



**Horsham
District
Council**

PLANNING COMMITTEE REPORT

TO: Planning Committee

BY: Head of Development and Building Control

DATE: 28th April 2026

DEVELOPMENT: Outline Planning Application for up to 90 no. residential dwellings (including 40% affordable) all matters to be reserved apart from access.

SITE: Land North of Guildford Road, Bucks Green, Rudgwick, West Sussex

WARD: Rudgwick

APPLICATION: DC/25/1269

APPLICANT: **Name:** Mr Louis Wong **Address:** C/O ECE Planning, 64-68 Brighton Road, Worthing, BN11 2EN

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.

By request of Councillor Roger Noel.

The application represents a departure from the development plan.

RECOMMENDATION: To approve outline planning permission subject to appropriate conditions and subject to the completion of the necessary section 106 agreement within four months of the decision of this Committee, or such longer period as is agreed by the Director of Place acting reasonably and properly.

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

DESCRIPTION OF THE SITE

1.2 The application site comprises of two agricultural fields (4.41-hectares) on the land on the north side of the A281 Guildford Road, Bucks Green. As existing the site is an undeveloped parcel of gently undulating pastoral / agricultural land comprising of grassland with a mature tree belt through the centre of the site and additional scattered trees throughout. The existing site access is to the west onto Lynwick Street.

- 1.3 To the west, the site is bound by an existing hedgerow bordering Lynwick Street, to the east the site is bound by Public Right of Way (PROW) RUD-1386, to the south the site is bound by mature vegetation, trees and hedgerow and the A281 Guildford Road. To the north the site gives way into open fields.
- 1.4 Within the surrounding area, the south side of Guildford Road is comprised of buildings fronting the road in a linear fashion. The site is adjacent to a row of dwellings to the east which back on to the site application site and a triangular piece of land, called Bucks Green Pig Farm. Open fields lie to the north and the village of Rudgwick is to the east / northeast of the site. Directly to the east of the site are playing fields associated with nearby Pennthorpe School. Several listed buildings are within the proximity of the site.

DESCRIPTION OF THE APPLICATION

- 1.5 The application seeks outline permission for up to 90 dwellings on the site, with all matters reserved apart from access. Vehicle access is proposed via a new priority junction onto the A281 Guildford Road. The access would be a 5.5 metre wide with 6 metre kerb radii.
- 1.6 Whilst matters of site layout are reserved, an indicative site layout shows a cul-de-sac with a central / primary access road with secondary and tertiary roads serving groupings of dwellings. A mix of dwelling types are indicated including detached, semi-detached, short rows of terraces and small flat blocks. Buildings would be primarily 2 storeys, with 1.5 storey dwellings along the northern boundary with denser 2.5 storey dwellings / terraces indicatively sited in the centre of the site adjacent to play space.
- 1.7 Since the application was first submitted, the following amendments have been secured:
- Updated parameter plans reduced building heights / building density to the north of the site.
 - Increased Landscape buffer along the northern boundary.
 - Introducing a controlled pedestrian crossing along Guildford Road
 - Removing an uncontrolled crossing to the west of the site
 - Introducing a new pedestrian / cycle access onto Lynwick Street

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

The following Policies are considered to be relevant to the assessment of this application:

National Planning Policy Framework (Dec 2024)

[NB The consultation draft 2026 NPPF is considered to carry very minimal weight]

Horsham District Planning Framework (HDPF 2015):

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 15 - Strategic Policy: Housing Provision

Policy 16 - Strategic Policy: Meeting Local Housing Needs

Policy 24 - Strategic Policy: Environmental Protection

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 26 - Strategic Policy: Countryside Protection

Policy 31 - Green Infrastructure and Biodiversity

Policy 32 - Strategic Policy: The Quality of New Development

Policy 33 - Development Principles

Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 41 - Community Facilities, Leisure and Recreation

Rudgwick Neighbourhood Plan (2021):

RNP 1 - Spatial Strategy
RNP 2 - Housing Mix
RNP 3 - Affordable Housing
RNP 4 - Homes For Older People
RNP 5 - Housing Density
RNP 6 - Materials
RNP 7 - Architectural Style
RNP 8 - Development Height
RNP 9 – Street Scene
RNP 12 – Accessibility
RNP 17 - Green Infrastructure & Trees

Horsham District Local Plan (2023-40) (Regulation 19):

Policy 1: Sustainable Development
Policy 2: Development Hierarchy
Policy 3: Settlement Expansion
Policy 6: Climate Change
Policy 7: Appropriate Energy Use
Policy 8: Sustainable Design and Construction
Policy 9: Water Neutrality
Policy 10: Flooding
Policy 11: Environmental Protection
Policy 12: Air Quality
Policy 13: The Natural Environment and Landscape Character
Policy 14: Countryside Protection
Policy 15: Settlement Coalescence
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Policy 23: Infrastructure Provision
Policy 24: Sustainable Transport
Policy 25: Parking
Policy 27: Inclusive Communities, Health and Wellbeing
Policy 28: Community Facilities, Leisure and Recreation
Policy 29: New Employment
Policy 37: Housing Provision
Policy 38: Meeting Local Housing Needs
Policy 39: Affordable Housing
Policy 40: Improving Housing Standards in the District
Strategic Policy HA14: Rudgwick and Bucks Green Housing Allocations

West Sussex Joint Minerals Local Plan (2018) (Partial Review March 2021)

Policy M9 - Safeguarding Minerals

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)
WSCC Parking Guidance (2003 as amended Sep 2020)
Open Space, Sport & Recreation Review (June 2021)

Planning Advice Notes:

Shaping Development in Horsham (Sept 2025)
Biodiversity and Green Infrastructure (Oct 2022)

PLANNING HISTORY AND RELEVANT APPLICATIONS

None

3 OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk.

INTERNAL CONSULTATIONS

- 3.2 **HDC Arboricultural Officer:** No Objection

[Summary] The proposed vehicle and pedestrian access would minimally avoid impact on the nearest mature trees. From on-site observations, the extent of tree/vegetation removal and cutting back required would have relatively limited landscape impact and could be reasonably mitigated within a scheme of landscape enhancement for a development of the scale proposed, if acceptable in other planning terms. The schematic layout provided has limited foreseeable points of tree impact. The proposed footways within root protection areas of retained trees could be undertaken using above ground specialist engineering as alluded to within the submissions.

- 3.3 **HDC Conservation:** No Objection

[Summary] The Officer is satisfied that the principle of development is acceptable. The development site does not contribute significantly to reinforcing the character of the hamlet and does it appear to have any significant historic interest. The early edition O.S. maps do not indicate any historic features or significant boundary arrangement. It is not considered that the proposal would harm the character of the historic hamlet or the setting of the listed buildings.

- 3.4 **HDC Environmental Health:** More Information

[Summary] The Environmental Health officer has provided 3 comments during the application dated, 29/10/2025, 21/11/25, and 22/12/2025. Comments cover the below topics:

Contaminated Land

A preliminary contamination risk assessment (PCRA) is requested.

Noise

The officer notes that properties in the south-western corner of the site i.e. those nearest the A281, would be above the internal noise criteria detailed in BS 8233 for both daytime and nighttime hours. This would require occupants to keep windows closed to achieve suitable internal noise levels. It is also noted that some gardens in the south western part of the site are above the 50dB criteria in BS8233 which is also a concern.

The Officer note that mechanical solutions are available, however, advises that this should be a last resort and the layout should be revised to locate dwellings away from the A281. Alternatively ventilation systems would need to be installed and maintained of the lifetime of the development.

Construction Phase

A construction environmental management (CEMP) is requested.

Air Quality

The Air Quality Assessment dated 23 May 2025 is accepted. Should the proposed development be approved, we would however like to see the provision of air quality mitigation secured by a condition.

3.5 **HDC Housing:** Amendments Needed

[Summary] The HDC Housing Officer has provided 2 comments during the course of the applicant dated 02/09/2025 and 07/10/2025. The Officer's latest comment outlines that whilst the above policy provision of affordable housing is welcomed, amendments are requested to ensure provision aligns with current local housing needs and is deliverable in practice. The officer additional requests confirmation of Registered Provider involvement.

3.6 **HDC Ecology / BNG:** No Objection

[Summary] The Ecology / BNG Officer has provided 5 comments during the course of this application dated 23/09/25, 06/11/25, 17/12/25, 15/01/25, 10/03/26. Following initial comments requesting amendments to the sites baseline. The officer has outlined the development result in a 9.01% net gain (+1.36 units) in area habitats, and an 8.15% net gain (+0.54 units), net off-site solutions will, therefore, be needed meet 10% in both the area and hedgerow modules, respectively. The proposal meets HDC's definition- this is considered significant on-site BNG and a S106 legal agreement will be required to secure the BNG.

OUTSIDE AGENCIES

3.7 **Landscape:** No Objection

[Summary] The Landscape Officer has provided 3 comments during the course of the application dated 10/10/2025, 19/12/2025 and 06/03/2026.

Comment 1 - 10 October 2025

The officer notes the sites draft allocation within Strategic Policy HA14: Rudgwick and Bucks Green and that the site boundary extends beyond the draft allocation boundary. It is further noted that the Policy HA14 a) seeks to limit development to the southern part of the site. The officer therefore notes that the policy has not been adhered to regarding the developable area.

Concerns are raised regarding views of Bucks Green settlement edge from the north. The officer has noted that the proposed vegetation belt would not be sufficient to achieve suitable visual integration, noting the topography of the site which raised to the north. Elevations of this boundary are requested.

Updated parameter plans are requested to clearly denote building heights. Modifications SUDs and play space siting is requested. Modification to the methodology followed within the LVA are also requested. The Officer comments concludes that the proposal is not supported on Landscape Grounds.

Comment 2 - 19 December 2025

The officer notes the proposals conflict with Strategic Policy HA14. Whilst section of the northern boundary have been provided, concerns of the landscape buffer and building heights have not been overcome. The impact from receptors to the north including the PRow are noted. It is noted that the arrangement of SuDs and play space can be addressed at Reserved Matters. Clarification is additionally requested regarding the removal of 2No Cat C G4+ trees. The officer maintains the proposal is not supported on Landscape Grounds.

Comment 3 - 06 March 2026

The Officer welcomes revised plans which have responded more positively to the findings of the LVIA and previous comments, particularly the northern boundary where a greater landscape buffer has been proposed with reduced building heights. It is noted that the revised Building Height Parameter Plan (Dwg. BHPP-02 Rev B4) and Land Use Parameter Plan (Dwg. LUPP-02 Rev B3) improve the acceptability of the principle of developing the site from a landscape perspective. It is noted that final details can be secured at reserved matters and planting along the northern boundary must be planted in advance prior to commencement of construction.

3.8 Archaeology Consultant: No Objection

[Summary] The Officer has provided 3 comments during the course of the application dated 11/09/2025 and 14/10/2025. Following an initial request for a Historic Environment desk-based assessment the officer has provided a comment outline that the site has seemingly low potential for archaeological remains but that the results from the prehistoric and Roman periods in particular may be skewed by a lack of previous investigations. A Written Scheme of Archaeological Investigation and undertaking of necessary archaeological site investigation are therefore requested

3.9 Ecology Consultant: No Objection

[Summary] The Councils Ecology consultant has provided 2 comments during the course of the application dated 24/10/2025 and 14/01/2026

The Officer is satisfied that there is sufficient ecological information available to support determination of this application including in relation to roosting bats, reptiles, dormouse, breeding birds and other protected and Priority species.

The officer has noted that further surveys have been undertaken on two trees with roosting potential that were intended for removal T44 and T45. T44 has been confirmed not to have roosting potential, T45 is now proposed to be retained.

The Officer has additionally noted the site falls within the 12km Wider Conservation Area for this SAC, the Officer has assessed that there will be no severance to the flight lines of foraging or commuting bats from the SAC and habitat connectivity within the site will be maintained. In addition, subject to a Wildlife Friendly Lighting Strategy the proposal is not considered to result in any Adverse Effect on Integrity of the SAC.

A number of conditions have been requested:

- Accordance with mitigation measures
- A CEMP (Biodiversity)
- A Biodiversity Enhancement Strategy
- A lighting design strategy for biodiversity
- A Landscape and Ecological Management Plan (LEMP)

3.10 Natural England: Advice

[Summary] Standing advice provided.

3.11 NatureSpace: Advice

[Summary] The site has limited terrestrial habitats for Great Crested Newts and limited connectivity to surrounding ponds. A Precautionary Working Methods Statement (PWMS) is requested via condition.

3.12 Southern Water: Advice

[Summary] Southern Water has undertaken a capacity check which indicates sufficient capacity within the network for foul sewerage / surface water run off disposal to service the proposed development. It is additionally noted that soakaways and SUDs should not be connected into the public sewer and the surface water hierarchy should be followed. In

addition, a tree planting condition has been requested so as to protect Southern Water Assets.

3.13 **WSCC Highways:** No Objection

[Summary] WSCC Highways have provided 5 comments during the course of the application dated 15/09/2025, 17/10/2025, 28/11/2025, 19/12/2025 and 13/01/2026. The officer notes that the WSCC Highways have previously provided pre-application advice.

Access

A new access onto the A281 Guildford Road is considered acceptable. The speed limit on Guildford Road is 30mph. A speed survey has been undertaken by the Applicant with 85th percentile eastbound speeds of 32.4mph and westbound speeds of 34mph having been recorded. It is noted that vegetation around the access would need cutting back to ensure suitable visibility.

Trip Generation and Highway Impact

The site is anticipated to generate 79 two way vehicle trips in the AM network peak hour and 64 in the PM network peak hour. The impact on the highway network has been assessed up to 5 years after the date of the submission of the planning application (i.e. for 2030). It's apparent from these that whilst the development will generate additional traffic, this will have a largely indiscernible impact on the operation of the local highway network.

Accessibility by Sustainable Modes (including bus)

Of those services and facilities identified in the TA, all are within reasonable walking distance (this is considered to be 1.6km or 1 mile). The development includes various works to enable connections to existing footways and a length of footway leading eastwards to tie in with the existing footway where this terminates adjacent to 'Coopers Retreat' with would be 2 metres in width other than adjacent to an existing lay-by where 1.5m would be achieved. The proposed footway extension appears to be achievable within the existing public highway and unlikely the majority of the site frontage, there don't appear to be any significant trees or other such restrictions.

There is a lack of cycle infrastructure within the existing area notwithstanding the Downs Link to the east. The development itself will generate very few cycling trips and as such under the planning tests, the development could not be expected to provide any significant improvements.

Crossing Points

A Puffin cross is proposed across Guildford Road, this has been reviewed by the WSCC Traffic Signals team and an updated Stage 1 RSA has been provided. None of the problems raised are insurmountable and are predominantly matters that should be reviewed and addressed as part of the detailed design. The second crossing point across Guildford Road raised visibility concerns and has been removed.

Site Layout

It is noted that the site layout is reserved at this stage, however, any future application would need to accommodate traffic from the proposed field access.

Lynwick Street Access

A pedestrian / cycle access onto Lynwick Street is considered principally acceptable should the developer wish to include this within the proposal.

Travel Plan

A travel plan has been submitted including Bus ticket vouchers and a Car Club. These are considered acceptable and should be secured via S106.

3.14 **WSCC Education:** No Objection

Comment 1 - 01/04/2026

Rudgwick Primary School is currently full in all year groups. Looking in more detail at the Admissions data for the last 3 years, all children within the catchment have been offered places, with three to six pupils coming from outside the catchment generally from across the border in Surrey. We anticipate 0.19 pupils per dwelling for primary based on the census and data provided by the Office of National Statistics. As things currently stand, these pupils could be accommodated at the school. In neighbouring primaries within the Billingshurst locality there are also spaces available and numbers are forecast to fall. With this in mind, the team are not raising an objection on the grounds of lack of education infrastructure but will monitor numbers carefully going forward. Forecasts are produced by an independent firm of demographers, Edgeanalytics, on an annual basis and reviewed twice yearly as part of the Admissions round.

Comment 2 – 14/04/2026

I can confirm that there are places at The Weald Secondary School for in-catchment pupils (Rudgwick is a catchment/feeder school). However pupils that apply from outside the catchment or within Surrey may not be offered a place. We are keeping a close monitor on numbers in Billingshurst and projections are reviewed annually. Edgeanalytics, our forecasters, include children that may come from proposed new development.

3.15 **WSCC Lead Local Flood Authority: No Objection**

[Summary] WSCC LLFA have provided 3 comments during course of the application dated: 17/12/2025, 04/11/2025 and 30/09/2025. The most recent comment (dated 30/09/2025) clarifies that sufficient information had been submitted to determine the application subject to conditions to secure:

- A scheme for the disposing of surface water
- Details of the maintenance and management of the sustainable drainage scheme

The officers' previous comments note:

- The proposal does not accord with National Standards for Sustainable Drainage Systems (SuDS) (June 2025). The LLFA have therefore advised that the layout should not be agreed at this stage and note that an amended detailed SuDS design (and proposed layout) can be approved at the reserved matters stage
- Winter groundwater monitoring has not been submitted, however, appropriate ground investigations submitted at the reserved matters stage
- The submitted drainage strategy is critically reliant on a c.170m long surface water sewer. It is noted that this will be constructed to the standards required to become a public sewer where the local water company will become responsible for its future maintenance. This alleviates the LLFA's concerns.
- The exceedance flow path plan illustrates that the existing layout/drainage strategy does result in some exceedance flow heading in the direction of existing houses. This concern can and must be resolved when the new proposed layout and surface water drainage scheme design are submitted at the reserved matters stage.

3.16 **WSCC Rights of Way: No Objection**

[Summary] Following clarification that the PRoW would not fall within the application site the officer has raised no objection subject to a financial contribution to secure improvements works to the PRoW. Advice is also provided on the undertaking of works which would impact on the PRoW.

3.17 **WSCC Minerals and Waste: No Objection**

[Summary] The application site falls within a Mineral Safeguarding Area for Brick Clay (Weald Clay). The proposal would result in the sterilisation of a 4.41ha area of the Weald Clay (Brick Clay). No objection is raised subject to the LPA being satisfied the proposal

meets the requirements of Policy M9 (b) (iii) of the Joint Minerals Local Plan (2018, partial review 2021).

3.18 Sussex Police: Joint Commercial Planning Manager Sussex and Surrey Police Objection

[Summary 22/01/2026] It is calculated the proposed development would generate an additional 37 incidents per year for Sussex Police to attend resulting in 11 additional recorded crimes per year. The cost of this increased policing has been calculated as £40,000 for the future purchase of infrastructure to serve the proposed development. This is indicated for the installation of a fixed speed camera along the A281 Guildford Road. In the absence of developer contributions towards the provision of essential policing infrastructure, Sussex Police would raise objection.

[Summary 08/04/2026] A revised 'cost' of policing new growth has been provided equating to £5,500. It is outlined that the installation of a fixed speed camera is no longer preferable due to difficulties with installation, the curvature of the road and need to widen the road. Sussex Police therefore outlined that funds would be used for a 12ft matting area with a drop kerb to be used by the mobile speed camera fleet and Community Speed Watch Team. Further signage at suitable locations within Bucks Green would also be installed to advise motorists of a police presence/speed limit in the area.

3.19 WSCC Fire and Rescue: Comment

[Summary] A comment has been provided advising conditions to secure fire hydrants.

3.20 NHS Sussex: Objection

[Summary] Infrastructure levels are below recommendation and there is a risk of restricting new registration within GP Services. Residents would likely register at Rudgwick Medical Centre which is at capacity. A contribution is therefore requested to support the growth of Rudgwick Medical Centre which has extension / capacity increase plans. The development would place increased pressure on primary healthcare services and a contribution of £146,981 towards supporting Rudgwick Medical Centre capacity is requested. In the absence of this contribution NHS Sussex raises an objection.

3.21 PUBLIC CONSULTATIONS

Representations:

3.22 32 letters of Objection have been received from 27 addresses, objecting to the application on the following grounds:

Overdevelopment / Cumulative development

- 90 dwellings would be too many, the site should provide no more than 60 homes.
- Rudgwick is too small for the number of dwellings.
- The proposed number of houses would be a disproportionate and over development
- Proposing to build 12% of the target new houses for the whole district in a village with just 2% of the district's population is illogical and unsustainable.
- Would increase Bucks Green by 100%
- An application for a smaller number of homes would be more appropriate.
- The red line is greater than the HDC development plan and includes more houses than was ever stipulated on the Neighbourhood Plan and the Horsham Plan

Housing Supply

- What is the current housing demand in Rudgwick given the limited opportunities for employment.
- Housing should be focused in the Gatwick area.
- There is a national need for bungalows and none are proposed within the site.
- There is a need locally to downsize and a lack of smaller properties.

Landscape and Visual Impact

- Rudgwick is rural
- The proposal would ruin the countryside feel and character of Rudgwick
- Loss of open and green space
- Change in the settlement pattern of Bucks Green

Amenity Impacts

- Impact on local amenities including additional noise, pollution
- Loss of view across fields and of fields that are used for walking and relaxation
- Loss of value to property
- Loss of light
- The boundary is behind and too close to existing properties resulting in a loss of privacy
- Will impact on houses opposite

Highway, Access and Parking

- There is a lack of transport links and public transport including between Horsham and Guildford creating a dependence on cars
- The proposed junction onto the A281 would be dangerous and increase traffic.
- The proposal would worsen / increase traffic volume and speeds and the road junction.
- Lack of visibility from site access and visibility splays would require vegetation to be maintained
- The A281 is a country road that cannot deal with the traffic
- Cars already drive over the speed limit through the area.
- The proximity to other junctions, Rudgwick Village Hall and Recreation Ground will increase confusion and turning conflict and increased conflict with pedestrians
- Speed surveys lack southbound movements and weather conditions.
- Pulling onto the A281 is impossible
- Each house would have 2 cars with the potential for 180 cars
- The access is unsuitable without proper measures to slow vehicles on the A281 and for pedestrians to safely cross.
- There needs to be construction of a pavement on the Northside of the A281 of 3 meters wide to enable residents to walk safely to the village centre.
- There needs to be a pedestrian crossing to get to the recreation ground on the south side and a roundabout on this dangerous stretch of road.
- Access onto Lynwick Street for pedestrians and cyclists needs to be addressed.
- Walking along the footpath feels unsafe particularly when walking to school with young children.
- People choose to drive not due to safety concerns due to the width of pavements and speed of vehicles.
- Traffic calming / Speed reduction measures are needed including a fixed speed camera.
- HDC are actively avoiding addressing the speeding issues and resisting the installation of a speed camera.
- Support is given to request for a fixed speed camera. Average speed cameras in both directions are required as a minimum.
- Current traffic is horrendous
- Rudgwick Community Speed watch group have recoded motorists consistently exceeding the 30mph limit, with speeds in excess of 45mph common and some recorded at 70, 75 and 86mph.
- Site Access should be onto Lynwick Street not the A281

Active Travel

- The proposals fails to provide safe and inclusive access for non-motorised users.
- Pedestrian access is 1.5m on the north side, less than the 2m recommended.
- There are no dedicated cycle lanes on the A281

Environment and Trees

- Impact to wildlife and loss of habitat and biodiversity.

- There is often deer, foxes, bats on the land.
- Surrounding fields have cattle, deer squirrels and smaller animals.
- Impact to air quality

Flooding and drainage

- There is a possible problem with flooding towards the south-western side of the proposed site.
- Surface water runs off from the site onto the A281 which regularly floods
- Proposal has the potential to increase flooding and flooding has not been taken into consideration.

Infrastructure / community facilities

- Rudgwick lacks the infrastructure to support new residents
- Rudgwick has only 1 GP, 1 school and 1 dentist and does not have the amenities for the current population.
- The doctors and schools are already over-subscribed / The schools are barely able to cope.
- Pressure on health care
- The pharmacy and shop keep up with the population.
- The local village does not have fire rescue services / medical emergency facilities are already a long time away and adding more houses and population will put people at risk.

Heritage

- *There are a number of listed buildings in the vicinity of the site*

Other Matters

- *Lack of employment opportunities*
- *Extra traffic may be detrimental to business*

3.23 Rudgwick Parish Council: Objection

[summary] The parish have provided a number of comments and engaged with officers through the application process. Core concerns raised by the Parish are summarised as follows:

Highways – Speed

- Rudgwick Parish Council (RPC) is aware, via data captured from its 2 Speed Indicator Devices deployed in Bucks Green on the A281 and also from the activities of the local Speedwatch Group that there is a significant issue with the volume of speeding vehicles.
- It is considered that traffic calming should be provided, it noted this could include a mini Roundabout or pedestrian Refuge Islands.
- Sussex Police request to secure a S106 planning obligation to provide a fixed speed camera on the A281 directed at traffic entering Bucks Green is supported. It is noted that this is required due to the infrastructure request and considers that it arises as a direct consequence of the siting of a new, large, housing development with vehicular access onto the busy A281 (with a priority junction) where evidence shows that a significant volume of traffic is travelling in excess of the 30mph limit.

Highways – Vulnerable Road users

- The access proposals for Vulnerable Road Users (VRU) are inadequate, potentially dangerous, and do not follow Active Travel principles nor even adequately mesh with the RPC initiative to better link Bucks Green and Rudgwick.

- RPC Highlight that given the volume of traffic there is an increased chance of a Collision involving a vulnerable road users.
- The pavements on the north side of the A281 should be increased to 3m.
- RPC believes access onto Lynwick Street (a rural lane) for pedestrians and cyclists is necessary to reach the Downs Link/Milk Churn/Firebird Brewery via Lynwick Street without having to cross/navigate the A281.

Highways – Crossing pints

- An uncontrolled crossing is considered inadequate for the busy road, it is noted that a number of services are located on the south side of the A281.
- The Parish Council welcome the introduction of a controlled crossing.
- The informal crossing at the mouth of the access (across the access itself) should be set back and pavement on the western side of the road removed.
- The crossing point to the west of the site (apposite the Fox) should be removed.

'Allocated Site Boundary' and the 'Submitted Site Boundary'

- The application site boundary is greater than draft Policy HA14 and would therefore not be compliant with key aspects of HA14. It would cause significant landscape damage, disrespect the linear development pattern of Bucks Green (recognised by RNP Policy 1), and introduce a site completely out of scale with the existing Bucks Green settlement (up to 90 new homes v (less than) 60 within its existing settlement boundary).
- RPC notes significant concerns expressed by the Environmental Protection Officer regarding noise levels in certain parts of the site.
- There appears to be no justification to expand the site given that HDC constrained it to the allocation in the HDLP (Policy HA14) based on robust evidence and site assessment work, re-confirmed by the latest objection from HDC's landscape expert.

Other Matters

- Comments have additionally be made that the scheme would not be eligible for The Sussex North Water Certification Scheme (SNWCS).

3.24 Member Comments:

Councillor Roger Noel has engaged with Officers during the course of the application specifically regarding Highways matters and the Parish Council's request for a fixed speed camera.

4 HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

- 4.2 The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

5 HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6 PLANNING ASSESSMENTS

Principle of Development:

Current Development Plan Policy:

- 6.1 As it stands, the development plan relevant to the proposed development comprises the Horsham District Planning Framework (HDPF, 2015), the 'made' Rudgwick Neighbourhood Plan (RNP, 2021) and the West Sussex Joint Minerals Local Plan (2018). In accordance with planning law, these documents form the statutory development plan and the starting point for the assessment of the development proposals. The National Planning Policy Framework and accompanying Planning Practice Guidance are material considerations relevant to the development proposals.
- 6.2 HDPF Policies 1 (Sustainable Development), 2 (Strategic Development), 3 (Development Hierarchy), and 4 (Settlement Expansion) set out the settlement hierarchy of the district and establish the Council's main strategy for the location of development across the district. HDPF Policy 3 specifically outlines the settlement hierarchy of the district and establishes that development will be permitted within defined built-up area boundaries (BUABs). HDPF Policy 4 (Settlement Expansion) supports the growth of settlements outside built-up area boundaries to meet identified local housing where;
- 1.) A site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge;
 - 2.) Where the level of expansion is appropriate to the scale and function of the settlement;
 - 3.) Where the development would satisfy identified local housing (or employment) need or would assist with the retention and enhancement of community facilities/services;
 - 4.) Where development would not prejudice long-term strategic development and;
 - 5.) Where development is contained within an existing defensible boundary and would maintain features of landscape and townscape character.
- 6.3 RNP Policy 1.1 (Spatial Strategy) outlines residential development will only be supported outside of defined built up areas on allocated sites or where they would accord with the residential exception policies in the development plan. RNP Policy 1.2 further requires development to maintain the settlement pattern in the parish, avoid the coalescence of the individual settlements and to conserve the identity and settlement pattern of settlements. The RNP does not contain any policies containing allocations for new residential development.
- 6.4 HDPF Policy 26 (Countryside Protection) provides support for development outside of BUABs where there is an essential need for a countryside location, and where further qualifying criteria are met. The proposal is not essential to this countryside location and therefore is not supported by Policy 26.
- 6.5 The application site is located outside any of the district's defined BUABs and has not been allocated for residential development within the HDPF or RNP. In addition, the proposed

residential development is not considered to have an essential need for a countryside location. As a result, development in this location would conflict with the requirements of HDPF Policies 2, 4 and 26 and RNP Policy RNP1. The proposed proposal is therefore not considered in accordance with the spatial strategy set within the adopted development plan. This carries weight against the proposal.

Horsham District Local Plan

- 6.6 The Horsham District Local Plan 2023-40 (the emerging Local Plan or 'eLP') is currently at examination stage with examination hearings scheduled for 21-23 April 2026 with further hearing sessions to be held in September 2026. The Horsham District Local Plan 2023 - 2040 remains the emerging Local Plan (eLP) in the context of NPPF para 49 and therefore constitutes a material consideration. At this stage the policies and background evidence base within the eLP are considered to carry limited weight. This background evidence base includes the site assessments that informed the draft site allocations.
- 6.7 The site forms a draft allocation within the eLP under Strategic Policy HA14 (RD1). This policy outlines the site for the development of at least 60 homes and provides support for development where national and Local Plan requirements are met and where proposals:
- a) Are limited to the southern part of the site as shown on the Policies map, with an agreed landscape treatment in the northern part of the site to minimise landscape impacts; and
 - b) Ensure that appropriate regard is had to the impact on nearby Grade II Listed Buildings (Fox Inn, Guildford Road and The Old Cottage and Field Cottage, Lynwick Street).
- 6.8 The proposed development seeks 90 dwellings within the site. Whilst this is greater than the 60 dwellings indicated within the draft Policy HA14 (RD1), it is noted that HA14 (RD1) seeks only to secure a minimum of 60 homes and does not seek to set a maximum. It is additionally noted that the application site extends between 35m and 45m further north than the draft allocation boundary for Policy HA14 (RD1) (Figure 1). It is noted that the draft allocation boundary HA14 (RD1) intersects the existing field(s) and is not physically demarcated on the site with an existing and or historic field boundary. The proposed site boundary aligns with a wire fence that separates the site from the fields to the north. Notwithstanding this, the proposal covers a larger site area and proposes a greater quantum of development than envisaged within draft Policy HA14 (RD1).

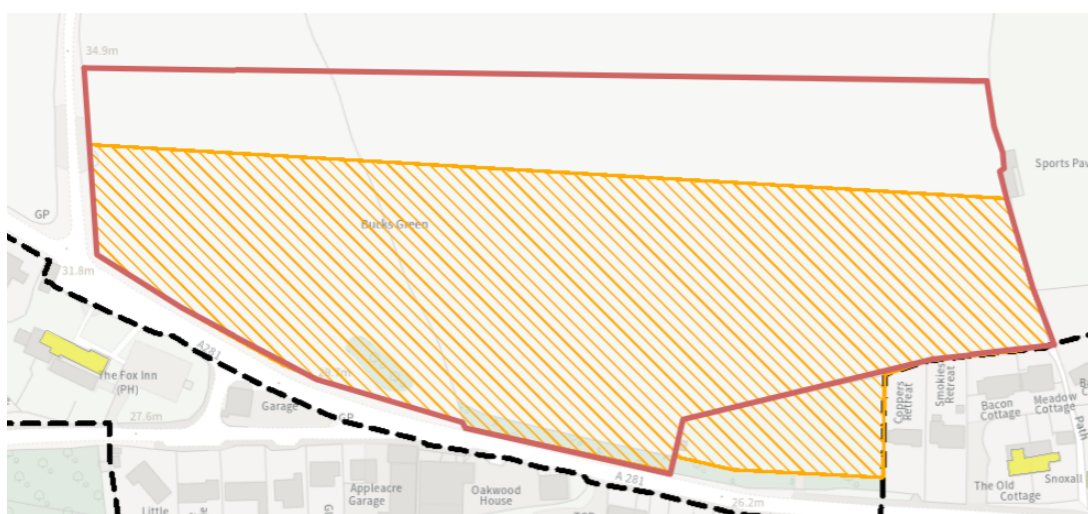


Figure 1. Draft allocation boundary HA14 represented in yellow, with the larger application site overlain with a red line boundary.

- 6.9 Given this, whilst the principle of residential development is supported by draft Policy HA14 (RD1), carrying limited weight in favour of the proposal, the extension of this boundary and

quantum of development proposed requires a balance of the potential landscape impacts of the development, the sustainability of the quantum of development in Rudgwick and Bucks Green, and the benefits afforded through the delivery of additional dwellings. These matters including wider accordance with HA14 (RD1) criteria 'a' and 'b' are addressed elsewhere within this report.

Shaping Development in Horsham Planning Advice Note (SDPAN)

- 6.10 In light of the Council's inability to demonstrate a 5-year supply of deliverable housing sites, and in recognition of the key objective of Government policy to significantly boost the supply of homes, the Council has endorsed a Shaping Development in Horsham District (SDPAN-2025) advice note which now forms a material planning consideration in decision making. The advice contained in the advice note is guidance only and does not form policy and does not alter the statutory decision-making framework.
- 6.11 The SDPAN, at Paragraphs 5.6 - 5.9, advises that eLP draft allocations seek to meet identified housing needs in the period to 2031 together with housing requirements to 2040 and therefore seeks to go beyond allocations in a number of made and emerging Neighbourhood Plans.
- 6.12 The SDPAN at paragraph 5.7 further advises that eLP draft allocations are based on robust evidence that sites are capable of accommodating sustainable development. The Council will therefore consider positively applications for development identified eLP, and which are also compliant with non-housing supply related Policies. The SDPAN encourages applicants to have regard to quantities of development identified within the eLP, and highlights that the examining Inspector did not identify any concern with proposed eLP allocations within his initial findings letter (Paragraph 5.8).
- 6.13 The SDPAN additionally sets out the weight that can be given to current and emerging local policy and has been produced to enable the Council to act proactively to continue to deliver housing in a sustainable manner. For development proposals located outside the defined BUAB, the SDPAN (at paragraph 5.12) echoes the requirements of HDPF Policy 4 and states that applications will be considered positively provided that all of the following criteria are met:
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.
- 6.14 In this instance, the application site abuts the Rudgwick and Bucks Green BUAB to the south and would help meet local housing need as set out under the heading below 'Housing Mix and Affordable Housing'. The proposal would additionally not prejudice comprehensive long-term development. The site is therefore considered to meet criteria 1, 3, and 4 set out above.
- 6.15 The site has an existing defensible boundary to the west defined by Lynwick Street, to the south defined by Guildford Road, and to the east defined by vegetation and PRoW RUD-1386. The northern boundary comprises modern post a wire fence which is not considered to constitute an 'existing defensible boundary'. Therefore, whilst the site is enclosed to the west, south and east, there is not an 'existing defensible boundary' to the north as per criteria 5.

- 6.16 Accordance with Criteria 2, in relation to the level of expansion, should be considered both individually and cumulatively with recent housing applications and permissions. HDPF Policy 3 outlines the settlement hierarchy within the Horsham District. Rudgwick and Bucks Green are defined as a 'medium village' with a moderate level of services and facilities and community networks, together with some access to public transport which provide some day-to-day needs for residents and a reliance on small market towns and larger settlements to meet a number of residents requirements.
- 6.17 Facilities within walking distance of the site include the Fox Inn Public House, Rudgwick Recreation Ground, Village Hall, Youth Centre, Cricket Club and Tennis Centre which are all located south of the site and within 5-6 minutes' walk. Services and Facilities within Rudgwick are also accessible within 10-17 minutes' walk, these include Rudgwick Medical Centre, Rudgwick Pharmacy, Co-op food, Rudgwick Post Office, Rudgwick Primary School and Rudgwick Pre-school.
- 6.18 Online mapping indicates approximately 803 residential dwellings are currently located within the Rudgwick and Bucks Green BUAB. This figure is inclusive of application DC/16/2917 consented in April 2017 for 55 dwellings and application DC/15/0679 which was consented in November 2015 for 25 dwellings. There are no further large / major residential development either consented within Rudgwick and Bucks Green or currently under consideration. There are additionally no further other housing allocations within the village(s) beyond the current application site. The proposal for 90 dwellings would, therefore, equate to an approximately 11% increase in the number of dwellings in Rudgwick and Bucks Green as a whole. Whilst it is noted that Bucks Green could be considered a settlement in and of its own right, HDPF Policy 3 considers Rudgwick and Bucks Green collectively when considering the sustainability of development and the access to facilities and services.
- 6.19 Given the above, it is considered that the proposed 90 dwellings would be appropriate to the scale and function of Rudgwick and Bucks Green.

5-Year Housing Supply and presumption in favour

- 6.20 In December 2025, the Council published the latest Authority Monitoring Report (AMR) which revealed that the Council currently has a housing land supply of 1.7 year against current targets. In addition, Horsham's 2023 HDT measurement (published on 12 December 2024) was 62% based on the monitoring years 2021-2022, 2022-23 and 2023-24.
- 6.21 In light of this, it is acknowledged that the Council is unable to demonstrate a full 5-year housing land supply and that the Council's HDT has been below 75% over the previous three years. This forms a material consideration in decision making which triggers the application of the 'tilted balance' at Paragraph 11d of the NPPF. The application of the 'tilted balance' applies a presumption in favour of sustainable development, and permission should be granted unless any adverse impacts of doing so would significantly outweigh the benefits, taking account of relevant national policies.

Rudgwick Neighbourhood Plan

- 6.22 As outlined above, a presumption in favour of sustainable development is applicable in this instance, and the proposal would be contrary to the RNP Policy RNP1. In such situations NPPF Paragraph 14 states that:

'In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, 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 policies and allocations to meet its identified housing requirement (see paragraphs 69-70).'

- 6.23 In this instance, as the RNP does not include any housing allocations to meet its identified need, and therefore, the RNP does not meet the tests of NPPF Paragraph 14. As such, whilst the RNP retains full weight as an adopted neighbourhood development plan, NPPF Paragraph 14 is not engaged and the proposal's conflict the RNP is not afforded the additional protections set out by NPPF Paragraph 14.

Principle of Development Summary

- 6.24 The proposed development conflicts with HDPF Policies, 2, 3, 4 and 26, and RNP Policy RNP1 as the site falls within the countryside on a site not allocated for development within the adopted development plan. The principle of development is therefore not supported by the development plan.
- 6.25 Notwithstanding this, the Council is unable to demonstrate a 5-year housing land supply resulting in a 'tilted balance' or presumption of favour of sustainable development. The site is draft allocated within the eLP at HDLP Policy HA14 (RD1). This allocation serves to demonstrate the sustainability of the sites location and seeks to meet housing demand up to 2040. The proposal is also broadly compliant with SDPAN, noting the lack of existing landscape buffer to the north. These material considerations weigh in favour of the principle of development on this site.
- 6.26 It is noted that the site boundary extends beyond draft HDLP Policy HA14 (RD1). As the quantum of development proposed (90 dwellings) is considered acceptable, and would be appropriate to the scale and function of Rudgwick and Bucks Green, the acceptability of this site boundary comes down to the landscape impact of the proposal. This is considered under the heading 'Design, Appearance and Landscape Impact'. The following sections of this report consider all other detailed planning considerations, with the final section considering the overall Planning Balance.

Housing Mix and Affordable Housing:

- 6.27 HDPF Policy 16 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 (Iceni, November 2019), as set out in the table below. HDPF Policy 16 additionally requires proposals for 15 or more dwellings to deliver 35% of dwellings to be affordable with a tenure split of 70% affordable rented and 30% intermediate tenure.
- 6.28 RNP Policy RNP2 (Housing Mix) outlines that proposals for new housing development should deliver homes which address local housing needs in the parish as set out in the Housing Matters Paper and the Housing Needs Analysis. RNP2.2 (b) outlines that proposals for four-bedroom houses (or larger houses) on developments of ten or more houses should be subservient to the overall development of smaller houses and demonstrate the way in which they address the housing needs of the parish.
- 6.29 The application includes a commitment to 40% affordable housing (36 units) in excess of the 35% policy requirement set within HDPF Policy 16. The delivery of the mix of affordable housing, including their respective split between affordable rented (70%) and shared ownership (30%), would be secured by way of a s106 agreement.
- 6.30 The applicant has provided an indicative overall housing mix which is compared with the recommended mix set out in the Council's current Strategic Housing Market Assessment (SHMA, 2019) as follows:

Affordable Rented	SHMA 2019 (25 units)	Proposal (25 units)	Over / under supply
1-bed	35% (9 dwellings)	12 dwellings	+3

2-bed	<i>30% (8 dwellings)</i>	7 dwellings	-1
3-bed	<i>25% (6 dwellings)</i>	6 dwellings	-
4+ bed	<i>10% (2 dwellings)</i>	0 dwellings	-2

Shared Ownership	SHMA 2019 (11 units)	Proposal (11 units)	Over / under supply
1-bed	<i>25% (3 dwellings)</i>	4 dwellings	+1
2-bed	<i>40% (4 dwellings)</i>	5 dwellings	+1
3-bed	<i>25% (3 dwellings)</i>	2 dwellings	-1
4+ bed	<i>10% (1 dwellings)</i>	0 dwellings	-1

Open Market	SHMA 2019 (54 units)	Proposal (54 units)	Over / under supply
1-bed	<i>5% (3 dwellings)</i>	0 dwellings	-3
2-bed	<i>30% (16 dwellings)</i>	18 dwellings	+2
3-bed	<i>40% (22 dwellings)</i>	23 dwellings	+1
4+ bed	<i>25% (14 dwellings)</i>	13 dwelling	-1

6.31 Given the above, whilst the indicative housing mix is broadly acceptable, this mix results in a slight undersupply of 3 and 4 bed dwellings within both affordable rental and shared ownership dwellings. Notwithstanding this, a final housing and tenure mix would be secured within an application for reserved matters to ensure appropriate compliance with HDPF Policy 16.

6.32 The proposal has additionally been reviewed by HDC's Housing officer who, in addition to noting the above house mix concerns, has requested the applicant engage with a Registered Provider (RP). Given the application is currently at outline stage, the applicant is encouraged to engage with an RP prior to the submission of reserved matters and to ensure the final layout accords with the requirements / needs of a RP to take on the affordable homes within development.

6.33 Given the above, the proposal is considered to provide on-site affordable housing in excess of policy requirements which is welcome. In the event that planning permission is granted, a final housing mix in accordance with the SHMA (2019) should be provided within an application for reserved matters. The proposal is therefore considered to accord with HDPF Policy 16.

Design, Appearance and Landscape Impact:

6.34 HDPF Policies 25, 32, and 33 promote development that protects, conserves and enhances the townscape character from inappropriate development. Proposals should take into account townscape characteristics, with development seeking to provide an attractive, functional and accessible environment that complements the locally distinctive character of the district. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to the landscape and built surroundings.

6.35 RNP Policies RNP6 (Materials), RNP 7 (Architectural Style) and RNP9 (Street Scene) seeks to ensure quality local design and street scheme and require proposals to be reflective of locally architectural style and local vernacular including the use of locally characteristic materials. RNP Policies RNP5 (Housing Density) and RNP8 (Development Height) out that proposals should be reflective of surrounding building density and should be primarily two storeys in height. Heights greater than 2 storeys are supported where they are appropriate too and informed by the local character.

- 6.36 HDPF Policy 31 states that development will be supported where it demonstrates that it maintains or enhances the existing network of green infrastructure. Development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate. RNP Policy RNP17 (Green infrastructure and trees) provides support to development that enhances Rudgwick's Green Infrastructure and requires any trees removed to be replaced on site.
- 6.37 The application site comprises of 2 agricultural fields forming a 4.41-hectares parcel of gently undulating pastoral / agricultural land. A mature tree belt runs through the centre of the site with additional scattered trees throughout.
- 6.38 The detailed layout of the site and design of dwellings is a matter that would be reserved for subsequent approval should this outline application be permitted, therefore it is not for consideration now. However, Officers have considered the capacity of the site to accommodate the proposed quantum of development (90 dwellings) whilst providing appropriate orientations, amenity space, play areas, parking, open space, internal linkages, and water attenuation. An assessment of the proposals landscape impact, including the delivery of a suitable landscape buffer to the north has also been made.

Site Layout and dwelling types

- 6.39 The indicative site layout includes a cul-de-sac comprising of a central / primary access road with secondary and tertiary roads serving groupings of dwellings. A mix of dwelling types are proposed including detached, semidetached, short rows of terraces and small flat blocks. Buildings would be primarily 2 storeys, with 1.5 storey dwellings along the northern boundary. This layout and density would be reflective of residential development within Rudgwick. It is noted that denser 2.5 storey dwellings / terraces are indicatively sited in the centre of the site. This would provide a positive frontage and sense of overlooking both upon entering the site and in providing overlooking to the play space.
- 6.40 It is noted that whilst a final layout would be expected to broadly accord with the details submitted, detailed matters of design, appearance and use of materials would be addressed within an application for reserved matters and is not subject to considerations at the current time.
- 6.41 The scheme additionally include space allocated from surface level SuDs, on-site parking and pedestrian access. These matters are address under the headings 'Drainage and Flood Risk' and 'Highways Impacts' respectively.

Building Heights and Landscape buffer

- 6.42 As previously noted, the northern boundary of the site is currently defined only by a post and wire fence and opens onto wider agricultural land to north. The Landscape Officer's initial comment raised concerns that the proposed landscape buffer would be inadequate to suitably integrate the development into Bucks Green over longer views. It was also noted that ridgelines of 2 storey dwellings to the north of the site would be prominent given the sites raised elevation to the north.
- 6.43 Subsequent to these comments, amended plans have been provided to increase the depth of the landscape buffer from approximately 5m to 14m. This planting would be expected to achieve a height of 9m by year 15. Selected dwellings along this boundary have also been reduced from 2 storey to 1.5 storey, and the overall density of dwellings along this boundary has been reduced. The cumulative result of these changes is to result in a substantive landscape buffer to the north of the site and to ensure dwellings / ridgelines would not appear overly prominently when viewed from the north within the context of Bucks Green. Any reserved matters application would be expected to incorporate this landscape buffer in accordance with parameter plans. The Landscape officer has welcomed these changes which respond positively to comments, noting that this buffer should be planted prior to commence of works to on site to improve the establishment of structural planting and to

improve the developments integration into Bucks Green. This can be secured via a suitably worded planning condition. It is additionally noted that the extension of the site to the north would maintain the prevailing linear settlement pattern of Rudgwick and Bicks Green.

Open Space / Play Space

- 6.44 The proposal indicatively includes an area of public space and Local Area for Play (LAP) within the centre of the site. A trim trail is also proposed around the site boundary providing incidental opportunities for play. This level of provision is considered in line with the Council's published Open Space, Sport & Recreation Review. As noted previously, the siting of the central play space in an area with clear dwelling frontages is positive. Final details of play space and open space would be provided within an application for reserved matters. It is also noted that the site is opposite the Rudgwick Recreation Ground which provides playing fields, the Cricket Club, Tennis Club, Skatepark, Youth Centre and the Rudgwick Village Hall which would provide additional play opportunities / open space for future residents.

Arboriculture

- 6.45 The application site does not contain any areas of Ancient Woodland, however, a section of mature trees along the southern eastern boundary of the site are covered by a Tree Preservation Order (TPO/0483).
- 6.46 The proposed new vehicle and pedestrian access onto Guildford Road would require the removal of approximately 21m of hedgerow and an area of category vegetation / scrub. The HDC's Arboricultural officer has noted that this would not result in the loss of any mature trees of landscape merit and would not result in the loss of any trees covered by a TPO/0483. Two Category U trees (T44 and T45) and approximately 19m of scrub comprising of Blackthorn, Field Maple and Hawthorn would also be removed to provide the internal access road. HDC's Arboricultural Officer has noted that the extent of tree/vegetation removal and cutting back required would have relatively limited landscape impact and could be reasonably mitigated within a scheme of landscape enhancement for a development of the scale proposed. The Officer concludes that the layout provided has limited foreseeable points of tree impact.
- 6.47 The proposal also includes a circular footpath which would cross within RPAs of trees. The Arboricultural officer has noted that this could be undertaken using above ground specialist engineering such as no dig paths.
- 6.48 It is further noted that the proposal includes additional onsite planting, including within the landscape buffer, which would be sufficient to compensate for the loss of any trees on site. The proposal is therefore considered to accord with HDPF Policy 31 and RNP Policy RNP17.

Summary

- 6.49 In summary, subject to an appropriately designed layout at Reserved Matters stage, the proposal is considered that an acceptable development on this site can be achieved without undue impact on the surrounding landscape or neighbouring residential amenity and the amenities of future occupiers. In regarding to the landscape buffer to the north, the revised proposal includes a substantive landscape buffer and lower density housing to the northern boundary. This is considered to mitigate any potentially unacceptable harm over longer views and to provide a suitable transition into the countryside. The proposed site layout is therefore considered to accord with HDPF Policies 25, 32, and 33 and RNP Policies RNP5, RNP6, RNP7, RNP 8 and RNP 9.

Residential Amenity:

- 6.50 Policy 33 of the HDPF requires development is designed to avoid unacceptable harm to the amenity of occupiers / users of nearby property and land. Policy 32 of the HDPF, further, seeks to ensure that development provides an attractive, functional, accessible and adaptable environment. The closest residential dwellings in this instance are located to the

south east along Guildford Road, 'Coppers Retreat', 'Smokies Retreat', 'Bacon Cottage' and 'Meadow Cottage' all about the site.

Neighbouring Dwellings

- 6.51 The illustrative site layout shows a minimum of 3m vegetative / landscape buffer long the southern boundary of the site. In regard to specific dwellings, there would be approximately 30m between the rear elevations of 'Coppers Retreat' / 'Smokies Retreat' and the closest built form proposed on site. A 22m between the rear elevations of 'Bacon Cottage' and 'Meadow Cottage' and the closest built form. It is also noted that an area of open / green space is also indicatively shown to the south east of the site which would directly abut these dwellings. Whilst it is noted that site layout is reserved at this time, the indicative layout serves to demonstrate that an appropriate relationship with existing dwellings could be achieved and would not give rise to any unacceptable concerns of overshadowing, overlooking or overbearing.

Amenity of future residents

- 6.52 The Council's Environmental Health Officer has noted that dwellings in the south west of the site, adjacent to the A281, would be exposed to road traffic noise above the internal noise criteria detailed in BS8233 for both daytime and nighttime hours. This would require occupants to keep windows closed to achieve suitable internal noise levels.
- 6.53 The officer has noted that whilst this matter could be addressed through suitable glazing and mechanical ventilation, the applicant should first seek to relocate dwellings outside of areas of higher traffic noise. In this instance, the application is at outline stage with final site layout reserved within an application for reserved matters. As such, the applicant should seek to make the necessary adjustment to the siting of dwellings to address the officer concerns prior to an application for reserved matters. In the event that this is not possible and the internal noise should remain unacceptable, a scheme of mechanical ventilation should be secured via a suitably worded condition within any reserved matters application.

Construction Impacts

- 6.54 There remains the potential for the loss of amenity during construction, through increased noise, traffic movements, dust and pollution. Whilst these impacts would be temporary in nature it is considered appropriate to secure a Construction Environmental Management Plan (CEMP) to manage these impacts. This can be secured and implemented via a suitably worded planning condition.

Summary

- 6.55 In summary, with the above CEMP condition in place it is not considered that the proposal would result in unacceptable harm to the amenity of occupiers / users of the development or nearby property and land and would therefore accord with HDPF Policies 32 and 33.

Drainage and Flood Risk:

- 6.56 HDPF Policy 38 requires development to follow a sequential approach to flood-risk, giving priority to sites and layouts which minimise vulnerability to flood risk and the risk of increasing flooding elsewhere. NPPF Paragraph 181 additionally requires a site-specific flood-risk assessment for development on land at risk of flooding, including surface water flooding, and where development would introduce a more vulnerable use.
- 6.57 The latest EA flood risk mapping shows the site and site access fall entirely within Flood Zone 1 and are therefore not considered at risk of flooding from fluvial flooding, including when factoring for climate change to years 2070 - 2125. Mapping additionally shows some limited surface water flooding (pluvial flooding) within the central tree belt of the site boundary. Additional surface water flooding is indicated along the A281 junction with Loxwood Road and along Lynwick Street to the west.

- 6.58 It is noted that recent changes to the NPPF (2024) and Flood risk and coastal change Planning Practice Guidance (PPG) chapter change the application of sequential test for sites at risk of surface water flooding. As such, where a site-specific flood risk assessment can clearly demonstrate that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development, as in this instance, a flood risk sequential test is no longer required.

Foul Water connection

- 6.59 The development is proposed to discharge foul water into an existing Southern Water network sewer along Guildford Road. The proposal has been reviewed by Southern Water who have confirmed that there remains sufficient capacity within the foul network to accommodate the development. Officers are therefore satisfied that the proposal could be accommodated within the network.

Surface water drainage

- 6.60 The applicant has submitted a Preliminary Drainage Strategy which has been reviewed by the WSCC Lead Local Flood Authority (LLFA) who have raised no objection subject to conditions. Surface water is indicated to be retained on site within 3 large surface level attenuation ponds and 2 blocks of subterranean attenuation crates. Surface water would then be discharged into an existing watercourse located approximately 170m west of the site boundary on the south side of Loxwood Road. It is noted that a surface water sewer between the site and outfall ditch would be subject to s104 approval under the Water Industry Act and would be constructed to the standards required to become a public sewer. The local water company would then become responsible for its future maintenance.
- 6.61 WSCC LLFA have requested that the Preliminary Drainage Strategy be amended to reduce reliance on large scale 'end of system' attenuation features and to ensure accordance with the latest National Standards for Sustainable Drainage Systems (SuDS) standards (June 2025). In addition, the existing layout/drainage strategy results in some exceedance flow heading in the direction of existing houses. Given the application is at outlined stage, these amendments should be made within a surface water drainage scheme to be secured via condition / submitted within a Reserved Matters application. WSCC LLFA have additionally requested winter groundwater monitoring; this should also be submitted within reserved matters.
- 6.62 It is noted that amendments to the site layout, including the enlarged landscape buffer are not reflected on the drainage strategy. Officers are however satisfied that that these changes would not impact the principle of the drainage scheme. It is further noted that a final site layout and corresponding drainage scheme would be required at reserved matters, this would be subject to review by WSCC LLFA. Officers therefore considered that the proposed drainage strategy is acceptable, would not result in increased risk of surface water flooding elsewhere, and would accord with HDPF 38, subject to conditions securing the final details (conditions 4 & 16).

Highways Impacts:

- 6.63 HDPF Policy 40 states that development will be supported if it is appropriate and in scale to the existing transport infrastructure, including public transport; is integrated with the wider network of routes, including public rights of way and cycle paths, and includes opportunities for sustainable transport.
- 6.64 HDPF Policy 41 states that adequate parking and facilities must be provided within developments to meet the needs of anticipated users. HDPF Policy 33(8) further requires, where appropriate, the incorporation of convenient, safe, and visually attractive areas for the parking of vehicles and cycles without dominating the development or its surroundings.

6.65 Chapter 9 of the NPPF sets out the Government's aspirations for the promotion of sustainable transport, and details how the transport and highways implications arising from the development proposals should be considered in planning terms. Paragraphs 115 to 117 of the NPPF are particularly relevant when assessing the appropriateness of a proposal in highway terms. Paragraph 115 requires that appropriate opportunities to promote sustainable transport modes should be prioritised, and that safe and suitable access to the site can be achieved for all users. In addition, it requires that any significant impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety can be effectively mitigated.

6.66 It is noted that access details are not reserved within the application and therefore would be approved in full.

Vehicle Access / Visibility

6.67 The site would be accessed via a new priority junction onto the A281 Guildford Road. The access would be a 5.5 metre wide with 6 metre kerb radii. WSCC Highways have noted that access arrangements and other off-site highway works have been the subject of a Stage One Road Safety Audit with all identified problems having been addressed.

6.68 Guildford Road has posted speed limit of 30mph with a speed survey indicating 85th percentile of 32.4mph eastbound and of 34mph westbound. The site access currently comprises of dense vegetation which would require clearance to achieve necessary visibility splays of 2.4 metres by 51.4 metres to the east and 47.9 metres. The delivery of these splays could be secured via planning condition and would be subject to re-consultation with WSCC Highways Authority within any reserved matters application. WSCC Highways Authority concludes that the access is considered acceptable and would be consistent with other junctions in the immediate local area.

6.69 Whilst WSCC Highways Authority noted that northbound speeds and details of prevailing weather conditions were initially missing from the application, these details have subsequently been provided and are considered to be acceptable.

Traffic / highways capacity

6.70 Trip Rate Information Computer System (TRICS) has been undertaken demonstrating that the proposal would generate up to 79 two-way trips in the AM peak (08:00am-09:00am) and 64 two-way trips in the PM peak (17:00pm-18:00pm). The distribution and dispersal of trips have been modelled within the network to the year 2030. WSCC Highways have noted that, as per this modelling, whilst the development will generate additional traffic this would be "largely indiscernible" within the local highway network.

Site Connectivity

6.71 As previously noted, HDPF Policy 3 classifies Rudgwick as a 'medium village' with a moderate level of services and facilities and community networks, together with some access to public transport which provide some day-to-day needs for residents and a reliance on small market towns and larger settlements to meet a number of residents requirements. Facilities within walking distance of the site include the Fox Inn Public House, Rudgwick Recreation Ground, Village Hall, Youth Centre, Cricket Club and Tennis Centre which are all located south of the site and within 5-6 minutes' walk. Services and Facilities within Rudgwick are also accessible within 10-17 minutes' walk, these include Rudgwick Medical Centre, Rudgwick Pharmacy, Co-op food, Rudgwick Post Office, Rudgwick Primary School and Rudgwick Preschool. The Parish Council have additionally noted that the Firebird Brewery and Milk Churn Coffee Shop are located north of the site along Lynwick Street, also within walking distance (16 minutes' walk).

6.72 In regard to pedestrian / cycle access points, in addition to the sites main access, which would include a 2m pavement, the proposal seeks to provide 4 non-vehicular access points.

- 6.73 A new footway onto Guildford Road is proposed to the south east of the site, this would tie in with the existing footway and provide direct site access to the bus stop in this location. It is noted that this footpath would be 2m wide, with a short section of 1.5m width adjacent to an existing lay-by. As such, where the path narrows pedestrians would not be immediately adjacent to free-flowing traffic on the A281.
- 6.74 Two new pedestrian access points are also proposed directly onto public footpath / right of way RUD-1386 to the east. This has been reviewed by the WSCC Rights of Way officer who has raised no objection. It is noted that the proposal would directly result in increased use of the PRow, as such a financial contribution to future should be secured to implement improvement works to 720m of the footpath between the A281 to Lynwick Street. This would be in the region of £43,200 and can be secured within the section 106 agreement.
- 6.75 The proposal additionally seeks to convert the existing field access in the north west onto Lynwick Street to form a pedestrian / cycle access. This access has been introduced into the scheme following comment from Rudgwick Parish Council who outlined the access would improve recreational walking routes in the Rudgwick and Bucks Green area whilst also provided improved access to the Firebird Brewery and the Milk Churn Coffee Shop. This access is shown on the 'Access and Movement Parameter Plan' and has been subject to consultation from WSCC Highways and WSCC Road Safety team who have raised no objection. Final details of this pedestrian / cycle access are secured via a suitably worded planning condition (condition 20).

Guildford Road Crossing Points

- 6.76 The proposal seeks to provide a new a Puffin crossing which would provide a light-controlled crossing point across Guildford Road. This crossing has been introduced into the scheme following concerns raised by WSCC Highways Authority and Rudgwick Parish Council that an uncontrolled crossing would be insufficient to serve the needs of the development. This was due to the nature of traffic along the A281, the presence of local facilities / services to the south of the A281 (including recreational / play space), and the distance to the next available crossing (600 metre round trip). The proposed Puffin crossing has been reviewed by the WSCC Traffic Signals team who have raised no in principle concern to its siting. An updated Stage 1 Road Safety Audit (RSA) has been provided by the applicant and WSCC Highways are satisfied that all issues identified within the Stage 1 RSA could be resolved at detailed design stage. Final details and implementation of the crossing would be secured as a section 106 obligation. It is further noted that the siting of a crossing in this location would serve as a traffic calming measure.
- 6.77 The application additionally sought an additional Guildford Road site access / crossing point to the west of the site. This has removed following concerns from WSCC Highways Authority regarding restricted visibility and concerns from the Parish that this access would serve limited practical function, whilst encouraging the uncontrolled crossing of Guildford Road. This crossing therefore no longer forms part of the proposal.

Sustainable Transport

- 6.78 Given the rurality of the site a reliance on private cars is acknowledged. Notwithstanding this, there are two bus stops close to the site. The first is located to the east along Guildford Road and the second is located along Loxwood Road between 'The Fox' and 'James Paul Car dealership'. These stops provide hourly services between Horsham and Guildford (Route 63). It is noted that whilst these services would not be frequent these services could reasonably be used day to day, including for commuting. The proposal seeks to improve access to bus stop to the east by providing a new pedestrian footpath on the north side of the Guildford Road between the site and bus / stop (as detailed above). Access to the Loxwood Road bus stop would be improved via the proposed controlled crossing. The application additionally includes a bus voucher of £200 per household amounting as part of the Travel Plan. This aims to improve public transport uptake.

6.79 Given the nature of the A281 WSCC Highways Authority have noted that the development itself will generate very few cycling trips beyond cycling for leisure. Given the current nature of the A281 WSCC Highways Authority are satisfied that the scheme could not be expected to provide any improvements to cycle connectivity. Notwithstanding this, the Downs Link is accessible to the north via Lynwick Street with the proposed new access to the south east improving this connectivity.

6.80 The proposal additionally includes the provision of a car-club, with 1 car initially located on site. This would also be secured as via the section 106 agreement.

Internal Layout and parking

6.81 It is noted that the internal layout of the site is a reserved matter and would be subject to detailed review at reserved matters. As the site is indicated to retain a field access to the north, any future proposal will be required to ensure the site layout is suitable to any vehicles that may need to use this access i.e. agricultural vehicles.

A281 Speed Camera

6.82 Rudgwick Parish Council and public representation have raised concerns of existing issues with speeding vehicles along the A281 and have requested a fixed speed camera to be installed. A request for a £40,000 towards a fixed speed camera was also initially made by the Sussex Police (Joint Commercial Planning Manager at Sussex and Surrey Police) who raised an objection in the absence of this financial contribution. Sussex Police have subsequently provided an updated comment detailing that a speed camera would not be feasible in this instance due to the need to site the camera adjacent to the pedestrian crossing, the need to widen the road and the curvature of the existing road.

6.83 Sussex Police are therefore now requesting a financial contribution of £5,500 towards a 12ft matting area with a drop kerb for the use of mobile speed cameras and the Community Speed Watch Team and additional signage.

6.84 Whilst officers note existing concerns with speeding vehicles along the A281, the Council's IDP and CIL Charging Schedule sets out that emergency service funding is covered by CIL in Horsham district, rather than individual contributions from individual development sites. It is, therefore, not reasonable to oblige the applicant to provide this additional funding for Sussex Police via the s106 agreement. This matter is discussed further under the heading 'S106 Agreement and Community Infrastructure Levy (CIL)'.

6.85 Notwithstanding matters of funding, it also noted that the indicative siting of the matting / parking area would be located north west of the pedestrian crossing, on land within the application site, and within the existing hedged / tree line boundary. It is therefore not clear from the level of information provided that the area could be practicably delivered.

Summary

6.86 In summary, the proposal would be sustainably located and the proposed site access and accompanying highway works would accord with HDPF Policy 40, 41 and 33(8). It is additionally not considered that the proposed development would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, in accordance with NPPF (paragraph 116).

Ecology:

6.87 HDPF Policy 31 states that development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate. The Council will support new development which retains and /or enhances significant features of nature conservation on development sites.

6.88 At present the site is an agricultural field comprising of modified grassland with a mature central tree belt and establish boundaries of tress, mature trees and scrub. The site falls

approximately 7.8km northeast of The Mens Special Area of Conservation (SAC), 10.5km northeast of Ebernoe Common SAC and 15.92km north of the Arun Valley SAC, SPA and Ramsar site.

- 6.89 The Council's Ecologist has reviewed the submitted documents, comprising the Landscape Masterplan (Scarp, August 2025), Preliminary Ecological Appraisal (Ecology Partnership, October 2025), Ecological Technical Note (Ecology Partnership, October 2025), Bat Activity Survey (Ecology Partnership, December 2024), Breeding Bird Surveys 2024 (Ecology Partnership, December 2024), Dormouse Survey Report (Ecology Partnership, December 2024), Ecological Impact Assessment (EclA) (Ecology Partnership, June 2025), Arboricultural Impact Assessment (Aspect July 2025), Report to Inform Habitats Regulations Assessment – Screening Assessment (Ecology Partnership, November 2025), and the Technical Response Note (Ecology Partnership, November 2025).
- 6.90 The Officer identified 2 trees on site with roosting potential which were proposed for removal (T44 and T45). Following a further survey, the applicant has confirmed that T44 is not suitable for roosting, however, T45 remains suitable for roosting and is therefore sought to be retained and monitored. Should T45 require removal in a future proposal, further survey work would be required.
- 6.91 The Council's Ecologist is also satisfied that information relating to other protected species has also been provided including to reptiles, Dormouse, breeding birds and other protected and Priority species has been provided and that appropriate mitigation measures, site enhancement and long term management can be secured via suitably worded conditions. The Council's Ecologist is, therefore, satisfied that there is sufficient ecological information available for determination of this application and has raised no objection.

Impact on Internationally designated Sites

- 6.92 The site falls within 7.8km northeast of The Mens SAC. The Council's Ecologist has noted that the central tree line is to be largely retained, and other boundary vegetation is enhanced to ensure flight lines are not severed and ensure a commuting route is not lost. The Officer additionally supports the recommendation for a Wildlife Friendly Lighting Strategy (as set out above) which can be secured via a suitably worded planning condition. With this condition in place, the Officer is satisfied that there will be no Adverse Effect on Integrity of the SAC.
- 6.93 A Habitats Regulations Assessment (HRA) has been produced on behalf of the Council which concludes that where the above conditions could be secured, "the project will avoid an Adverse Effect on the Integrity of the Habitats sites listed in this assessment, either alone or in combination with other plan and projects."

Great Crested Newts

- 6.94 The proposal has also been reviewed by NatureSpace who have assessed the potential impact on Great Crested Newts. The application site falls within the amber impact risk zone for great crested newts where there is suitable habitat and a high likelihood of great crested newt presence. In addition, there are 5 ponds within 500m of the development proposal, the closest of which is located 174m to the south.
- 6.95 The applicant has undertaken a Preliminary Ecological Appraisal and Ecological Impact Assessment which conclude that it is considered highly unlikely that GCN would be present on site. NatureSpace have reviewed these surveys noting that given the lack of onsite habitat and limited connectivity with surrounding ponds, further GCN surveys are not requested in this instance. Notwithstanding this, given the proposal seeks to remove a section of hedgerow a Precautionary Working Methods Statement (PWMS) is requested. This can be secured via a suitably worded planning condition.

Heritage and Archaeology:

- 6.96 HDPF Policy 34 relates to Cultural and Heritage Assets and states that applications should make a positive contribution to the character and distinctiveness of the area and ensure that development in Conservation Areas is consistent with special character of the area. HDLP Policy HA14 additionally requires the development to have regard to the impact on nearby Grade II Listed Buildings.
- 6.97 The application site does not fall within or adjacent to the Rudgwick Conservation Area. A number of listed buildings fall within proximity of the site including the Fox Inn Bucks Green Rudgwick (Grade II) which is located immediately to the south west, Field Cottage Lynwick Street (Grade II) which falls approximately 175m to the north and a number of Grade II listed dwellings along Guildford Road to the south east, these include L Antico Restaurant (Grade II), Bucks Green Place (Grade II), and The Queens Head Public House (Grade II).
- 6.98 The proposal has been reviewed by HDC's Conservation Officer who has noted that application site does not contribute significantly to reinforcing the character of Bucks Green and does not contain any historic features or significant boundary arrangement. The officer has noted that with good quality materials and design the development would not harm the character of Bucks Green and will not harm the setting of the listed buildings.
- 6.99 The application has additional been review by the Council's Archaeologist who has noted that whilst the site appears to have low potential for archaeological remains, this may be due to a lack of previous investigations. The officer has therefore requested a Written Scheme of Archaeological Investigation and programme of archaeological works. The officer has therefore requested the development to be undertaken in accordance with a Written Scheme of Archaeological Investigation. This can reasonably be secured via a suitably worded planning condition. With this condition in place the proposal is considered to accord with HDPF Policy 34 and HDLP Policy HA14, and Chapter 16 of the NPPF.

Biodiversity Net Gain (BNG):

- 6.100 Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG), unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024, and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development may not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.
- 6.101 The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. A legal agreement would be necessary to secure the maintenance and monitoring of the significant onsite biodiversity gains for the required 30 years.
- 6.102 The proposal has been reviewed by the Council's Ecologist / BNG Officer who has requested amendments to ensure identified to ensure the baseline value of the site is correctly represented within submitted metric and to ensure the post-development habitat would not conflict the drainage strategy. Following these amendments the officer has raised no objection and confirmed that the development would result in a 9.01% net gain (+1.36 units) in area habitats, and an 8.15% net gain (+0.54 units). Off-site solutions, such as the purchase of off-site units/credits, will therefore be necessary to ensure a net gain of 10% in both the area and hedgerow modules is met. It is highlighted that the site layout is reserved at this stage, and on-site delivery of BNG would be finalised within a biodiversity gain plan secured via a standard deemed condition.

Education Provision:

- 6.103 The proposal has been reviewed by West Sussex Education Services who have raised no objection. It is noted that whilst the Rudgwick Primary School is currently at capacity, WSCC Education anticipate 0.19 pupils per dwelling for primary education, and therefore the expectation is the need could likely be accommodated at the school by the time of occupation / need. It is additionally noted that there are also places within neighbouring primaries within the Billingshurst locality and numbers are forecast to fall. School places will therefore be monitored carefully going forward. Regarding secondary education, West Sussex Education Services have confirmed that there would be sufficient capacity at The Weald Secondary School for students within the catchment which includes Rudgwick. Secondary capacity will also be will also be monitored going forward. It is therefore considered that the proposal would not have an unacceptable impact on Education Services.

Contaminated Land:

- 6.104 The application seeks the introduction of a residential use to the site. Whilst it is noted the site is an undeveloped agricultural field, the proposed use is sensitive to the presence of contamination necessitating the need to ensure the site is suitable for residential development. It is therefore considered appropriate to secure a scheme to deal with the risks associated with potential contamination. This should include a preliminary contamination risk assessment (PCRA) and can be secured via a suitably worded planning condition.

Climate Change / Air Quality Impact

- 6.105 HDPF Policies 35, 36 and 37 require that development mitigates the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The application site is not located within or close to any of the district's defined Air Quality Management Areas (AQMAs), however, on account of the quantum of development, comprising a 'major' development, an Air Quality Assessment (AQA) has been submitted.
- 6.106 HDC's Air Quality officer has reviewed the submitted assessment and has accept the conclusions of the report which arrives at a total damage cost arising from the proposed development over 5 years as £12,463. The officer has therefore requested that a mitigation strategy securing practical mitigation measures via a suitably rewarded condition. Officers note that provision of EV chargers is now part of Building Regulations under Part S, and covered by the WSCC standards, so a robust AQA must go over and beyond the standards in place under other legislations.

Minerals and Waste:

- 6.107 Under the West Sussex Joint Minerals Local Plan (JMLP July 2018) the site falls within a Brick Clay (Weald Formation) Mineral Safeguarding Area resulting in the sterilisation of approximately some 4.41ha of land, preventing future extraction. Policy M9 (iii) of the West Sussex Joint Minerals Local Plan requires that for non-mineral development (such as residential development), the decision maker must determine whether the overriding need for the development outweighs the safeguarding of the mineral. In addition, the applicant must demonstrate that prior extraction is not practicable or environmentally feasible.
- 6.108 WSCC Minerals and waste who have raised no objection. It is acknowledged that there is a relative abundance of Brick Clay in the south east, along with a 25 year landbank of material being met by existing operators within the county. In addition, the local housing need is considered to present an overriding need which would override the need to secure this site for potential future extraction of Brick Clay. The proposal therefore satisfies the requirements of Policy M9 (iii) of the West Sussex Joint Minerals Local Plan.

Water Neutrality:

- 6.109 A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply

Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.

- 6.110 On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.
- 6.111 To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10 November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.
- 6.112 Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.
- 6.113 Accordingly, Officers consider that the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

S106 Agreement and Community Infrastructure Levy (CIL):

- 6.114 A s106 legal agreement to secure the obligations necessary to make this application acceptable in planning terms is currently being drafted. The headline obligations are to include the following:
- 40% Affordable Housing with a 70/30 Affordable Rent / Intermediate split
 - Biodiversity Net Gain
 - PRow contribution of £43,200 towards improvements to footpath 1386 for a length of 720m from the A281 north to Lynwick Street, Rudgwick.
 - Open Space Management
 - Highways Works to include:
 - Pedestrian crossing,
 - New pedestrian footpaths linking bus stop
 - Improvements to off site footpaths
 - Travel Plan – To implement the approved travel plan, dated 3rd November 2025
 - Travel Plan Auditing Fee - £3,950, payable upon first occupation
 - Bus Ticket voucher - £200 per dwelling, payable to each household upon first occupation
 - Car Club and Car Club Parking Space – To provide a minimum of one car club parking space and use all reasonable endeavours to secure the provision of a minimum of one car club vehicle and meet all reasonable associated costs prior to occupation of 50% of all dwellings.

- 6.115 As noted previously, Sussex Police are seeking a financial contribution to the capital 'cost' of policing new growth equating to £5,500 to facilitate an area of matting for mobile speed cameras along the A281 Guildford Road. The justification for this contribution appears premised on it being required in part to mitigate the increased population resulting from the development and in part to subsidise a reduction in grant funding for Sussex Police in recent years.
- 6.116 In addition, NHS Sussex have requested a contribution of £146,981 towards supporting capacity at Rudgwick Medical Centre. This is requested on the basis that Residents would likely register at Rudgwick Medical Centre which is indicated to be at capacity.
- 6.117 As previously outlined the Council's Infrastructure Delivery Plan (IDP) and CIL Charging Schedule sets out that funding for Public Services infrastructure and Community Facilities infrastructure is covered by CIL in Horsham district, rather than individual contributions from individual development sites. This includes funding for Emergency Services infrastructure and Health Care Facilities. As such services can be funded directly via CIL, it is not reasonable to oblige the applicant to provide this additional funding for Sussex Police or NHS Sussex via the s106 agreement
- 6.118 Furthermore, in relation to existing speeding concerns along Guildford Road, there is no direct evidence that this particular development proposal will increase the risk of crime or disorder such that this bespoke contribution is necessary. As such, the request is not deemed necessary to mitigate the impact of the development, is not considered directly related to the development, or fairly and reasonably related in kind to the development, thereby failing to meet the tests for a planning obligation set out at paragraph 58 of the NPPF and at Reg 122 of the CIL Regulations.

Conclusions and Planning Balance:

- 6.119 This report has acknowledged that the Council is unable to demonstrate a full 5-year housing land supply, and it is recognised that this forms a material consideration in decision making which triggers the application of the 'tilted balance' at Paragraph 11d of the NPPF. In accordance with Paragraph 11d, the Council is required to grant permission unless either (or both) of the following limbs apply:

'(i) the application of policies in this Framework that protect areas or assets of importance provides a clear reason for refusing the development proposed; or

(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken 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 '

- 6.120 As set out above, the Rudgwick Neighbourhood Plan (RNP) does not allocate sites to meet its identified housing need therefore, whilst the RNP remains part of the adopted development plan for Horsham District, the additional protections afforded to Neighbourhood Plans in paragraph 14 of the NPPF do not apply in this instance.

Planning Balance

- 6.121 The application would not be in accordance with the spatial plan set within the HDPF and RNP due to the proposal's siting outside of an established built up area boundary and without an essential need for a countryside location. Notwithstanding this, the Council is unable to demonstrate a full 5-year housing land supply and the proposal would result in the delivery of up to 90 dwellings, including an over provision of affordable housing. This is granted substantial weight in the context of the 'tilted' balance at Paragraph 11d of the NPPF applying

in the determination of this application. Economic benefit also would be provided from construction jobs and activity in addition to ecological benefit through the delivery of statutory BNG.

- 6.122 The application site is considered to be sustainably located in relation to Rudgwick and Bucks Green and would be capable of accommodating the quantum of development proposed. The proposed 90 dwellings are also considered appropriate to the scale and function of Rudgwick and Bucks Green as a 'medium village' and would not result in a cumulatively unacceptable level of development in combination with other approved schemes. With the exception of there being no clear existing defensible boundary to the north (other than a wire fence), the proposal would otherwise be in full accordance with the Shaping Development in Horsham Planning Advice Note (SDPAN) and should therefore be considered positively, noting that the SDPAN only carries limited weight as an advice note only.
- 6.123 Subject to an appropriately designed layout at Reserved Matters the proposal is not considered to result in an unacceptable landscape impact, including over longer views. This is primarily due to substantive landscape buffer and lower density housing which is now proposed along the northern boundary. The remainder of the scheme has been found to be acceptable subject to conditions and a legal agreement including surface water drainage / flooding, highways, ecology, minerals safeguarding, climate change / air quality and water neutrality
- 6.124 It is additionally noted that the application site comprises, in part, draft allocation HA14 (RD1) within the emerging Local Plan (eLP). This draft allocation is given limited weight, however, given the eLP is currently at examination stage. The draft allocation, and the evidence base to support this allocation, nevertheless serves to demonstrate the sustainability of the site's location for residential development and is based on robust evidence of the site's capability to accommodate sustainable development. Whilst it is noted that the proposal exceeds the site area and quantum of development indicated within draft policy HA14 (RD1), this report has considered the sustainability of the site to accommodate the quantum of development proposed and the potential landscape impacts of extending the site further north.
- 6.125 Given the above considerations, whilst the proposal would not be in accordance with the current spatial plan set within the HNPF and RNP it is not considered that any adverse impacts of permitting the development would significantly and demonstrably outweigh the benefits when applying the 'titled balance' at Paragraph 11d of the NPPF. The proposal is therefore recommended for approval subject to the conditions below, and subject to the completion of the necessary s106 legal agreement to secure the affordable housing and other infrastructure as set out in the above Heads of Terms.

7. RECOMMENDATIONS

- 7.1 To approve outline planning permission subject to appropriate conditions and subject to the completion of the necessary section 106 agreement within four months of the decision of this Committee, or such longer period as is agreed by the Director of Place acting reasonably and properly.

Conditions

1. Approved Plans Condition

2. Outline Permission:

- (a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building, access to and within the site and the landscaping of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

- (b) Plans and particulars of the reserved matters referred to in condition (a) above, relating to the layout of the development, the scale of each building, the appearance of each building, access to and within the site and the landscaping of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
- (c) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
- (d) The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.

3. Submission of Reserved Matters:

(a) The submission of reserved matters applications pursuant to this outline approval shall demonstrate substantial compliance with the following Parameter Plans submitted as part of the Outline approval to fix the development principles:

GREEN BLUE INFRASTRUCTURE PARAMETER - GBIPP-02 REV B4 -
 LAND USE PARAMETER PLAN - 02 LUPP-02 REV B3
 ACCESS AND MOVEMENT PARAMETER PLAN: AMMP-02, REV B1
 BUILDING HEIGHT PARAMETER BHPP-02 REV B4

Reason: To enable the Local Planning Authority to control the development in detail to ensure Reserved Matters compliance with development principles fixed at outline and to comply with Section 92 of the Town and Country Planning Act 1990.

4. Pre-commencement Condition: Prior to, or in conjunction with, the submission of each Reserved Matters application for the development hereby permitted, details of a scheme for the disposing of surface water by a means of sustainable drainage system shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented in full in accordance with the approved details prior to first use of the development. The submitted details shall:

- Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharge from the site via a proposed Sustainable drainage system and the measures taken to prevent pollution of the receiving surface waters.
- Demonstrates that the proposed surface water drainage system does not surcharge in the 1 in 1 critical storm duration, flood in the 1 in 30 plus climate change critical storm duration or the 1 in 100 critical storm duration,
- Demonstrates that any flooding that occurs when taking into account climate change for the 1 in 100 critical storm event in accordance with NPPF does not leave the site uncontrolled via overland flow routes.

Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF.

5. Pre-commencement Condition: Before any works commence on site, details of advance planting to the northern boundary shall be submitted and approved by the Local Planning Authority. Implementation will need to be carried out prior to any other construction work and in accordance with an implementation timetable agreed in writing with the Local Planning Authority.

Reason: In order to ensure key structural / screening landscape planting is carried out at the earliest opportunity, in the interest of the landscape character and amenity of the locality, and the character, setting and significance of heritage assets.

- 6. Pre-Commencement Condition** No development shall take place until a Precautionary Working Methods Statement (PWMS) detailing reasonable avoidance measures for great crested newts has been submitted to and approved by the Local Planning Authority. Works shall only be undertaken in accordance with the approved Method Statement.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority Habitats & Species

- 7. Pre-Commencement Condition:** No development, including any demolition, shall commence until the following construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following measures:
- i. Details of site management contact details and responsibilities;
 - ii. A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:
 - a. location of site compound,
 - b. location for the loading, unloading and storage of plant and materials (including any stripped topsoil),
 - c. site offices (including location, height, size and appearance),
 - d. location of site access points for construction vehicles including acceptable visibility splays onto the A281.
 - e. location of on-site parking,
 - f. locations and details for the provision of wheel washing facilities and dust suppression facilities
 - iii. The arrangements for public consultation and liaison prior to and during the demolition and construction works – newsletters, fliers etc, to include site management contact details for residents;
 - iv. Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination

The construction shall thereafter be carried out in accordance with the details and measures approved.

Reason: As this matter is fundamental in the interests of good site management, highway safety, and to protect the amenities of adjacent businesses and residents during construction works to accord with Policies 33 & 40 of the Horsham District Planning Framework (2015).

- 8. Pre-commencement Condition:** No development shall commence for each dwelling 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 and adjoining land have been submitted to, and approved in writing by, the Local Planning Authority for that dwelling. The development shall be completed in accordance with the approved details.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact in accordance with Policies 25, 32, 33 of the Horsham District Planning Framework (2015) and Policy BILL 2 of the Billingshurst Neighbourhood Plan (2021).

- 9. Pre-Commencement Condition:** No development shall commence 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.

- Risk assessment of potentially damaging construction activities.
- Identification of “biodiversity protection zones”.
- 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).
- The location and timing of sensitive works to avoid harm to biodiversity features.
- The times during construction when specialist ecologists need to be present on site to oversee works.
- Responsible persons and lines of communication.
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- 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

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

10. Pre -Commencement Condition:

- No development shall take place until a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.
- The development hereby permitted shall not be commenced until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [i] and that provision for analysis, publication and dissemination of results and archive deposition has been secured and approved by the Local Planning Authority in writing.

Reason: As this matter is fundamental as the site is of archaeological significance and it is important that it is recorded by excavation before it is destroyed by development in accordance with Policy 34 of the Horsham District Planning Framework (2015)

11. Pre-commencement Condition: No development shall commence within any Reserved Matters Area or on works to construct the accesses hereby approved, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the relevant part of the site, until the following preliminaries have been completed in the sequence set out below:

- A plan shall be submitted to show all trees on the relevant part of the site to be retained as well as those off-site whose root protection areas ingress into the relevant part of the site, such trees shall be fully protected by tree protective fencing affixed to the ground and robust ground protection measures as necessary, in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
- Once installed and inspected and approved by the Local Planning Authority Tree Officer, the barrier fencing and any other ground protection measures shall be maintained during the course of the development works for that phase or sub-phase 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.

Reason: As this matter is fundamental to ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 12. Pre-commencement Condition:** No development shall commence until full details of all underground services, including locations, dimensions and depths of all service facilities and required ground excavations, have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall show coordination with the landscaping strategy and proposals and Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

Reason: As this matter is fundamental to the acceptable delivery of this permission, to ensure the underground services do not conflict with satisfactory landscaping in the interests of amenity in accordance with Policy 25, 31, 32, 33 of the Horsham District Planning Framework (2015)

- 13. Pre-commencement Condition:** No development shall commence unless and until details of the proposed means of foul water sewerage disposal have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter all development shall be undertaken in accordance with the approved details and no occupation of any dwelling shall take place until the approved works required to facilitate that dwelling have been completed. The foul drainage system shall be retained as approved thereafter.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

- 14. Pre-Commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

(a) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) – (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

(b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

(c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.

(d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The scheme shall be implemented as approved. Any changes to these components require the consent of the local planning authority.

Reason: As this matter is fundamental 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 in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

15. Pre-Commencement (Slab level) Condition: 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.

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

16. Pre-occupation condition: The development hereby approved shall not be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:

- a timetable for its implementation,
- details of SuDS features and connecting drainage structures and maintenance requirement for each aspect,
- a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF.

17. Pre-Occupation Condition: No part of the development hereby permitted shall be occupied until a fire hydrant(s) to BS 750 standards or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) has been installed, connected to a water supply with appropriate pressure and volume for firefighting, and made ready for use in consultation with the WSCC Fire and Rescue Service. The hydrant(s) or stored water supply shall thereafter be retained as such.

Reason: In accordance with fire and safety regulations in accordance with Policy 33 of the Horsham District Planning Framework (2015).

18. Pre-occupation condition: No part of the development shall be first occupied until such time as the vehicular access, proposed controlled crossing, and footway have been constructed in accordance with the details shown on the drawings titled Proposed Access Strategy and numbered 1810054-03 revision H and Signalised Pedestrian Crossing and numbered 1810054-10 revision B.

Reason: In the interests of road safety.

- 19. Pre-occupation condition:** No part of the development shall be first occupied until visibility splays of 2.4 metres by 51.4 metres to the east and 47.9 metres to the west have been provided at the proposed site vehicular access onto A281 Guildford Road in accordance with the details shown on the drawing titled Signalised Pedestrian Crossing and numbered 1810054-10 revision B.

Reason: In the interests of road safety.

- 20. Pre-occupation condition:** No part of the development shall be first occupied until plans and details and a timetable for their implementation for a pedestrian and cyclist access from the development onto Lynwick Street have been submitted to and approved in writing by the Local Planning Authority. The works once approved shall thereafter be implemented in accordance with the approved plans and timetable.

Reason: To secure appropriate pedestrian and cyclist access onto Lynwick Street.

- 21. Pre-Occupation Condition:** A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the occupation of the development. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended)

- 22. Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a mitigation strategy establishing the measures to improve air quality at the operational phase shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be written in accordance with the Air Quality & Emissions Reduction Guidance (2021) and shall detail the calculated damage costs that will be spent on practical mitigation measures. The approved detail within the strategy shall thereafter be strictly adhered to unless otherwise agreed to and approved in writing by the Local Planning Authority.

Reason: To mitigate against the impact of the development in accordance with Policy 24 of the Horsham District Planning Framework (2015) and Air quality and emissions mitigation guidance for Sussex (2021).

- 23. Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable a minimum provision for gigabit-capable fibre broadband connection has been provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

- 24. Pre-occupation condition:** 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 contour 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.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

- 25. Regulatory Condition:** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Ecology Partnership, October 2025) and the Ecological Impact Assessment (EclA) (Ecology Partnership, June 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.”

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).
Background Papers:

- 26. Regulatory Condition:** 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.

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Biodiversity Net Gain Condition

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the “biodiversity gain condition” which means development granted by this notice must not begin unless:

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- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission is Horsham District Council.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: [Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/biodiversity-net-gain)

Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/biodiversity-net-gain>.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

Informative - Landscape Details

The applicant is advised that full details of the hard and soft landscape works include the provision of, but shall not be necessarily limited to:

- Details of existing and proposed levels for all external earthworks associated with the landscape proposals (including SuDS, play areas, etc). Such details to include cross sections where necessary
- Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers
- Tree pit and staking/underground guying details
- A written hard and soft landscape specification (National Building Specification compliant), including ground preparation, cultivation and other operations associated with plant and grass establishment
- Hard surfacing materials - layout, colour, size, texture, coursing, levels
- Walls, steps, fencing, gates, railings or other supporting structures - location, type, heights and materials
- Minor artefacts and structures - location and type of street furniture, play equipment, refuse and other storage units, lighting columns and lanterns

8. USE OF AI

8.1 This report has not been prepared with the support of artificial intelligence tools.