principle of development and are not exhaustive. They are intended to aid the case officer's detailed assessment and reporting and are made without prejudice to the recommendation of the case officer.

**Extent of policy comments**

I have limited my comments only to those which relate to the principle of development. I have not considered the finer details of the proposal and it is for the case officer to assess the merits of the proposal against all relevant policies.

**ANY RECOMMENDED CONDITIONS:**

n/a

**NAME:**

Norman Kwan

**DEPARTMENT:**

Planning Policy

**DATE:**

1 October 2025