



PLANNING COMMITTEE REPORT

TO: Planning Committee

BY: Head of Development and Building Control

DATE: 17th March 2026

DEVELOPMENT: Residential development comprising 204 dwellings and a commercial unit / residential unit, including the part-demolition and conversion of 'Building 3' and demolition of 'Building 36'. Vehicular access taken from Wimblehurst Road. Car and cycle parking, landscaping and open space and associated works. The replacement of the existing cedar trees at the site.

SITE: Former Novartis Site, Parsonage Road, Horsham, West Sussex, RH12 5AA

WARD: Holbrook East

APPLICATION: DC/25/0629

APPLICANT: **Name:** Lovell Partnerships **Address:** 100 St John Street, London, EC1M 4EH

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 Nigel Emery

The proposal is a departure from the Development Plan.

RECOMMENDATION: To approve full planning permission subject to appropriate conditions and 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

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 Full planning permission is sought for the development of the site for 204 dwellings and a further commercial / residential unit. This proposal relates to the western side of the wider former Novartis site only, known as Phases 1&2, and fronts Wimblehurst Road. Phase 3, which comprise the eastern side of the site, fronts Parsonage Road and has recently

(January 2026) been granted full planning permission under application DC/25/0415 for 244 dwellings.

- 1.2 The current proposal for Phases 1&2 is for a mix of houses, apartment blocks, the demolition of Building 36 and the part demolition / conversion of Building 3. The proposal would provide 35% affordable housing (72 units) split between 70% affordable rent and 30% shared ownership accommodation. The heights of the houses and flats are between 2 and 5 storeys tall. 10 of the units would comply with M4(3) standards and would be wheelchair accessible. The proposal utilises the existing site access from Wimblehurst Road with two blocks of three-storey flats either side of the entrance. For the access, it is proposed to introduce a right turn lane to access the site from Wimblehurst Road.
- 1.3 The main boulevard leading from Wimblehurst Road up to the main art deco building (Building 3) is to be retained. New trees are proposed along this boulevard that would replace the existing cedar trees (covered under a tree preservation order) either side of the boulevard. All of the proposed houses are to the north and south of the boulevard. To facilitate the delivery of the proposal, other non-protected trees are also proposed to be removed along the Parsonage Road site frontage and elsewhere within the site.
- 1.4 This proposal for Phase 1&2 does not include any open space. Open space is otherwise to be provided within the consented Phase 3 development to the east with a Locally Equipped Area of Play (LEAP) and a Local Area of Play (LAP) to the eastern boundary of the wider site. A further area of open space is also shown to the southeast corner of Phase 3. This is to be used as a 'Southern Park' and also for ecological enhancements.
- 1.5 250 parking spaces are proposed as part of the development for Phase 1&2, comprising 12 wheelchair accessible parking spaces and 240 normal parking spaces. All the homes would be provided with 'on-plot' cycle parking, divided between private storage for dwelling houses and communal storage for the apartment buildings. Basement parking is also proposed under Building 3 and former Building 36 (as replaced). The density of the development would be 76 dwellings per hectare.
- 1.6 As originally submitted, the application was for the demolition of Building 36 (the modern office building) and the retention and conversion of Building 3 (the art deco building), which is a locally listed building. During the process of the application, the applicant has conducted detailed structural investigations which have identified significant deficiencies in the structural integrity of Building 3.
- 1.7 The consequence of these structural deficiencies is that the wings of Building 3 cannot reasonably be converted. As amended, the proposal seeks to replace these parts of the building. The central section of the building, which includes the clock tower, has not been affected by the structural problems that have impacted the 'wings' to the same extent, and is to be retained.
- 1.8 The amended scheme is therefore to retain and convert the central clock tower in line with the original proposals, and to replace the 'wings' of the building with replacement buildings of an equivalent footprint and size. The same number of new homes would be provided within these parts of the building as was proposed in the originally submitted application. The scheme still proposes to demolish and replace Building 36 with a five storey block of flats. As originally proposed, two five storey blocks of flats are also proposed to the north and south of Building 3.
- 1.9 As amended the scheme also includes the provision of a commercial unit within the retained part of Building 3. The applicant has proposed that, in the event the commercial unit is not viable, it can come forward as an additional residential unit. This would be subject to marketing to be secured under a legal agreement.

- 1.10 Further amendments have also been submitted relating to additional tree protection measures. Due to concerns regarding the potential impact of the proposal on a substantial street tree on Parsonage Road, in consultation with the HDC Arboricultural Officer, a residential unit has been removed from the ground floor corner of Block C11, which fronts Parsonage Road. The removal of this unit would preserve the root protection area of a street tree. The amendments also include further minor amendments to protect the health of two trees to be retained along the southern boundary of the site. This includes the removal of 2 parking spaces.
- 1.11 Prior to the submission of this application, an EIA Screening Opinion (EIA/24/0007) was submitted to the Council to determine whether this application requires an Environmental Impact Assessment, in accordance with the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). The Screening concluded that this proposal, in conjunction with the development of Phase 3 for 244 dwellings, would not require an Environmental Impact Assessment and the environmental issues arising from the development could be dealt with as part of the usual planning application process.

DESCRIPTION OF THE SITE

- 1.11 The site is located within the built-up area of Horsham Town to the south of Parsonage Road and east of Wimblehurst Road. The site is basically triangular in shape, bounded to the south and east by railway lines and rail sidings. The western site (Phases 1&2) is approximately 2.8 hectares in size (the whole site has an area of 7.5 hectares). The site was formerly used by Novartis Pharmaceuticals for offices and medical research and was in operation from the late 1930s. Novartis ceased operation in 2014. When in operation, the site comprised several large buildings with its main access from Wimblehurst Road. The majority of buildings have now been demolished on site, with the remaining buildings (known as Buildings 3 and 36) sitting within Phase 1 & 2 of the site. There are no buildings on the Phase 3 land to the east.
- 1.12 Building 3 dates from 1939 and is included in Horsham's list of Locally Important Historic Buildings. The building is considered of merit due to its art deco appearance with a large clock tower facing east. Building 36 is a more modern building attached to Building 3. Between the two buildings is a courtyard area. There is a large basement area under both buildings and the central courtyard. These buildings are vacant and were formerly used as offices and for research.
- 1.13 The site is secured by hoardings to the north and west boundaries. The eastern side includes a cedar tree lined boulevard. These trees are protected by a tree preservation order (TPO/0686). The trees lead from east to west, from Wimblehurst Road, up to the front of Building 3. The cedar trees have been left to grow on site and are of a significant size. The main access to the Novartis site was from Wimblehurst Road with an additional access from Parsonage Road. Phases 1&2 is to be served by this existing Wimblehurst Road access. This access is surrounded by hedges and trees. The accesses are still in place but are not currently in general use. The northern site boundary is defined by Parsonage Road, with mature trees along its length. There are also a number of unprotected trees growing within the site, including trees which have established themselves within the courtyard between Buildings 3 and 36. The north western corner of the site includes a sub-station. This is not part of the application and is excluded from the development site.
- 1.14 Directly to the north of the site, Linden Homes have constructed 160 dwellings on an area of land that was formerly the car park and sports pitches for the Novartis site. A pedestrian crossing is in place on Parsonage Road adjacent to the Linden Homes site. The site is also nearby to a railway crossing on Parsonage Road to the east. Parsonage Road joins Wimblehurst Road adjacent to the north western corner of the wider site. Wimblehurst Road and part of Parsonage Road include a weight restriction on vehicles exceeding 7.5 tonnes.

WSCC Highways are currently reviewing the traffic regulation order in place with a view to extending the 7.5 tonnes restriction.

- 1.15 To the west of the wider Novartis site there are existing houses and flats which face the site off North Heath Lane and Wimblehurst Road. Horsham (Richmond Road) Conservation Area lies south of this site, over the railway lines. The nearest listed building is part of the College of Richard Collyer to the south of the site, across the railway lines. Horsham Train Station is located to the south of the site and is a 15 minute walk away. Horsham Town Centre is about a 25 minute walk from the site.
- 1.16 In terms of flood risk, the Environment Agency flood risk maps indicate that the site is subject to some sporadic areas of surface water flooding but not subject to any fluvial flooding.

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)

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 5 - Horsham Town
Policy 7 - Strategic Policy: Economic Growth
Policy 8 - Strategic Allocation: University Quarter Mixed Use Development
Policy 9 - Employment Development
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 27 - Settlement Coalescence
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

Neighbourhood Plan: North Horsham Parish Council voluntarily withdrew their parish from the Neighbourhood Development Plan process on 30 July 2018.

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

Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 4: Horsham Town

Strategic Policy 6: Climate Change
 Strategic Policy 7: Appropriate Energy Use
 Strategic Policy 8: Sustainable Design and Construction
 Strategic Policy 9: Water Neutrality
 Strategic Policy 10: Flooding
 Strategic Policy 11: Environmental Protection
 Strategic Policy 12: Air Quality
 Strategic Policy 17: Green Infrastructure and Biodiversity
 Strategic Policy 19: Development Quality
 Strategic Policy 20: Development Principles
 Policy 21: Heritage Assets and Managing Change within the Historic Environment
 Strategic Policy 23: Infrastructure Provision
 Strategic Policy 24: Sustainable Transport
 Policy 25: Parking
 Strategic Policy 29: New Employment
 Strategic Policy 30: Enhancing Existing Employment
 Strategic Policy 37: Housing Provision
 Strategic Policy 38: Meeting Local Housing Needs
 Policy 39: Affordable Housing
 Policy 40: Improving Housing Standards in the District

West Sussex Joint Minerals Local Plan (2018)

Policy M9 - Safeguarding Minerals

Other Relevant Guidance and Policies:

- HDC Planning Obligations and Affordable Housing Supplementary Planning Document (2017)
- HDC Community Infrastructure Levy (CIL) Charging Schedule (2017)
- WSCC Supplementary Planning Guidance (September 2020) - revised county parking standards and transport contributions methodology
- Air Quality and Emissions Mitigation Guidance for Sussex (2020)
- HDC Planning Advice Note: Biodiversity and Green infrastructure (2022)
- HDC Planning Advice Note: Shaping Development in Horsham District (2025)
- HDC Sports, Open Space and Recreation Assessment (2014)
- HDC Open Space, Sport & Recreation Review (2021)
- HDC Play Strategy 2017-2027
- HDC Local Cycling and Walking Infrastructure Plan

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/18/2687	Outline planning application for the erection of up to 300 dwellings (C3) including the conversion of existing offices buildings 3 and 36) up to 25,000sqm of employment (B1) floorspaces and provision of 618sqm of flexible commercial/community space (A1 A2 A3 D1 Creche) use classes) within the ground floor of converted building 36. Improvements to existing pedestrian and vehicular accesses from Parsonage Road and Wimblehurst Road, new cycle and pedestrian accesses from Parsonage Road, together with associated parking and landscaping. All matters reserved except for access.	Application Permitted on 11.02.2020
DC/23/0183	Phase 1 - Reserved Matters application (covering appearance, landscaping, layout and scale) pursuant to outline permission DC/18/2687, proposing the erection of 123 residential units (with associated infrastructure); and including the details required by outline Condition 21 (the scheme of noise and	Withdrawn on 29.07.2025

vibration attenuation) and outline Condition 24 (Cedar Tree Reports).

DC/23/0171	Phase 2 - Reserved Matters application (covering appearance, landscaping, layout and scale) pursuant to outline permission DC/18/2687, proposing a total of 137 residential units (of which 40 units will be new-build, and 97 units will be delivered as part of the conversion of the Central Buildings 3 and 36) and the provision of 618 sqm (GIA) of flexible commercial /community space at the ground floor of Building 36; and including the details required by outline Condition 21 (the scheme of noise and vibration attenuation).	Withdrawn on 29.07.2025
DC/25/0415	Phase 3 - The construction of 244 new homes (Use Class C3) with vehicular and pedestrian access from Parsonage Road, public open space, landscaping, parking and associated works.	Permitted 16.01.2026

The site also has an extensive planning history for its use by Novartis dating back to the 1950s. The last planning permissions relating to Novartis were in 2014 and 2016. These were for the demolition of buildings on site.

3. OUTCOME OF CONSULTATIONS

- 3.1 Where consultation responses and representations 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.

If you are viewing online the specific application link is
https://iawpa.horsham.gov.uk/PublicAccess_LIVE/SearchResult/RunThirdPartySearch?FileSystemId=DH&FOLDER1_REF=DC/25/0629

INTERNAL CONSULTATIONS

3.2 **HDC Arboriculturist:** Advice

- Latest comments received in response to amendments 02.03.2026 [Summary]. The previous concerns regarding RPAs have now been mostly addressed. A condition is recommended requiring the submission of an Arboricultural Method Statement that sets out how sensitive works within RPAs of retained trees will be undertaken in accordance with the approved documents.
- Comments received 17.04.2025 [Summary]. The submitted Arboricultural Impact Assessment (AIA) identifies 30+ individual trees and several hedgerows for removal, primarily due to direct conflicts with the proposed layout or limited remaining life expectancy. While several trees are to be retained and protected throughout construction, others will be impacted by development within their Root Protection Areas (RPAs). The key losses from a landscape visual amenity perspective are the 7 TPO'ed Cedars on either side of the main access road in the site and the roadside lime trees. Any final decision on this should be balanced against the potential increased safety risks these mature cedars would pose in an urban setting; weighed against replacing them as part of a coordinated, forward-looking landscape plan which could ensure that appropriate species can be selected to enhance the amenity of the site more sustainably.

3.3 **HDC Drainage Officer:** No comment [Summary]

As this is a major application, this falls outside the scope of the Drainage Officer. Advice is required from WSCC as the Local Lead Flood Authority.

3.4 **HDC Ecology (BNG):** Comment

- Latest comments received 27.02.2026 [Summary]. All comments in (excluding those pertaining to the HMMP) in the consultation response dated 11th December 2025 have now been resolved and updates provided in the revised BNG Report. All requested HMMP revisions will be made post-determination.
- Comments received 11.12.2025 [Summary]. Since the first round of comments, a draft HMMP has been provided. Further comments are provided with regards to the HMMP, which will need to be addressed at pre-commencement condition stage (or earlier if the need for a legal agreement is triggered). No other comments appear to have been addressed. It is requested that the issue pertaining to tree retention is clarified prior to any grant of planning permission.
- Comments received 22.05.2025 [Summary]. The on-site BNG proposal is considered feasible, however it is noted that there is a large unit net loss for the development, as the quantum of development has filled the site and has left no further room habitat creation. To reach the 10% requirement for the area habitat module, the stated intention is to purchase off-site units (in accordance with the trading rules) from the BNG market, with 5 off-site providers having already been approached and two of these having off-site compensation available within the same National Character Area as the site. It is preferable for the units to also be within the Local Planning Authority area as well. More information is requested with regards to post-development habitats and the metric amended where necessary.

3.5 **HDC Ecology (consultants):** No Objection.

- Latest comments received 16.01.2026 [Summary]. Having reviewed the additional information received, there is sufficient ecological information available to support the determination of this application. No objection is raised subject to conditions.
- Comments received 22.05.2025 [Summary]. The Ecologists are not satisfied that there is sufficient ecological information on protected species available for determination of this application. We recommend that details of survey results and mitigation measures required to make this proposal acceptable are provided prior to determination.

3.6 **HDC Enterprising Horsham:** Objection

- [Summary]. The proposal is entirely residential in nature and fails to demonstrate any commitment to providing updated or replacement commercial floorspace. There is a well-documented shortage of modern, fit-for-purpose commercial premises across the District, impacting both small and large businesses. As outlined in the Council's Economic Strategy, maintaining a diverse range of commercial floorspace is critical to supporting business start-ups, growth, and retention within the District. This, in turn, is essential for sustaining local employment and a resilient economy. The Team believes this site presents an opportunity to deliver a mixed-use development, where residential elements could enable the provision of high-quality commercial floorspace—particularly suited to the needs of small businesses. The current proposal is not compliant with this policy and undermines the economic objectives set out in the Local Plan.

3.7 **HDC Environmental Health:** Comments [Summary]

- Air Quality: More information required on modelling and proposed mitigation measures. Condition is recommended requiring further details to be submitted to the Council for approval prior to commencement for approval.

- Noise and Overheating: Further details and information required by a recommended condition. The additional details received have not fully addressed concerns in relation to overheating.
- Contaminated Land: Assessments submitted are acceptable. Conditions recommended.
- Lighting: No details submitted. Condition recommended requiring details of lighting.
- Construction Phase: A Construction Environmental Management Plan would be required to minimise impacts on the surrounding area.

3.8 **HDC Heritage: No Objection.**

- Latest comments received 19.12.2026 [Summary – in response to amendments to part demolish Building 3]. Although the Conservation Officer is disappointed by the amended proposal to part demolish Building 3, the officer understands that the condition of the concrete frame means significant repair will need to be undertaken. There is also a lack of appropriate ties between the concrete frame and facing brickwork which would require significant rebuilding of the outer skin. This jeopardises the project to bring the building back into use. The Officer is satisfied that the architectural interest of the original wings is not as great as the central tower. The rebuilding of the wings will retain the ability to appreciate the original design and reinforce the architectural style of the building. The proposed replacement wings are designed to provide a similar scale, massing and architectural detailing. No objection subject to a condition to ensure that no demolition take place before it can be clarified that the works will take place.
- Comments received 12.05.2025 [Summary – comments on original submission retaining Building 3]. The Conservation Officer is satisfied that the proposal will preserve the interest of the historic building and ensure it is conserved for the future. No objection is raised to the replacement of the Cedar trees with a more appropriate species. The Conservation Officer would like the design of the replacement gate house buildings to represent a greater sense of arrival.

3.9 **HDC Housing: Approval recommended**

[Summary] The Housing Officer requires further conversation and clarification in relation to the affordable housing delivery tenure and sizes in relation to 70/30 split but do support what is being proposed.

3.10 **HDC Landscape: Comments.**

Latest comments received 19.12.2026 [Summary]:

- With the benefit of additional details, three issues remain. These relate to the submission of scaled open space open plan in order to fully calculate any contributions required to mitigate the lack of open space. Concern is raised regarding the location of garden fences along Parsonage Road and the relationship with existing trees. The Landscape Officer refers to the HDC Arboriculturist on this matter. As stated, the avenue of Dawn Redwoods need to be a larger size.
- If recommended for approval, conditions are recommended.

Comments received 08.08.2025 [Summary]:

- A land budget plan is requested to demonstrate compliance with the open space requirements.
- The potential loss of the mature trees on the northeastern boundary, including the loss of trees within the site, will therefore have an adverse effect on the local landscape character. While these trees are shown for retention outside of residential curtilage, concern is raised in regard to the current layout proposed.
- The retention of trees cannot be secured within private amenity space. Please relocate the trees in plots C24-26 outside of the residential curtilage, within the 'Ecology Edge' as specified within the Design & Access Statement.

- The avenue of *Metasequoia glyptostroboides* (Dawn Redwoods) is welcomed, however more instant impact is requested. Please amend to a minimum size of 20-25cm girth, though larger sizes such as 30-35cm would be preferred.
- The improved landscaped area in front of the art deco building is welcomed, which alongside the boulevard, now positively enhances the setting and views towards the locally listed building.
- Root barriers for some of the trees are missing.
- Amendments requested for proposed planting.

3.11 HDC Parks & Countryside: Comments

[Summary] The proposal does not meet the open space requirements as required by the Council's Open Space, Sport & Recreation Review (2021). The other part of the development does include a substantially sized play facility which can count towards the quantity required for play for children and young people. Contributions should be sought for enhancements in the local area.

3.12 HDC Strategic Planning: Objection

[Summary]. The re-use of this vacant previously developed site in Horsham town is, in principle, welcomed and the proposal would make a contribution towards meeting the housing requirements. However, the proposal conflicts with Policies 2, 7, 8 and 9 of the Horsham District Planning Framework (2015) which seek employment on the site. It therefore forms a departure from the adopted Development Plan. There are a number of material planning considerations which need to be taken into account in the determination of the unique circumstances of this proposal and regard given to the respective weight to be given to each when considered collectively.

3.13 HDC Waste & Recycling: No Objection

OUTSIDE AGENCIES

3.14 Active Travel England: No comment.

ATE refer to the Active Travel England Standing Advice.

3.15 Cadent Gas: No comment.

3.16 Gatwick Airport: Comment [Summary].

In order to avoid conflict with aerodrome safeguarding, the following conditions are recommended:

- Submission of a Bird Hazard Management Plan.
- Submission of Landscape Scheme.
- Submission of details of any photovoltaic panels.

3.17 Health Safety Executive: Comments (received via the HSE website).

[Summary]. The proposed site does not lie within a consultation distance of a major hazard site or major hazard pipeline.

3.18 Natural England: No Objection

3.19 Naturespace: No Comment

[Summary]. The proposal is not considered relevant to the District Licensing Scheme and there would be no likely impacts on newts or their habitats.

3.20 Network Rail: Comment.

- Comments received 05.01.2026 in response to amendments: Network Rail's drainage team do not have any further comments or concerns to raise.
- Comments received 09.06.2025 [Summary].

- Due to the close proximity of the proposed development to Network Rail's land and the operational railway, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team prior to works commencing. This will allow our ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway.
- Network Rail are currently experiencing issues with their drainage systems. As such further information is requested regarding flow routes to ensure the development does not result in drainage issues.

3.21 HDC Highways consultant (Stantec (Senior Transport Planner)): Comments
[Summary].

- The officer has assessed the submitted Transport Assessment and Travel Plan.
- A site visit was undertaken in May 2025.
- A total of 252no. car parking spaces (including 77 basement spaces) and 220no. cycle parking are proposed. This parking provision is justified by the TA through reference to local parking standards (WSCC Guidance on Parking in New Developments - 2020) for a site in PBZ4 (Parking Behaviour Zone 4).
- The (vehicular) trip generation is noted and is considered to be reasonable and calculated on a typical basis expected within a TA document. The trip generation rates are based on TRICs and this is considered to be an appropriate approach.
- An access arrangement that has been the subject of a Road Safety Audit that does not raise any significant issues with the proposed access. It is noted that the access will be slightly reduced in comparison to the existing access and that a right turn lane is to be reinstated.
- It is noted that the Copenhagen Crossing has been removed.
- The Transport Assessment chapter on modelling describes the traffic impact and modelling assessment. This chapter does not raise any additional comments.
- The contributions offered by the applicant reflect the previously agreed S106 contributions.
- Additional details are required in relation to the Travel Plan.
- Overall, the Transport Assessment and Travel do not contain significant deficiencies. Clarity on some points would be useful.

3.22 Horsham District Scouts: Objection

[Summary]. The proposal does not reflect the need for facilities for young people to socialise. The applicant makes no mention of social facilities for children and young people living and growing up on their proposed developments. They make provision for Education and sports facilities but that is not sufficient for the needs of young people who require places to meet and socialise.

3.23 Southern Water: Comment

[Summary]

- There is currently adequate capacity in the local sewerage network for this development.
- Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer.
- If it is the intention of the developer for Southern Water to adopt the proposed SuDS, the system shall be designed and constructed in line with the Design and Construction Guidance www.water.org.uk/sewerage-sector-guidance-approved-documents/.
- No Soakaways should be connected to the public surface water sewer.
- Southern Water have restrictions on proposed tree planting adjacent to sewers, rising mains and water mains. Any landscaping proposal must be agreed in consultation with Southern Water.

3.24 Sussex Police (Designing Out Crime Officer): Comment

[Summary] The applicant is directed for further advice on construction site security can be obtained from the Secured by Design Website. To comments to make on amendments.

- 3.25 **Sussex & Surrey Police (Joint Commercial Planning Manager): Objection**
[Summary] The Commercial Planning Manager sets out a request for infrastructure contributions required for Automatic Number Plate Recognition cameras in the area. In the absence of developer contributions towards the provision of essential policing infrastructure, Sussex & Surrey Police would raise objection.
- 3.26 **WSCC Education: No comments received.**
- 3.27 **WSCC Local Highway Authority: No Objection.**
Latest comments received 22.12.2025 in response to amendments [Summary].
- Comments are made in respect of the submitted Supplementary Highways Note and Addendum Transport Assessment.
 - The applicant's response to not submitting a 'vision led' approach is noted. Ordinarily, a 'vision led' approach would be expected to consist of scenario testing to reduce traffic through the implementation of different interventions. As WSCC acknowledged for DC/25/0415, the scenarios assessed within the initial Transport Assessment represent very much a worst case situation. Had a 'vision' led approach this would likely only have resulted in an assessment based on higher uptakes of sustainable transport modes with corresponding reduced vehicular trip generation. Whilst the lack of a 'vision' led approach is disappointing, there is a means through the travel plan to include higher walking/cycling/passenger transport targets.
 - It is noted that the Copenhagen crossing has been withdrawn from the proposal.
 - WSCC still requires the submission of an editable RSA response.
 - The applicant has prepared a Walking and Cycling Audit. For walking, potential crossing improvements have been identified for a number of locations with the Applicant to make a contribution of £2,000 per location to enable WSCC Highways to undertake improvement works. A contribution of £12,000 has also been agreed to enable crossing improvements in the area.
 - For cycling, it has been agreed that a permissive cycle route (which grants the public a right of access for cycling over what will be private roads in the development) will pass through both this and the adjacent phase of development.
 - It's acknowledged that the current application is not proposed to include a car club space. This falls within the adjacent development.
 - Overall, no in-principle concerns are raised with the proposed development. Contributions towards offsite improvements to be delivered by WSCC Highways have been agreed. Approval also subject to conditions.

Comments received 16.05.2025 [Summary].

- WSCC Highways acknowledge the separate planning application (DC/25/0415) for 244 dwellings submitted for the eastern part of this development site. Whilst this and DC/25/0415 are separate, there is need to view these applications cumulatively for certain impacts.
- In reviewing the Transport Assessment and the Travel Plan, it's noted no reference seems to be given to the site adopting a 'vision-led' approach.
- In relation to the proposed Copenhagen crossing, whilst WSCC do not have any formal guidance on the design of this crossings, guidance that is available indicates a need to reduce vehicle approach and turning speeds, and that the crossing distance is kept to a minimum. The layout presented is at odds with this with there being a significant crossing distance and large kerb radii. The design of the Copenhagen crossing should be reviewed. The RSA may need to be updated depending on the Applicant's actions regarding the crossing at this location.
- It's noted that the Applicant intends to reinstate the right turn lane into the site from Wimblesbury Road. This amounts to the remarking of the right turn lane rather than necessitating any physical highway works. There are no particular issues in this respects.

- In relation to active travel, it is recommended that the Applicant looks again at walking and cycling routes from the site to key destinations to determine what improvements are required and could be provided from this development.
- In reviewing the highway capacity impact, it is acknowledged that the site has historically accommodated trip generating uses and that the previously consented use would generate significantly more trips compared with the presently submitted residential schemes for this and the neighbouring parcel.
- The layout presents a mix of carriageways with segregated footways as well as shared surfaces (where all users share the same space). There are no obvious issues in terms of where these areas are used.

3.28 WSCC Local Lead Flood Authority: No Objection (as amended).

- Latest Comments received 16.12.2025 in response to amendments [Summary]. No Objection subject to conditions. Following the submission of the Flood Risk Assessment and Drainage Strategy Revision B with supporting documents, the LLFA concerns have been adequately addressed.
- Comments received 21.05.2025 [Summary]. Objection as it had not been adequately demonstrated that the application is in accordance with NPPF, PPG Flood Risk and Coastal Change or Policy 42 in Horsham District Planning Framework. Further information requested.

3.29 WSCC Minerals & Waste: No Objection [Summary].

PUBLIC CONSULTATIONS

3.30 Representations:

59 letters of Objection (including responses from Wimblehurst Road Residents Association) have been received to the application on the following grounds:

- Objections are raised to the removal of the cedar trees, which are protected by a preservation order.
- All of the existing highway problems with the roads around this site would be exacerbated by this proposal. The proposed access to Wimblehurst Road is concerning. Junctions in the area are already running at capacity. The Mowbray Development site has already led to traffic problems. This will lead to road safety issues. The proposal does not include a 'vision led' approach to transport planning. Concern is raised regarding Stantec's report on highway matters.
- Key documents are missing. Also, the applicants reports (specifically the Transport reports) are inaccurate and misleading.
- What is the justification for introducing a right lane for traffic?
- The proposal needs to include car club provision.
- The Novartis site should be assessed as a whole.
- There are peregrine falcons on the site.
- There are too many houses on this site. This is overdevelopment.
- The proposal will result in air pollution.
- This will lead to parking problems in the area.
- There is lack of water and sewer infrastructure. Concern is raised regarding flooding.
- There is a lack of schools and doctors in the area.
- The proposal puts pressure on the police force.
- A bridge over the railway line is required.
- Housing is not a good use for this site.
- The Art deco building should be protected.
- Water neutrality regulations would need to be met.
- The proposal is contrary to the Local Plan.
- Concern is raised as to the likelihood of this site achieving 10% BNG.
- Concern is raised over the former use of the site and land contamination.

- Concern is raised to the HDC Conservation Officer's lack of objection to the removal of the cedar trees.
- The proposal should include social housing. More affordable housing should be provided.
- The proposal would impact on the adjacent conservation area.
- Concern is raised that both schemes together would require an EIA.
- The proposal lacks social facilities, such as facilities for scouts.
- The scheme will remove all of the interest of the site. This includes the art deco building which is now proposed to be part demolished. The remaining clock tower is at risk of also been removed.
- Concern is raised over construction traffic.

An online petition has been submitted for the attention of the Council. The petition includes over 2,600 signatures and relates to the loss of the cedar trees on site.

Parish Comments:

3.31 **North Horsham Parish Council:** Comments.

Latest comments received 19.12.2025. No objection to the amended proposal in principle, and Members support the redesign of 'Building 3'. Members noted the updated documents on the portal, however, they remain concerned about the following:

- The impact on the road network around and within the site including the access into and out of the site, the use of people on mobility scooters, and the width of the roads and concur with the concerns expressed by WSSC Highways regarding the extra work and information required.
- Parking within the site and the lack of spaces beside or in front of the properties with the concern that competing for unallocated spaces may occur that could lead to neighbour disputes further along the line. Members note that the parking meets the standard for WSSC Highways but feel it is not adequate for the site.
- The entrance from Wimblehurst Road needs to add more of a statement on entering the site.

Comments received 28.05.2025. No objection in principle and Members support the housing development on the Novartis site, however, they do have similar concerns as for DC/25/0415, regarding:

- The impact on the road network around and within the site including the access into and out of the site, the use of people on mobility scooters, and the width of the roads and concur with the concerns expressed by WSSC Highways regarding the extra work and information required.
- Vehicle access from the Lovell to the Muse site and concerned that residents will only be able to use one exit/entrance for the side of the development they are on.
- Parking within the site and the lack of spaces beside or in front of the properties with the concern that competing for unallocated spaces may occur that could lead to neighbour disputes further along the line. Members note that the parking meets the standard for WSSC Highways but feel it is not adequate for the site.
- The entrance from Wimblehurst Road needs to add more of a statement on entering the site.
- Density of the proposed properties within the site almost feels overdeveloped.
- The site will not be well served by local amenities.
- Members do support the NHCLT with their ambition to have affordable properties on the site. The Parish Council were pleased to see the level of public response for the developments, both for and against, as well as the comments from Wimblehurst Road Residents Association, Horsham Blueprint and Horsham Society, which all helped the Committee when considering their comments.

3.32 Horsham Denne Neighbourhood Council: Objection [Summary].

- Although it is not in their area, HDNC are concerned about the impact on our residents, especially those living in Wimblehurst Road. HDNC supports the responses made by the Wimblehurst Road Residents' Association. HDNC considers the site should be treated as a whole.
- Traffic and Access. Most of the major road junctions in the vicinity are currently running over capacity. The level crossing barrier in Parsonage Road is sometimes down longer than 10 minutes, which creates long tailbacks of traffic. Sight lines at the mini-roundabout on Wimblehurst Road/North Heath junction are very poor. Wimblehurst Road has already seen a huge increase in traffic since the expansion of North Horsham with the opening of Bohunt School and the Mowbray development (which is not completed). North Heath Lane and Wimblehurst Road are often the preferred routes into Horsham from North Horsham to avoid Littlehaven Halt, the Parsonage Road level crossing and the drive around the A264/A24. Therefore, HDNC is concerned that the proposed development will exacerbate the problems. Concerning access, historically there was little traffic coming in and out of the Enterprise Park site as the car park provision was on the Linden Homes site in Parsonage Road and Novartis work times were staggered. Novartis closed its Wimblehurst Road Access many years ago due to safety issues. Insufficient parking on site will cause drivers to look for external parking solutions, which are already very tight in the area and exacerbated by car use connected to Collyers.
- Lack of Infrastructure. HDNC considers that the applicant's opinion that the proposed development is convenient for shopping is an exaggeration, and most residents will use their cars to visit the shops and supermarkets. There is also likely to be an increase in online shopping resulting in deliveries to the estate. There is no social provision for residents on site such as a meeting place, or café. Local medical and educational facilities are oversubscribed.
- Parking. As there are no garages planned for either application cars will be very visible either on driveways, specific parking areas or on the streets: this is visually unattractive and may cause congestion. DC/25/0629 has 252 parking spaces but 50% is unallocated parking; HDNC assumes unallocated spaces are mainly for the apartments and considers this will cause arguments between residents.
- Housing. HDNC considers that the housing is overall too dense and overbearing. Many of the houses are 3-storey which saves space but would not be physically convenient for some potential residents and en masse can appear oppressive.
- Trees. There seems to be controversy over the health of the Cedar trees along the avenue; and HDNC suggests that an independent survey is carried out.

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 The Sussex Police Crime Designing Out Crime Officer has given advice on various elements of the proposal in relation to crime prevention and design. The applicant is directed by the Officer for further advice on site security from the Secured by Design Website.

- 5.2 The Surrey & Sussex Police (Joint Commercial Planning Manager) has set out a request for infrastructure contributions required for Automatic Number Plate Recognition (ANPR) cameras in the area. In the absence of developer contributions towards the provision of essential policing infrastructure, Sussex Police would raise an objection. The CIL Regulation 123 List outlines infrastructure projects or types to be funded at least part by CIL. This includes Public and Emergency Services Infrastructure such as CCTV. Therefore, as any requirement for ANPR cameras could be covered by the CIL regime, it would be unreasonable to require a separate contribution for ANPR cameras in relation to this proposal.

6. PLANNING ASSESSMENTS

Background

- 6.1 Novartis Pharmaceuticals ceased operations on this site in 2014 and it has been vacant since that time. Most of the former buildings on site have been demolished and the site is now surrounded by hoardings. The central buildings (Buildings 3 and 36) remain on site and are in a state of disrepair. In February 2020, outline consent was granted for the development of the site for up to 300 dwellings and 25,000sqm of commercial floor space (DC/18/2687). This included the conversion of the central buildings (Buildings 3 and 36) to flats. This approval split the site into two distinct sections (commercial and residential). The eastern section of the site (Phase 3) was approved for the 25,000sqm of commercial floor space, accessed off Parsonage Road. The western side (Phases 1 & 2) was approved for up to 300 dwellings accessed off Wimblehurst Road.
- 6.2 Following approval, reserved matters applications were submitted for the residential aspect of the outline consent (DC/23/0183 & DC/23/0171). The progression of these applications was delayed, partly due to issues with water neutrality. These applications have now been withdrawn. The outline application consent has now lapsed and cannot be implemented.
- 6.3 The applicants are now progressing the development of the whole wider site for housing (a total of 449 units). The applicants have split the development for the site into two, omitting the commercial uses previously granted in Phase 3. Phase 3 relates to the eastern side of the site and now has planning permission for 244 dwellings (DC/25/0415). The applicant for the Phase 3 site is Muse Places.
- 6.4 The current proposal relates to western side of the site, accessed off Wimblehurst Road (Phases 1&2). The applicant for this site is the Lovell Partnership. This application is for 204 residential dwellings which as originally submitted included the conversion and part demolition of the two retained central buildings. As explained above, however, recent details structural surveys have determined that both buildings are unsuitable to retain, with the exception of the central tower to Building 3. A revised suite of plans has therefore been submitted detailing replacement buildings and this application is determined based on these latest plans. A commercial unit / residential unit is also proposed within the retained part of Building 3. Amendments have also been submitted addressing the potential impact of the proposal on the root protection area of a street tree. This amendment has resulted in the loss of a residential unit.
- 6.5 This report will assess the appropriateness of the Phase 1&2 proposal for 204 dwellings and 1 commercial / residential unit, taking into account the cumulative impact with the planning permission recently granted on Phase 3. The main areas for consideration are as follows:
- Principle of Development (including loss of commercial use)
 - Housing Mix and Affordable Housing
 - Design and Heritage Impact
 - Landscape & Trees
 - Impact on Residential Amenity

- Highways Impact
- Ecology
- Water Neutrality
- Drainage & Flooding
- Other Matters (commercial unit, land contamination, air quality, legal agreement, climate change, provision of a rail bridge)
- Conclusion & Planning Balance

Principle of Development:

- 6.6 This site is allocated for development under Policy 8 of the Horsham District Planning Framework (2015). The policy states that the land at the former pharmaceutical research development and manufacturing site bounded by Wimblehurst Road and Parsonage Road and the railway lines is allocated for re-use as comprehensive mixed use strategic development for a higher education facility including supporting facilities, complementary employment uses and associated infrastructure. Policy 2 (Strategic Development) also states that one of the aims of the spatial strategy is to bring forward a strategic mixed opportunity at the former Novartis site for employment, education and specialist housing (Policy 2, part 4).
- 6.7 Policy 8 states that the redevelopment of the site shall principally be for education and research, with onsite residential accommodation for students. In terms of design, any future development should reflect the previous use of the site as a research centre. The historic buildings on site, which reflect the local community's past industrial heritage, shall be a focal point of the development by retaining the key Art Deco buildings as a design feature. The design shall take particular account of public views, primarily from Wimblehurst Road and seek to enhance the Parsonage Road frontage.
- 6.8 The policy ends by stating that if the site is not developed for higher education use by 2021, the future redevelopment of the site can be provided by other uses in a sequential manner, with a combined training and employment use preferred first and employment use second.
- 6.9 Policy 5 (Horsham Town) of the HDPF is also relevant and states that development is allowed within the built-up area of Horsham Town subject to criteria. This includes delivering '*a mix of residential properties which meet the needs of the population and contributes to quality modern living that is compatible with a town centre setting.*' This policy also recognises the important role of Horsham town as the primary economic and cultural centre of the District.
- 6.10 Under the Horsham District Local Plan 2023-2040 Regulation 19 submission, the Novartis site is referenced under Policy 29 (new Employment). The policy states that '*Horsham Enterprise Park (formerly Novartis) and Land at North Horsham will be important to help satisfy the demand for high-quality office space and, subject to demand, other employment uses (B Class Use).*' The Novartis site is classed as an 'Existing Commitment' for 25,000sqm of Grade A office space.
- 6.11 In April 2025, the Council received the Inspector's Interim Findings Letter which, in summary, recommended that the emerging Local Plan be withdrawn owing to its failure to satisfactorily comply with the Duty to Co-operate. However, the Council decided to not withdraw the emerging Local Plan and instead asked the Inspector to reconsider their position.
- 6.12 Then in October 2025, Natural England issued a Withdrawal Statement confirming that its water neutrality Position Statement of September 2021 had been withdrawn. With the requirements of water neutrality effectively withdrawn, the Council wrote to the Inspector in November 2025 to enquire as to whether the emerging Local Plan process could be restarted.

- 6.13 The Inspector has now agreed to re-open the hearings for the Local Plan in April 2026. Hence the emerging Local Plan remains the Council's policy position and the policies within it continue to have some, albeit limited, weight.
- 6.14 In the current Local Plan (HDPF, 2015), the former Novartis site is seen as an opportunity for integrated education and research (Policy 8). When the 2015 local plan was being produced, it was understood that the University of Brighton were interested in the site for a new campus, hence its primary allocation for a higher education use. In 2015 the University of Brighton formally stated that it withdrew its plans to open a Horsham campus as it was unsuccessful in a funding bid. An application for funding was submitted by the university, with support from the Coast to Capital Local Economic Partnership, local businesses and Horsham District Council. The outcome of the Regional Growth Fund round was announced by the then coalition government and, unfortunately, the university's application was not successful.
- 6.15 Policy 8 states in paragraph 15 that, in the event that that the site is not developed for a higher education use by 2021 the site can be redeveloped for other uses in a sequential manner with a combined training and employment use first and employment use solely second. The proposed development for residential dwellings is not provided for in the Policy 8 sequential approach. Therefore, the current proposal for a wholly residential use of the site runs contrary to Policies 2 and 8 of the HDPF and is consequently considered a departure from the Local Plan.
- 6.16 Under the previous outline consent for development of the site (DC/18/2687), the applicants submitted an appraisal that showed that a 100% commercial scheme for the whole site would not be viable. As such, it was agreed that the development of the site for up to 300 residential units and 25,000sqm of commercial use would be appropriate, with the 300 homes on the western part of the site supporting the delivery of the 25,000sqm of commercial floorspace on the eastern part of the site. This was supported at the time by the Council's Economic Development Team (now Enterprise team). The previous approval of the site for part residential / part commercial use was also classed as a departure from Policy 8 of the HDPF and is a material consideration for the current proposal.
- 6.17 In relation to the principle of the development, Policy 9 (Employment Development) is also a key policy. This policy relates to the development of employment sites, including Key Employment Sites. The Novartis site is not classed as a Key Employment site but as stated above did have permission to be partly developed for employment uses under DC/18/2687. It should be noted that this previous permission has now lapsed and cannot be implemented. The existing land use of the site is therefore the previous use by Novartis. This previous use falls under offices and research and development, both of which are within Class E(g) of the Use Classes Order (as amended). Given the previous uses of the site, the site can still be considered as an existing employment site. Therefore, Policy 9 is still applicable. Policy 9 states that *'redevelopment of employment sites and premises outside Key Employment Areas must demonstrate that the site/ premises is no longer needed and/or viable for employment uses.'*

Site Marketing

- 6.18 To seek to comply with Policy 9, the proposal includes a Marketing Report, Audit and Land Employment Viability Assessment conducted by Vail Williams. The report outlines that the site was marketed from April 2022 up until the Phase 3 application was submitted (March 2025). This amounts to 36 months in total. The marketing covered the eastern side of the wider site (Phase 3), which was granted consent for a commercial use under DC/18/2687. The approach of the applicant to market the eastern side of the site, approved for commercial development, is considered appropriate.

- 6.19 The Marketing Report outlines the interest generated and feedback. The report outlines that, despite some queries, there were no interest in developing the site for a commercial use for various reasons. This includes the location of the site, Horsham not being seen as a 'prime commercial area' and high office rents. The report goes into detail on key economic factors which have also affected the marketing of the site. These include the impact of the October 2022 budget, rising construction costs and the increase in the cost of finance.
- 6.20 The Marketing Report summarises that, since 2021, there has been a proactive marketing campaign with *'all endeavours undertaken to try and find a suitable occupier, owner or user in combination of the two...A multitude of initiatives have been undertaken to consolidate individual requirements into a cohesive and commercially viable proposition, with regular feedback provided to Muse Developments to enhance marketing efforts with both traditional and non-traditional marketing methods instigated.'*
- 6.21 The Report concludes by stating that the site has been extensively marketed, but prevailing market conditions, economic uncertainty, and structural shifts across multiple sectors have hindered its viability to be brought forward for development. The office market is starting to show activity in prime locations, but secondary areas like Horsham face limited demand, making speculative office development unfeasible.
- 6.22 In response to the submission objections were received from HDC Strategic Policy and the Economic Development Team (now known as Enterprising Horsham). The objections state that there is a well documented shortage of modern, fit for purpose commercial premises across the District and the site presents an opportunity to deliver a mixed use development. It is also stated that the application has failed to clearly demonstrate that the site is no longer needed for employment use.
- 6.23 Notwithstanding their objection, the Strategic Policy Team have commented that the re-use of this vacant site is welcomed and there are a number of material planning considerations (such as the need for housing) which need to be taken into account in the determination of the unique circumstances of this proposal and regard given to the respective weight to be given to each when considered collectively.
- 6.24 In response to the above objections, under the Phase 3 application DC/25/0415, an Addendum to the Marketing Report was submitted. This specifically addressed the concerns raised that the marketing strategy had not sufficiently explored the potential for micro-business accommodation or tested lower cost, flexible or phased employment development options. The report outlines how the assessment acknowledged the economic profile of the Horsham district, including the predominance of micro-businesses. The Addendum also outlines how phased delivery was *'implicitly explored'* through the suites of appraisals. The Addendum stated that the marketing considered multiple unit sizes and typologies, including smaller scale warehouse and industrial layouts. However, the Addendum states that phasing does not resolve the central barrier to viability. This is that there is no build cost, rental, or yield scenario currently available that would render even part-delivery commercially acceptable. All schemes modelled showed negative land values, regardless of size or phasing strategy.

Conclusions on the Marketing and Loss of Employment Land

- 6.25 Overall, taking into account the Marketing Strategy and Addendum submitted, Officers consider that the applicants have adequately demonstrated that the employment site to Phase 3 (retaining Phases 1&2 for residential use) is not viable for a commercial use. Notwithstanding the comments of the Strategic Policy and Enterprising Horsham Teams, the Marketing Reports are considered robust and comprehensive taking into account the comments raised.

- 6.26 Under the 2018 permission, the mixed use scheme was supported on the basis that it been demonstrated that the 25,000 sqm of commercial floorspace would be a viable use supporting economic growth in this central location. However, since outline consent was granted back in 2020, there has been a considerable change in circumstances for the delivery of commercial premises. For example, the Covid outbreak has changed the way businesses operate. In addition, there have been other significant changes in the commercial market which are affecting commercial development, such as the rise in build costs. In addition, since permission was granted in 2020, Horsham District has also experienced the impacts of water neutrality which has significantly hindered development and effectively depleted its five year housing supply. This development for 244 dwellings in a sustainable location would significantly add to the delivery of much needed housing. These factors are all material considerations in the determination of this application.
- 6.27 The Novartis site is a prime location within Horsham Town and has been an unused site since 2014. In accordance with the NPPF, Local Planning Authorities have a duty to promote *'an effective used of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions'* (paragraph 124). This includes the use, as much as possible, of previously developed or brownfield land. The NPPF gives substantial weight to the value of using suitable brownfield land for homes and other identified needs (paragraph 125c).
- 6.28 Furthermore, paragraph 127 states that planning decisions need to reflect changes in the demand for land, and *'where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan:*
a) *it should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and*
b) *in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.'*
- 6.29 Overall, whilst contrary to Policies 2 and 8 of the HDPF, on balance, given the weight to be attached to the re-use of this long-redundant brownfield land within the built-up area of Horsham (per paragraphs 124, 125 and 127 of the NPPF) and the benefits of the proposal (including 35% affordable housing within Phases 1&2 and potentially 100% affordable housing within Phase 3), the loss of this former employment land and its replacement with housing is considered acceptable in principle to enable the regeneration of this significant site. This assessment takes into account the previous consent for the whole of the site for the whole of the site under the outline consent (now lapsed).
- 6.30 Under this consent, the use of the site for up to 300 dwellings and 25,000 sqm of commercial floorspace was found acceptable on the basis that a 100% commercial scheme for the site was not viable. The outline consent needed to include residential in order to be viable. Now, with the passage of time, the applicant has proven with marketing that the delivery of the previously approved commercial uses to the eastern part of the site is also undeliverable. There is no reason to conclude that this does not also mean that the western part of the site is also undeliverable for commercial use. The 300 residential units approved under the outline consent was also to the western side of the site (Phases 1&2). This previous approval for residential use to Phases 1&2 is also a material consideration in the determination of this application for 244 dwellings in the same location.

Housing Mix and Affordable Housing:

- 6.31 Policy 16 of the HDPF requires that the mix of housing types should be based on evidence set out in the latest Strategic Housing Market Assessment (SHMA). This is the North West Strategic Housing Market Assessment 2019 by Icen. The policy goes on to state that the appropriate mix of different housing types and sizes for each site will depend upon the

established character and density of the neighbourhood and viability of the scheme. The evidence base from the SHMA indicates a need for 2, 3 and 4+ bedroom dwellings within Horsham, with a stronger need for 1 and 2 bedroom properties within the affordable rented sector. Since the 2019 SHMA, the Council's Housing Team have advised that their housing waiting list indicates that there is now a significant need for larger affordable family homes (particularly 3-4 bedrooms homes for affordable rent).

- 6.32 The proposal will provide for 35% affordable Housing in accordance with HDPF Policy 16. This equates to 72 affordable units. The required tenure target, as set out in paragraph 6.8 of the HDPF, is for 70% Affordable / Social Rent and 30% Shared Ownership. The proposed mix of housing is as follows:

Affordable Rented	SHMA 2019 (50 units)	Proposal (51 units)	Over / under supply
1-bed	35% (17.5 dwellings)	22 flats	+4.5
2-bed	30% (15 dwellings)	23 flats	+8
3-bed	25% (12.5 dwellings)	6 houses	-6.5
4+ bed	10% (5 dwellings)	0	-5

Shared Ownership	SHMA 2019 (22 units)	Proposal (21 units)	Over / under supply
1-bed	25% (5.5 dwellings)	8 flats	+2.5
2-bed	40% (8.8 dwellings)	12 flats	+3.2
3-bed	25% (5.5 dwellings)	1 house	-4.5
4+ bed	10% (2.2 dwellings)	0	-2.2

Open Market	SHMA 2019 (132 units)	Proposal (132 units)	Over / under supply
1-bed	5% (6.6 dwellings)	41 flats	+ 34.4
2-bed	30% (39.6 dwellings)	4 houses & 50 flats	+ 14.4
3-bed	40% (52.8 dwellings)	17 houses & 1 flat	-34.8
4+ bed	25% (33 dwellings)	19 houses	-14

- 6.33 When combined with the housing mix approved for Phase 3 as approved under DC/25/0415, the mix would result in a high level of 1 and 2 bed dwellings. Whilst the SHMA seeks smaller dwellings, the proposed high percentage of smaller dwellings would nevertheless not be in compliance with the SHMA's desired housing mix. However, having regard the number of large-scale sites in the district that are providing larger homes, in this instance an oversupply of smaller homes in this sustainable town centre location is considered acceptable. This was also considered the case for the previous outline consent in 2018 where a larger number of smaller units was accepted for this same reason.
- 6.34 In relation to the housing mix for the overall site, Phase 3 was granted permission for 244 dwellings with 35% affordable housing secured under a legal agreement. The approval for Phase 3 allows the delivery of the 244 dwellings as affordable housing, and the applicant has advised this is their intention. If Phase 3 was delivered as 100% affordable, the applicant has stated that Phase 3 would potentially deliver 143 affordable rented dwellings alongside 101 Shared Ownership dwellings. The wider combined Phase 1, 2 and 3 site as a whole would therefore comprise some 132 market homes, 194 affordable rent homes, and 122 shared ownership homes. This translates to an overall tenure split of approximately 29.5% market homes and 70.5% affordable homes (of which 61.5% would be affordable rent and 38.5% shared ownership). Officers consider that the indicated tenure split will create an appropriately sustainable and balanced community for this site overall.

Design and Appearance:

- 6.35 Policy 33 of the HDPF states that in order to conserve and enhance the natural and built environment, developments shall be required to ensure that the scale and massing of development relates sympathetically within the built surroundings, landscape, open spaces and routes within the adjoining site. Policy 32 states that development will be expected to provide an attractive, functional, safe and adaptable environment and should complement the locally distinctive characters of the District's heritage. Paragraph 135 of the NPPF also requires planning decisions ensure developments are 'visually attractive as a result of good architecture, layout and appropriate and effective landscaping', sympathetic to local character and history.
- 6.36 This development relates to the western side of the Novartis site, which includes the disused buildings (Building 3 and 36). The proposal is for 204 houses and apartments. The houses are two and three storeys tall and are located to the eastern side of the existing central buildings. The scheme includes two five storey blocks of flats to the north and south of the central buildings. As stated above, as originally submitted the proposal was for the retention of Building 3 (the art deco locally listed building), to be converted into flats. Building 36 (the modern office block rear of Building 3) was to be demolished and replaced with a five storey block of flats. As amended, the proposal is to now part demolish Building 3. This comprises the demolition of the wings of Building 3 and the rebuilding of these wings. This amendment is addressed below.
- 6.37 Access to the site is from Wimblehurst Road, utilising the existing access. This would be the gateway to the site and leads to a tree lined boulevard. The proposed boulevard reflects the boulevard to be retained to western side of the site in Phase 3, giving the site symmetry and emphasising the central buildings as the main focus of the site. This approach was accepted under the previous outline consent. The scheme includes two larger 'gateway' buildings either side of the Wimblehurst Road access. These would form flats.
- 6.38 The design concept of the proposal is a modern development reflecting the residential character of the surrounding area. The design also takes inspiration from the part retained art deco building on site. The houses would all have prominent pitched roofs with the appearance of town houses. The materials proposed are shown to be sympathetic to the retained central art deco building and the surrounding area. The predominant material would be brick for the majority of the houses. This would match the red brick prevalent in the houses within the Richmond Conservation Area across the rail line to the west. The larger flat blocks are shown with a grey-buff brick, designed to reflect the materials of the art deco building. Buff brick is also proposed to the mews houses fronting Parsonage Road. The design of the houses and flats includes windows and pitched roofs with a vertical emphasis. All of the houses and flats include details such as inset brick features. Balconies are included to the flats.
- 6.39 The scheme includes two blocks of flats adjacent either side of the Wimblehurst Road entrance. These would form gatehouses to Phases 1&2 and front the tree lined boulevard leading up to the larger central buildings and the part retained Building 3. The gatehouses would have the appearance of larger three storey houses with pitched roofs. These buildings compliment the modern design of the town houses along the boulevard.
- 6.40 The scheme includes two five storey blocks of flats proposed to the north and south of the central buildings. The proposal includes the demolition of the existing modern office block (Building 36) and the construction of a five storey block in its place. As amended, Building 3 is to be part demolished. The proposal is to retain the central wing tower of Building 3 and replace its wings with five storey extensions. The justification for this approach and the heritage impact are discussed below.

- 6.41 In terms of the design of the flats, the new build reflects and compliments the art deco building. This follows a survey undertaken by the applicants which identified the following set of principles:
- Rigorous symmetry.
 - Horizontal emphasis punctuated by a series of vertical breaks.
 - Strong base, with a plinth and focus on the human scale particularly around the entrance.
 - Diminished form as the building rises. The building is 'bottom heavy' with a plinth, modest parapet and the setting back of rectilinear brick inset detailing as the tower rises.
 - Brick detailing and subtle/contrasting uses of tone to break down elevation and massing.
 - Rigour and repetition to the fenestration design.
- 6.42 The flats retain the vertical emphasis of the clock tower of the art deco building with design features to replicate the horizontal emphasis and symmetry of its wings. Each block flats includes a set back fifth floor level predominately in aluminium wall panels. The overall height of the flats (including the rebuilt wings of Building 3) are all lower than the retained clock tower Building 3, which will remain the clear focal point of the whole development. The new blocks of flats include aluminium balconies. The rebuilt block of flats to replace Building 36 is split in half to allow views into the art deco inspired central courtyard area rear of Building 3. Overall, the design of the flats is considered appropriate.
- 6.43 In terms of the heights proposed, up to 5 storeys is considered appropriate. This would be comparable to the Linden Homes site to the direct north of the site, fronting Parsonage Road. The density proposed is 76 dwellings per hectare which is considered an appropriate density for this site, comparable to the surrounding area. This density also appropriately balances the need for mixed housing types, onsite parking provision, and open space.
- 6.44 The modern design would also be sympathetic to the approved development on Phase 3, as well as the blocks of flats fronting the site on Parsonage Road and Wimblehurst Road. The proposal would also improve the appearance of the site fronting Parsonage Road, removing the existing hoardings and opening up the site.
- 6.45 As part of the proposal, further amendments were also received relating to additional tree protection measures. Due to concerns regarding the potential impact of the proposal on a substantial street tree on Parsonage Road, in consultation with the HDC Arboricultural Officer, a residential unit has been removed from the ground floor corner of Block C11, which fronts Parsonage Road. The removal of this unit would preserve the root protection area of a street tree. The removal of the units results in minor changes to the appearance of Block C11. The proposed windows and doors for the unit to the north western corner of Block C11 are replaced with panels to enclose the area now reserved to protect the root protection area of the street tree. The plans indicate that the panelling is subject to further design and artwork. A condition is recommended requiring the details of the panelling to be submitted for approval.
- 6.46 Overall, the proposed design and layout of the development is considered appropriate in the context of the consented Phase 3 scheme to the east and to the surrounding area. The scheme therefore represents good design in accordance with the above policies.

Heritage Impact:

- 6.47 Policy 34 of the HDPF 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. Section 16 of the NPPF relates to Conserving and Enhancing the Historic Environment. The key test in NPPF paragraphs 212-215 is whether a proposed development will result in substantial harm or less than substantial harm to heritage assets. Paragraph 216 states that

'the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application.'

- 6.48 The submitted Heritage Statement outlines the nearest heritage assets to the Novartis site. The central buildings (Buildings 3 and 36) are now the only remaining buildings on site. Horsham (Richmond Road) Conservation Area lies west of this site, over the railway lines. Some distance to the south of the site is a listed building at the College of Richard Collyer Grammar School. The HDC Conservation Officer has commented that the proposal will not harm the setting of nearby heritage assets.
- 6.49 As stated, Building 3 dates from 1939 and is included in Horsham's list of Locally Important Historic Buildings. The listings states that the building was *'built in pale buff brick to a modern international style, typical of interwar period. The tall central tower over the doorway forms a focal point to the long drive from the entrance.'*
- 6.50 The amended scheme proposes to demolish the wings of Building 3 and replace them with new additions, similar to those shown in the original approval. The amended scheme retains the central staircase, which forms the main entrance to the building and includes the central decorative tower.
- 6.51 The applicant has justified this amendment and the part demolition of the art deco building in the additional details submitted. This includes a Structural Condition Report for Building 3. The applicant has stated that since the original submission, detailed structural investigations have identified significant deficiencies in the structural integrity of Building 3. The Structural Report explains the findings of these investigations. The report outlines that there are wide ranging challenges associated with structural instability and non-compliance with current standards. In summary the challenges include corroded wall ties, external brickwork cracking, water ingress, and basement degradation.
- 6.52 The report states that the central section of the building, which includes the clock tower, has not been affected by the structural problems that have impacted the wings to the same extent. This means that this part of the building, which is of the greatest heritage significance, can be retained and converted as originally planned. This amended scheme is therefore to retain and convert the central clock tower in line with the original proposals, and to replace the wings of the building with architecturally sympathetic replacement buildings of an equivalent footprint and size. The applicant has stated that replacing the wings would allow the scheme to meet relevant design, energy and safety standards, and would deliver a scheme capable of receiving insurances and warranties. It was clear during a site visit that the wings of the building were in the condition stated in the Structural Condition Report with clear evidence of corroded wall ties, brickwork cracking and overall degradation.
- 6.53 The HDC Senior Conservation Officer has commented that there have been discussions with the developers and main contractor on site and that the officer has seen the areas of the building that have been opened up in order to ascertain the structural condition of the reinforced concrete frame. Although the Conservation Officer is disappointed by the proposal to demolish, he can understand that the condition of the concrete frame means significant repair will need to be undertaken. There is also a lack of appropriate ties between the concrete frame and the facing brickwork which will require significant rebuilding of the outer skin. This does jeopardise the project to bring the building back into use. This is due to the cost of repairing the concrete frame and rebuilding the brick facing and ensuring this is adequately tied to the concrete frame.
- 6.54 With the benefit of the site visit and Structural Condition Report, the Conservation Officer is satisfied the amended scheme is appropriate. This takes into account the proposed designs of the rebuilt wings. The Officer has commented that the architectural interest of the original wings is not as great as the central tower. The rebuilding of the wings will retain the ability to appreciate the original design and reinforce the architectural style of the building. The

heritage value of the wings is low compared to the tower and the retention of this principal element of the original design will ensure the historic building remains recognisable in spite of the loss of a considerable portion of the historic fabric. The proposed replacement wings are designed to provide a similar scale, massing and architectural detailing. Of particular importance is the retention and reinforcement of the horizontal character in contrast to the verticality of the central tower. The Conservation Officer is content the replacement wings will respect the architectural interest of the locally listed building and although the loss of historic fabric is harmful, the building will continue to be recognisable as reflective of the early twentieth century.

- 6.55 The Conservation Officer has therefore raised no objection to the proposal subject to a condition that no demolition of Building 3 shall take place until documentary evidence is produced to the Local Planning Authority to show that the developer will ensure that building work on the replacement wings is commenced within a suitable period following commencement of demolition, in accordance with a scheme for which planning permission has been granted.
- 6.56 Having regard to the justification of the applicants to have to part demolish the wings of Building 3, the appropriate designs of the replacement wings and the HDC Conservation Officer comments, the amended scheme is considered appropriate in relation to its impact on the Locally Listed Building. The scheme is therefore considered in accordance with the above policy and Section 16 of the NPPF.
- 6.57 In relation of archaeological impacts, an Archaeology Technical Note has been submitted with the application. The site is not within an identified Archaeological Notification Area. The note outlines that a desk-based assessment was undertaken of the site which concluded that there is little or no recorded evidence of archaeological finds on the site and has little archaeological potential due to the impacts of 20th century development. Therefore, no further archaeological work is required to be conducted on this site.

Landscape and Trees:

- 6.58 Policy 25 of the HDPF seeks to preserve, conserve and enhance the landscape and townscape character of the district, taking into account individual settlement characteristics, and maintaining settlement separation.
- 6.59 In terms of existing landscape elements, of most relevance are the 7 blue cedar trees located along the boulevard leading from Wimblehurst Road to the front of Building 3. These trees are protected by a tree preservation order (TPO/0686). The previous outline consent for the development of the site (DC/18/2687) retained the cedar trees as part of the proposal. The current proposal is to fell the cedar trees and replace them with alternative trees.
- 6.60 The NPPF (2024) states that *'trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined.'* Paragraph 193 (c) refers to the protection of ancient and veteran trees but does not include any specific reference to the protection of trees covered by TPOs. The trees are not classified as ancient or veteran. Policy 31 of the HDPF states that *'where felling of protected trees is necessary, replacement planting with a suitable species will be required.'*
- 6.61 The Council's Arboriculturist has commented the cedar trees are readily visible from numerous public viewpoints in the area. Their removal would be noticeable and would result in short to medium term harm to the visual amenity and landscape value that the trees afford to the area. Of the cedars, trees T034 and T043 would need to be removed on condition grounds, regardless of the outcome of this application. Additionally, following a recent site visit, it was apparent that T035 had shed a large branch on the northeast side of its crown. As such, its long-term retention is questionable and would be problematic with the change of

use of the site. Given the likely removal of T035 in the years ahead as its condition declines, this forthcoming action would result in only one of the cedars remaining on the northern side of the access road, and thus, the avenue of cedars would be lost as an individual landscape feature.

- 6.62 The Arboricultural Officer has stated that Atlantic cedar, while often prized for its stately form and blue-tinted evergreen foliage, can present significant challenges in urban environments, particularly near residential or commercial buildings. As these trees mature, they are prone to shedding large limbs without any obvious warning signs. In his 'Observations on Selected Tree Genera and Species', Lonsdale (Principles of Tree Hazard Assessment and Management, DETR, 1999, Appendix 2) notes that the genus *Cedrus* has a high propensity to form weak forks; for fork failure, and to fail due to decay. He also advises that "*branch failures at the points of attachment are reported in the commonly grown variety of the Atlantic cedar, Cedrus atlantica var. Glauca.*"
- 6.63 As noted above, due to their broad canopy and heavy lateral limbs, cedars can pose an increased risk where pedestrian access, vehicle traffic, and occupied buildings are located nearby. Given the intensification of use planned for this site, retaining these trees while transitioning to more intensive use would likely result in a gradual and reactive approach to their future management, and an eventual staggered removal of individual trees, prompted by safety incidents or health decline. This will mean that any sense of the tree-lined avenue having a consistent scale and symmetry would be lost, with any remaining mature cedars mixed with much smaller replacement trees.
- 6.64 The alternative option, as proposed by this scheme, would allow for coordinated replacement planting that can be integrated with the site's overall landscaping strategy, meaning that the avenue of trees would be of a consistent scale and symmetry that will, in time, create a far stronger visual improvement to the site and surrounds, without the safety and maintenance risks posed by the retention of the existing cedars.
- 6.65 The cedars are proposed to be replaced in their entirety with an avenue of *Metasequoia glyptostroboides* (Dawn Redwood), a fast-growing species of deciduous conifers that can tolerate a range of growing conditions, is pollution-tolerant, and is not susceptible to many common tree pests or diseases. The Arboricultural Officer has stated that these trees have good autumn colour and attractive fluted growth at their base, and reddish-brown bark. If the application is approved, the use of Dawn Redwood would be a suitable species to replace the cedars and could likely reinstate a similar level of amenity/landscape value within a relatively short space of time — in tree terms, of 20 to 30 years. Having regard to the comments of the HDC Arboricultural Officer, and in the interests of good design, the replacement of the cedar trees is considered appropriate and in accordance with the NPPF and Policy 31 of the HDPF. This conclusion takes into account the need to maximise the delivery of housing in suitable sustainable locations, such as this brownfield offers.
- 6.66 As originally submitted, the Council's Arboricultural Officer raised concerns regarding the proposal's impact on the root protection areas of some retained trees. This included the impact on substantial oak trees on Parsonage Road as well two trees to be retained within the site along the southern boundary. To address these impacts, amendments have been made to the proposal. This includes removing a proposed residential unit to the corner of proposed Block C11. This unit would have impinged on the root protection areas of the street trees on Parsonage Road. The amended scheme also shows that there would be no drainage channels which would impinge on the RPAs of these street trees. The amended scheme also reduces the potential impact on the two retained trees to the southern boundary of the site through the relocation of hardsurfaces and sheds. As amended, the HDC Arboricultural Officer has commented that, subject to a condition requiring a further Arboricultural Method Statement outlining how sensitive works within the RPAs would be undertaken, the amended details are acceptable.

- 6.67 In terms of the overall landscaping proposed, the HDC Landscape team has commented that, in the event permission is recommended, conditions are recommended relating to the submission of details of underground services (to coordinate with the approved landscaping), full details of all hard and soft landscaping to be submitted for approval and the submission of Landscape Management and Maintenance Plan. The Landscape Team have commented that there are concerns regarding the size of the replacement trees to the boulevard. These Dawn Redwoods need to have instant impact and need to be bigger than proposed. The provision of larger trees to be planted are recommended to be secured under the landscape condition (condition 22). The Landscape Team has also raised concerns regarding the proposal and encroachment into the root protection areas for retained trees on the site. For this matter, the landscape team refer to the HDC Arboriculturist, as addressed above.
- 6.68 The HDC Landscape Team and HDC Countryside and Parks Team have also commented that the originally approved scheme for this phase would have not generated the same amount of open space requirements as it was mostly commercial. The Team have calculated what the open space requirements would be for the whole of this development site (a total of 450 units) in accordance with the HDC Open Space, Sport & Recreation Review June 2021, a document which was not in place when the previous outline approval for the development (DC/18/2687) was approved in February 2020. The Landscape Team have calculated that the current proposals, considered as a whole, are deficient in the areas of Multi-Functional Greenspace, Parks & Gardens, Natural / Semi-Natural Greenspace, Amenity Space and Allotments, requiring a contribution of approximately £214,000.
- 6.69 Chapter 11 of the NPPF requires that planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions and make as much use as possible of previously developed land (Paragraph 124). Paragraph 125(c) requires decision-makers to give substantial weight to the re-use of brownfield land, whilst Paragraphs 129 and 130 require the efficient use of land and for decisions to optimise the use of land to help meet as much of the identified need for housing as possible.
- 6.70 In this context, with the provision of a LEAP, LAP and incidental green spaces on the site fringe and in the southern corner of Phase 3, and the site being a short walking distance from Horsham Park, it is considered that the proposal makes for an appropriately balanced and efficient use of the site. In this context, the shortfall in open space being delivered onsite is considered acceptable. Whilst the Landscape Team have referred to contributions being required to make up for this onsite deficiency of open space, such contributions are provided for via the CIL regime. As such, it is not considered necessary or reasonable to require that this development provide for a bespoke off-site contribution (for which there is currently no identified spend in any event) on top of CIL. This was also the approach taken under the approval for Phase 3 (DC/25/0415).
- 6.71 Overall, subject to conditions requiring further details of landscaping and tree protection measures, the proposal is considered appropriate in terms of its landscape impact and impact on trees. The proposal is therefore in accordance with the above policies 25, 32 and 33 of the HDPF.

Residential Amenity:

- 6.72 Policy 33 of the HDPF requires development is designed to avoid unacceptable harm to the amenity of occupiers / users of nearby property and land. It is considered that the site is located a sufficient distance from adjacent residential properties to avoid harming the residential amenity of any existing occupiers, in terms of loss of light, outlook or privacy.
- 6.73 The nearest residential properties affected by this proposal are sited to the north of the site. The Linden Homes development across Parsonage Road has been occupied now for some years and includes houses and flats which face the site. The proposal includes a block of

flats to the north of Building 3, which would face onto Parsonage Road. The immediate properties on the opposite side of the road are set back. There are also street trees in place which mitigate any potential overlooking, and which the amended design has ensured will be protected. Given this relationship, the proposed block of flats would not result in a significant impact on the opposite Parsonage Road properties in terms of overlooking or overshadowing. In addition, this scheme would not directly affect the residential properties to the south and west of the site, given the separation afforded by the rail line and Wimbleshurst Road.

- 6.74 The proposed layout of the development is also considered appropriate in the context of the amenity of the future occupiers of the site. Gardens are included for the houses and some balconies for the flats which would provide suitable private amenity space. The layout of the development is also considered appropriate, with all dwellings sympathetically sited to avoid adverse amenity impacts. The ground floor flats facing the courtyard garden to the rear of the part retained Building 3 include lightwells. Also, there is limited access to the proposed garden residents which would stop any looking from the courtyard area into the new flats. There is also appropriate distance between the proposed blocks of flats so that there would not be overlooking between the new units.
- 6.75 In terms of potential noise disturbance, the development site adjoins a railway line and busy roads. There is also industrial area and an additional railway line further to the east, beyond Phase 3. As identified in the submitted Noise and Vibration Assessment noise from both the railway lines and the industrial area are key considerations, whilst noise from traffic from Parsonage is also a consideration. The assessment undertook noise and vibration at various times around the site to assess the impact from these adjacent uses. The Assessment concludes that both tactile vibration and re-radiated noise will be within the proposed limits. This is based on affected living rooms being fitted with acoustically rated double glazing and trickle ventilation.
- 6.76 The Council's Environmental Health Team commented that further clarification was required regarding the potential noise impact and overheating. With the benefit of additional information, the Environmental Health Officer is now satisfied with the conclusions of the noise assessment. However, the officer is still concerned that noise mitigation measures (including keeping windows closed) will lead to the risk of overheating of some of the dwellings. Overheating risk during the day may result in adverse impacts on the amenity of the future occupiers resulting in them having to choose between keeping windows closed to reduce noise or having windows open to reduce overheating. Therefore, this remains a relevant consideration that can be addressed through further assessment and mitigation. As such, the officer recommends a proposed condition to ensure this issue is addressed in a flexible and proportionate way through the addition of further details.
- 6.77 A condition is also recommended requiring the submission of a Construction and Environmental Management Plan (CEMP) prior to commencement. This will limit potential impacts associated with the construction of the development such as noise and dust. The CEMP would need to recognise the weight restrictions of the adjacent roads with a limit of 7.5 tonnes.
- 6.78 Subject to suitable conditions, the proposal is considered appropriate in terms of impact on the amenity of adjacent and future occupiers of the development in accordance with Policy 33 of the HDPF.

Highways Impacts:

- 6.79 Policy 8 of the HDPF states that the site shall be designed to enhance and complement the existing road, footpath, cycleway and public transport connections, reflecting its location in the heart of Horsham town in close proximity to the train station. Policy 40 of the HDPF 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.

- 6.80 In terms of the local highway network around the Novartis site, Parsonage Road is the longest border along the site. Parsonage Road is subject to a 30mph speed limit and includes a 1.8m wide footpath to both sides of the road. The existing access is a junction located to the west onto Wimblehurst Road, north of a railway bridge. This access is near to a roundabout on the corner of Wimblehurst Road, North Heath Lane and Parsonage Road. To the east, along Parsonage Road, is a level crossing over the railway line. A separate signalised controlled pedestrian crossing is located approximately west of the existing Parsonage Road entrance. Wimblehurst Road is also subject to a 30mph speed limit and includes footpaths on both sides.
- 6.81 In terms of sustainable access, the site is well situated for walking and cycling journeys in close proximity to Horsham Town centre. The closest bus stops are on Wimblehurst Road with bus stops on either side of the road to the north and south. The site is also in close proximity to Littlehaven (17 minutes walk) and Horsham railway stations (15 minutes walk).
- 6.82 The overall proposal (Phases 1-3) is to utilise the two vehicle main accesses to the site from Wimblehurst Road and Parsonage Road. The Wimblehurst Road access will serve the residential use in Phases 1 & 2 and the Parsonage Road access will serve the dwellings in Phase 3. The proposal indicates that there will be no through access for vehicles through the site (between Phases 1-3). This would stop vehicles using the site as a cut through between Parsonage Road and Wimblehurst Road.
- 6.83 As part of the proposal, the applicant has undertaken an assessment of the impact of the proposal on the highway network in a Transport Assessment. This includes an assessment of the trip generation created by the development and the impact on local junctions. The traffic flows anticipated by the development at Phase 3 (the eastern part of the wider site) have been calculated and included within the junction assessments.
- 6.84 WSCC Highways Department are the Highways Authority for Horsham District. WSCC have commented twice on the proposal, as outlined in the consultation section above. Their comments take into account the cumulative impact of this proposal along with the 244 units proposed within Phase 3. As WSCC were the former owners of the site, in this particular instance, it has been appropriate to also seek the advice of an independent highway consultant, Stantec Transport Planning Services. This gives the Council two separate transport consultant opinions on the scheme. This was also the approach taken in the previous outline consent.

Access:

- 6.85 As with the previous outline consent, the proposal provides for an existing vehicular access onto Wimblehurst Road. The use of this access was accepted as part of the approved outline consent and has historically been used by the now demolished uses on the site.
- 6.86 WSCC Highways have commented that the existing access is quite significant in terms of width and kerb radii. The current application is seeking to amend the access with the northern kerb radius reduced to 6 metres with the southern radius remaining at 10 metres. The Transport Assessment (TA) states that this results in the narrowing of the junction in the vicinity of the crossing to 9 metres.
- 6.87 As originally submitted, the proposed access also provided priority for those crossing in the form of a 'Copenhagen Crossing'. A Copenhagen Crossing is a crossing that gives priority to pedestrians with vehicular traffic having to give way. WSCC recognise that this will be an isolated feature with nothing similar provided in the local area. WSCC considers the design

to pose more of a problem in the form of the width of this junction. This would cause a highway safety issue. In response to the comments from WSCC, the Copenhagen Crossing has been removed from the proposal.

- 6.88 The proposal includes the reinstatement of the right turn lane into the site from Wimblehurst Road. This amounts to the remarking of the right turn lane rather than necessitating any physical highway work. WSCC have no issues with this respect. With the removal of the Copenhagen Crossing, the proposed access is appropriate in terms of highway safety.
- 6.89 The scheme includes a Stage One Road Safety Audit (RSA). Following reiterations, WSCC have commented that the final RSA has now been received and accepted.

Highway Capacity:

- 6.90 In terms of Highway Capacity, WSCC have commented that in considering trip generation and wider capacity impact upon the highway network, it is acknowledged that the site has historically accommodated trip generating uses as well as benefiting from outline planning permission for significant employment and residential uses (DC/18/2687).
- 6.91 However, with respect specifically to the land within the Phase 3, the historical uses have been demolished, leaving a vacant brownfield site. DC/18/2687 has also lapsed and as such is no longer implementable. For the current site at least, there is therefore no valid fallback use. From a highway capacity point of view, the site is considered vacant.
- 6.92 For the purposes of the development proposed, the Transport Assessment undertakes a comparison of trip rates using current data from TRICS (this being a database of traffic surveys from completed developments that can be refined to forecast trip generation for proposed schemes) with this compared against the trip rate agreed for DC/18/2687. It is apparent that the previously agreed trip rate for the previously consented use is higher and as such this has been used within the assessment presented.
- 6.93 The proposed 244 dwellings are anticipated to generate 92 two-way vehicle movements in the AM peak and 86 movements in the PM peak. The capacity impact is considered for a future year of 2031 at which time the development is expected to be complete. An appropriate traffic growth rate has been applied to produce the 2031 flows. The development on the adjoining parcels of land in Phase 3 comprising a further 244 dwellings are included within this as a committed development.
- 6.94 It should be noted that under the previous outline consent, for the whole of site (300 dwellings and 25,000sqm of commercial floorspace) the Transport Assessment outlined that there would be a total of 551 trips by all modes in the AM peak, and 437 trips in the PM peak. Together with the scheme for Phases 1 & 2, the trip generation for the whole of the site under the current applications (totalling 450 units) would be 235 vehicle movements in the AM peak period and 211 movements in the PM peak period. This is considerably lower.
- 6.95 As originally submitted, WSCC commented that, based on the proposed trip distribution, the following junctions have been subject of detailed assessment by WSCC Highways:
- Wimblehurst Road site access. This junction is forecast to operate within capacity in all scenarios tested.
 - North Heath Lane / Parsonage Road / Wimblehurst Road mini-roundabout. This junction is forecast to operate within capacity for all PM modelled scenarios. During the AM peak, all scenarios indicate progressively worsening capacity issues (particularly on North Heath Lane but subsequently Parsonage Road in the future year). It's apparent that the proposed developments worsen the situation. This is addressed below.
 - B223 North Parade / Wimblehurst Road junction. The modelling suggests that the existing situation would worsen across the AM and PM peaks with the proposed development. However, this increases are considered appropriate taking into account

the requirements of the NPPF in assessing cumulative impacts (i.e. would a scheme result in unacceptable safety or severe impacts).

- Parsonage Road / Parsonage Way / Foundry Lane mini-roundabout. This junction is forecast to operate within capacity in all scenarios.
- Crawley Road roundabout. The modelling indicates a capacity issue on the Redkiln Way arm in the AM peak. This is an existing issue that progressively worsens with the development. However, the queues and delays at their worst are not considered to constitute a severe impact.

- 6.96 In relation to the North Heath Lane/Parsonage Road/Wimblehurst Road Roundabout to the west of the site, in viewing the modelling outputs WSCC are mindful that capacity models become increasingly unstable once a junction exceeds capacity. The queues and delays indicated may not be realised to the full. Nevertheless, it is identified that there will still be an issue. The outputs from the modelling also indicate a particular worst case peak of a 45 minute period within the modelled AM peak hour where there would be capacity issues.
- 6.97 To explain, the modelling accounts for the peak hour (08:00-08:45), which is then broken down in the model into 15 minute segments. It is then possible to see how the junction performs over those 15 minute segments. With this junction, looking at the 15 minute segments, the modelling indicates a clear 45 minute period of time where there are capacity issues (between 08:00-08:45). Beyond this though the junction is operating within capacity. For clarity, the assessment is not suggesting that vehicles would be queuing for 45 minutes. This is a relatively short time period at a time of day where drivers may ordinarily be expecting high volumes of traffic across the network.
- 6.98 Given Paragraph 116 of the NPPF states that development should only be refused where the residual cumulative impacts on the road network, following mitigation, would be severe (taking into account all reasonable future scenarios), it is not in this instance considered that the impact would meet these tests. As there is anticipated to be an issue at this roundabout regardless of the development, WSCC consider it unreasonable to expect or require this development to try to mitigate the wider capacity issues in the area. Notwithstanding these comments from WSCC, it is considered reasonable to require the applicant to monitor this junction to assess its capacity as a result of this development. This is in line with the previous outline consent and is outlined in detail below. If it is shown in the monitoring that this junction is worsening, HDC and WSCC can take a view as to whether or not action should be sought. This could take the form of utilising CIL monies to improve this junction.

Vision-Led Approach:

- 6.99 Paragraph 109 of the NPPF states that *'transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places.'* WSCC have commented that this submission does not include reference to a 'vision-led' approach. Ordinarily, a 'vision-led' approach would be expected to consist of scenario testing whereby the applicant seeks to reduce vehicular traffic from the development through the implementation of different interventions relevant for the proposal. Further monitoring would then take place post approval to ensure the vision is being met and does not require any further interventions.
- 6.100 As WSCC acknowledged for the Phase 3 development under DC/25/0415, the scenarios assessed within the initial Transport Assessment represent very much a worst case situation. Had a 'vision' led approach been undertaken this would likely only have resulted in an assessment based on higher uptakes of sustainable transport modes with corresponding reduced vehicular trip generation.
- 6.101 Whilst the lack of a 'vision' led approach is disappointing, WSCC have commented that there is a means through the travel plan to include higher walking/cycling/passenger transport

targets. There consequently remains an ability for the applicant to encourage and promote these modes of transport despite the lack of a 'vision'.

Active Travel:

- 6.102 The site is located within a highly accessible location with the town centre, employment uses, and passenger transport within reasonable walking and cycling distance (0.8 miles to Horsham Station and 1.2 miles to The Carfax- source: google maps). The location of the site therefore offers significant potential to generate trips on foot and cycle.
- 6.103 WSCC originally commented that the Transport Assessment (TA) provides a relatively high-level assessment of walking routes in the general area with several junctions identified where tactile paving is missing. The applicant is offering to fund the installation of tactile paving at these locations. Given the relatively low cost of these improvements, WSCC see no reason why these should not be undertaken by the Applicant.
- 6.104 With regard cycling, WSCC also commented that the assessment was high-level. Point 3.21 of the TA makes reference to the gentle topography and wide carriageways within the local area making cycling attractive. There is though no mention of any consideration being given against LTN 1/20 guidance or that the majority of carriageways in the local area are very well trafficked making on-carriageway cycling unfeasible for some users.
- 6.105 The Horsham LCWIP identifies routes to the immediate east (Kings Road / North Street) and west (along Wimblehurst Road / North Heath Lane). WSCC Highways have commented the provision of a route from the development site into one of these more strategic cycling corridors seems appropriate.
- 6.106 The applicant has also agreed to a permissive cycle route through the development. This will link up with the adjoining phase of development to the east and provide for a continuous route through the site. This will enable cyclists to avoid a length of Parsonage Road. The permissive cycle route is to be secured as part of the S106 legal agreement and will require a plan showing the route. The provision of this route would not entail any changes to the layout shown, but it may require signage to ensure the route is clear to users. The Local Cycling and Walking Infrastructure Plan has two north/south corridors to the immediate east and west of the site. The permissive cycle route would connect these two routes and provides an alternate route for cyclists to using Parsonage Road.
- 6.107 With regards to local bus stop improvements, the previously secured contribution was to provide real time information. This appears to have been installed already. As such, WSCC would not request specific funding towards nearby bus stops.
- 6.108 It is acknowledged that the current application does not include a car club space. This is to be secured within the adjacent phase of development.
- 6.109 In relation to the submitted Travel Plan, WSCC have commented that the Plan has been revised in light of their original comments. Whilst the targets with the Plan are not considered especially challenging, WSCC have commented that the TP targets are acceptable. As the TP is a live document, WSCC will expect the targets to be updated as appropriate if monitoring demonstrates that the initial targets are being easily achieved.
- 6.110 It should be noted that Active Travel England have referred the Council to their standing advice and have not made any specific comments on this proposal.

Site Layout (including Parking):

- 6.111 In terms of the site layout, WSCC acknowledge that the internal site roads, footways and casual parking areas are not being offered for adoption as public highway. At the request of

WSCC, the applicant has confirmed that the internal road widths are 5.5 to 4.5m. As such, WSCC are satisfied that the internal road layout is appropriate.

- 6.112 In terms of parking, the proposal would provide 250 on site parking spaces. The WSCC Parking Guidance requires 247 parking spaces. The proposed parking provisions include a combination of allocated and unallocated spaces, including basement parking under Buildings 36 and the courtyard area. The Transport Assessment states that the quantum of unallocated spaces (more than 50%) should be sufficient in ensuring this also encapsulates visitor parking within the site, and ensuring parking does not affect the flow along Parsonage Road. The Transport Assessment states that EV charging provision is provided across the site in the form of both active and passive capabilities. WSCC have commented that the parking allocation meets their Parking Standards and is acceptable.

Stantec Transport Planning Comments:

- 6.113 As outlined above, Officers have sought the independent advice of a Transport Consultant (Stantec Transport Planners) on this application. Overall, the Consultant has no objections to the proposal, as amended in line with WSCC Highway comments. The comments of Stantec are summarised below.

- The officer has assessed the submitted Transport Assessment and Travel Plan.
- A site visit was undertaken in May 2025.
- A total of 252no. car parking spaces (including 77 basement spaces) and 220no. cycle parking are proposed. This parking provision is justified by the TA through reference to local parking standards (WSCC Guidance on Parking in New Developments - 2020) for a site in PBZ4 (Parking Behaviour Zone 4).
- The (vehicular) trip generation is noted and is considered to be reasonable and calculated on a typical basis expected within a TA document. The trip generation rates are based on TRICs and this is considered to be an appropriate approach.
- An access arrangement that has been the subject of a Road Safety Audit that does not raise any significant issues with the proposed access. It is noted that the access will be slightly reduced in comparison to the existing access and that a right turn lane is to be reinstated.
- It is noted that the Copenhagen Crossing has been removed.
- The Transport Assessment chapter on modelling describes the traffic impact and modelling assessment. This chapter does not raise any additional comments.
- The contributions offered by the applicant reflect the previously agreed S106 contributions.
- Additional details are required in relation to the Travel Plan.
- Overall, the Transport Assessment and Travel do not contain significant deficiencies.

Conclusion on Highway Impacts:

- 6.114 As amended, WSCC Highways are satisfied that the proposed development appropriately complies with the requirements included in paragraphs 115, 116, and 117 of the NPPF. No highway objection has consequently been raised. The independent Transport Consultants have also undertaken a review of this scheme and have also raised no objections.

- 6.115 In relation to the s106 legal agreement requirements, WSCC Highways have recommended the following:

- The implementation of the Travel Plan and submission of a Travel Plan Auditing Fee (£3,590)
- A contribution of £12,000 to enable crossing improvements at the following locations:
 - The Parsonage Road and Wimblehurst Road arms of the Parsonage Road/Wimblehurst Road/North Heath Lane mini-roundabout,
 - Wimblehurst Road/Richmond Road junction,
 - Richmond Road/Gordon Road junction,

- Richmond Road/St Christophers Close junction,
- Richmond Road/Hurst Road junction.
- Permissive cycle route from Wimblehurst Road through the site to the boundary with DC/25/0415 Phase 3 – to submit details of the proposed permissive route including any related signage for agreement with WSCC, and to thereafter provide and retain the route for the use of cyclists prior to the final occupation of the proposed development.
- B2237 North Parade Traffic Signals Improvement – Contribution of £11,960 payable on 1st occupation.

6.116 Under the previous outline consent (DC/18/2687), the s106 legal agreement also secured a Traffic Monitoring Scheme. This scheme was to review and monitor movements and volumes of vehicular traffic, cyclists and pedestrians at the junction of Wimblehurst Road and Parsonage Road. The legal agreement required the submission of the monitoring scheme prior to occupation of any of the residential units approved.

6.117 The purpose of the Scheme was to inform the Council as to whether or not improvements would be required to the Parsonage Road / Wimblehurst Road junction, such as traffic lights. WSCC have not requested this monitoring scheme under the current proposal. However, it should be noted that WSCC Highways did not require the Monitoring Scheme under the previous outline consent. This Scheme came about through discussions with the applicant to address concerns raised by members under the previous outline application.

6.118 The Traffic Monitoring Scheme may determine that works may be required at a later date. The improvements to the junction could be included by Horsham District Council on its Infrastructure Delivery Plan at the appropriate point in time when evidence shows that the works are then necessary. It is felt that the current proposals for the site should also include the requirement for a monitoring scheme in the legal agreements for both sites currently under consideration. This requirement is required under a legal agreement for this proposal, as outlined below.

Ecology & Biodiversity Net Gain:

6.119 Policy 31 of the HDPF (2015) 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. The site is not located within the boundaries of any Special Areas of Conservation, Special Protection Areas ('SPA'), Ramsar sites, Sites of Special Scientific Interest, National Nature Reserves ('NNR') or Local Nature Reserves.

6.120 The Council's Ecology Consultants (Place Services) have reviewed a number of ecology reports submitted with the application, including a Preliminary Ecological Appraisal relating the likely impacts of the development on designated sites, protected and Priority species and habitats, and identification of appropriate mitigation measures. Overall, the consultants are satisfied that there is sufficient ecological information to support the determination of this application.

6.121 The reports submitted include a Peregrine Falcon Mitigation Strategy and Bird Survey Report. Peregrine falcon presence has been confirmed onsite and is likely breeding. The further surveys of the building found the roof of the elevator shaft to be the location of Peregrine breeding, with the reason for this location considered likely to be due to the shingle present on the roof. In addition to reviewing the Peregrine Falcon Mitigation Strategy, Place Services have reviewed an email response which has responded to queries raised by local peregrine falcon experts in relation to the mitigation strategy.

6.122 Overall, the consultants are satisfied the proposed mitigation and compensation measures for Peregrines are appropriate, including the use of camera footage and altering the building

design and providing Peregrine nesting boxes. The consultant has commented that the measures detailed within the Peregrine Falcon Mitigation Strategy (Greengage, September 2025) should be implemented in full and secured by a condition of any consent.

- 6.123 Subject to the recommended conditions, the scheme is considered appropriate in terms of its ecological impact and is in accordance with Policy 31.
- 6.124 In relation to potential impact on newts, the District Licensing Officer (NatureSpace) has commented that the proposed development is not considered to be relevant to the District Licensing Scheme and there would be no likely impact on great crested newts or their habitats.

Biodiversity Net Gain:

- 6.125 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.
- 6.126 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. Off-site gains on unregistered sites and significant on-site enhancements will be secured over this period by way of a Legal Agreement.
- 6.127 The Applicant has submitted a Biodiversity Metric to reach the required 10% provision. The Council's BNG Officer has commented that, as amended, the on-site BNG proposal is considered feasible and there are no major concerns, although some areas need to be addressed. In response to comments from the Council's BNG officer, a draft Habitat Management and Monitoring Plan was submitted. The Council's BNG officer has commented that the majority of her original comments have now been addressed however amendments are still required to the HMMP. As such, condition 15 requires the submission of an amended HMMP.

Water Neutrality:

- 6.128 Horsham District is situated in an area of serious water stress, as identified by the Environment Agency. In September 2021, Natural England released a Position Statement which advised all local authorities within the Sussex North Water Supply Zone that it cannot be concluded that existing water abstraction within the Sussex North Water Supply Zone is not having an adverse effect on the integrity of the Arun Valley SAC/SPA/Ramsar sites near Pulborough. The Position Statement advised the affected local authorities that developments within the Sussex North Supply Zone must not therefore add to this impact, and to achieve this, all proposals must demonstrate water neutrality. The definition of water neutrality is the use of water in the supply area before the development is the same or lower after the development is in place.
- 6.129 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'. 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. It is though

recognised that Southern Water have separately made significant water savings in 2024/25 through a programme of leakage reduction which 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.

- 6.130 Officers have undertaken a new Appropriate Assessment which demonstrates that the anticipated 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. This is based on all new residential development achieving the Building Regulations Part G Optional Technical Standard of 110 litres per person per day, as required under Policy 37 of the HDPF.
- 6.131 Natural England has been consulted on this approach of using the 2024/25 Southern Water efficiency savings to offset new development. In response, Natural England have provided standing advice which confirms that they consider the 3,240,000 litres per day of water savings made by Southern Water to be reliable such that they have no objection to his capacity being used to offset development proposals.
- 6.132 Accordingly, subject to the imposition of a condition requiring the development to meet the Building Regulations Part G Optional Technical Standard of 110 l/p/d water consumption (see condition 35), 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.

Drainage and Flood Risk:

- 6.133 The site is located within Flood Zone 1, with limited flooding shown within the whole of the wider Novartis site. Based on the 2025 Environment Agency flood risks maps, the site not subject to any fluvial flooding with sporadic areas of surface water flooding throughout the site. Given the limited extent of flooding within the site, the proposal is not required to be subject to a sequential test for flooding, as required by paragraph 173 of the NPPF. This is because the September 2025 update to the Planning Policy Guidance (PPG) on flood risk has clarified the criteria for when requiring a flood risk sequential test is required. The PPG now states that that *“where a site-specific flood risk assessment demonstrates clearly 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 ... without increasing flood risk elsewhere, then the sequential test need not be applied”*.
- 6.134 A Drainage Strategy & Flood Risk Assessment has been prepared by Arch Associates in support of this Planning Application. The assessment identifies that the foul water drainage system will discharge to a proposed foul manhole on an existing Southern Water sewer within Parsonage Road, which is 225mm in diameter, and flows in a westerly direction.
- 6.135 The Strategy outlines that, due to the existing topography, approximately 60 dwellings located to the south of the site will discharge to a new on-site package pumping station that will pump the flows back up to a manhole situated near to the main entrance of the heritage building. At this point, it will meet the foul water drainage collected via gravity from the rest of the site, so that one singular gravity connection into the existing Southern Water foul water manhole will be made within Parsonage Road.
- 6.136 When considering flood risk, and surface water drainage, the assessment details the proposed surface water strategy which consists of a gravity sewer system, a SuDS management train in the forms of tanked permeable paving, cellular attenuation crate system and flow control units. Given the topography of the site, high groundwater table and infiltration

rates obtained during the ground investigation undertaken by Arch Associates, drainage via infiltration is not a viable solution, whilst there are no nearby watercourses to outfall into.

- 6.137 Surface water run-off will instead be attenuated via cellular attenuation crate systems and will outfall at one of the four discharge locations into an existing Southern Water public storm sewer. The proposed attenuation storages have been designed to attenuate the 1 in 100-year storm + 45% climate change + 10% urban creep storm event.
- 6.138 Southern Water have commented that there is currently adequate capacity in the local network for this development. After investigation, Southern Water have confirmed that the existing sewer (currently decommissioned) can become live again for this development. Southern Water would require a formal application for connection to the public sewer to be made by the developer.
- 6.139 As amended, the County Local Lead Flood Authority has also commented that they have no objection to the proposal subject to conditions. Subject to conditions securing this strategy, the proposal is in accordance with Policy 38 of the HDPF.

Other Matters:

Commercial Unit:

- 6.140 As amended, the scheme includes a proposed commercial unit to the rear of the retained staircase within Building 3 at ground floor level. The inclusion of the unit follows the comments of councillors at the October committee, when considering the proposal for 244 units at Phase 3. It is intended that the use of the unit would be as a communal workspace / café, which would be taken on by a separate company. The unit can only be accessible through the main entrance to Building 3. The applicants have stated that there will be an entrance code which will allow users to access the unit. The unit would not have a frontage onto the street. As such, there are doubts that this unit would work as a viable enterprise and limited weight is attached to the inclusion of this aspect of the proposal.
- 6.141 The applicants have stated that they are confident that it can work as a communal work space / café. However, they have requested that in the event that marketing indicates that the unit is not viable, the unit can be converted into a residential unit. Plans have been submitted which show how the unit can be converted into a residential unit. The S106 agreement is to include an obligation which would allow the use of the commercial unit for residential subject to appropriate marketing. This obligation avoids the requirement to submit a separate planning application for the use of this unit a flat.

6.142 Contaminated Land:

In terms of land contamination, the former pharmaceutical complex was decommissioned and largely demolished in 2016. Reports submitted detail the demolition works and the findings of the site investigation. The HDC Environmental Health Team are happy with the reports submitted and have recommend conditions relating to land contamination remediation measures and verification reports to be submitted for approval prior to commencement of development.

6.143 Air Quality:

An Air Quality Assessment has been submitted in support of this planning application. This describes the potential air quality impacts in terms of dust and particulate matter emissions during construction and emissions from road traffic generated by the completed and occupied development. The assessment has also identified the air quality conditions that future residents will experience. The Council's Air Quality Officer has commented that clarification is required on certain aspects of the submission. This includes clarification on the modelling undertaken and proposed mitigation measures. As such, a condition is recommended requiring the submission of an updated Air Quality Mitigation Report, including details of all modelling and mitigation measures proposed.

Provision of a Pedestrian and Cycle Rail Bridge:

6.144 Under the previous outline consent, there was much discussion regarding the provision of a pedestrian and cycle bridge across the rail line to allow for more direct walking and cycling links south to the town centre. A bridge was not included in the previous outline consent and is not proposed under either of the current applications for Phase 1&2 and 3. The applicant's justification for the lack of pedestrian bridge are outlined below.

- Benefits: In terms of benefits, the new bridge would only result in a marginal reduction in travel distance and time between the current situation and the potential situation. For example, the current walking/cycle route from Horsham Enterprise Park (Parsonage Rd access) to Horsham train station is via Foundry Lane is approximately 1.3km long, with timings of 16 minutes' walk and 5 minutes' cycle apply. Internal development walking routes to get to this assumed start point will extend this yet further. With the provision of a footbridge over Network Rail infrastructure, from Horsham Enterprise Park to the College of Richard Collyer, the walking and cycle distances could be reduced. It has been estimated that from the bottom of the ramp of the footbridge to Horsham train station, via Hurst Rd, the distance could be in the order of 0.8km. Therefore, walking distance could be in the order of 10 minutes and cycle distance could be in the order of 3 minutes. Internal development walking times will need to be added to this. The benefits to walking time is therefore reduced by approximately 5 minutes. This is not a significant reduction.
- Build Duration: The applicant has indicated that the build out time for a new bridge would accrue to 4.5 years from the approved design stage. If this is incorporated into the scheme, the applicants have stated that this would delay the commencement of works on site until 2029. This would have a serious impact on the applicant's funding, which is partly reliant on Homes England grant funding. This would result in uncertainty around the delivery of an approved scheme.
- Feasibility: The existing site is surrounded by existing established land uses, including schools, residential properties and a commercial estate / business park. The railway line separates the site from these uses. If a bridge were to be provided to the south west (where it can only logically be sited given the constraints of the site), it would land in either playing fields serving a day nursery and college, or the end of a residential road. In this location, the bridge required would be extensive, as in order to link to Hurst Avenue, it would, as a minimum need to cross the railway lines and what appears to be a large service area and buildings. It may also need to go through the school playing field, and such loss may prevent the school from complying with educational standards and WSCC requirements in respect of play space for the number of students. As such, the feasibility of a bridge in this location is highly questionable.
- Costs: The applicant has indicated that a new bridge would cost between £5m and £8.5m. This seems a disproportionate cost given the limited benefits of a new bridge here. This additional cost is also likely to have implications for the viability of the site, which may (for instance) reduce the amount of affordable housing to be provided.
- Planning requirement: In addition to the above, there is no planning requirement for the provision of a new bridge here. WSCC Highways have not required a new bridge in order to make the development acceptable from a planning perspective. Overall, whilst a bridge would be a benefit to the scheme, these benefits would be limited and the feasibility of a delivering a bridge is questionable. There also cost and timing concerns which would have implications for the delivery of this site.

6.145 Taking into account the minimal benefits of a bridge, its costs, build time and the feasibility of providing a bridge, Officers advise that it is considered unreasonable and unnecessary to require a bridge to be included under this proposal.

Climate Change:

- 6.146 Policies 35, 36 and 37 require that development mitigates to 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 submitted Energy Statement includes the following measures to build resilience to climate change and reduce carbon emissions:
- Air Heat Pumps for the apartment buildings and houses.
 - Extract ventilation systems for the houses.
 - A 'fabric first' approach to the build incorporating highly insulated and air tight construction principles.
 - High efficiency lighting.
 - Based on the above, the development will reduce CO2 emissions by approximately 68.41% beyond the requirements of Part L of the Building Regulations.
 - Water efficiency measures.
 - Encouraging sustainable modes of transport.
- 6.147 Subject to conditions the application will suitably reduce the impact of the development on climate change in accordance with local and national policy.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

Use Description	Proposed	Existing	Net Gain
	23,634	10,146	13,488
		Total Demolition	10,146
		Total Gain	3,342

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development. In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

6.148 S106 Legal Agreement:

HDPF Policy 39 requires new development to meet additional infrastructure requirements arising from the new development. 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:

- The implementation of the Travel Plan and submission of a Travel Plan Auditing Fee (£3,590).
- A contribution of £12,000 to enable crossing improvements at the following locations:
 - The Parsonage Road and Wimblehurst Road arms of the Parsonage Road/Wimblehurst Road/North Heath Lane mini-roundabout,
 - Wimblehurst Road/Richmond Road junction,
 - Richmond Road/Gordon Road junction,
 - Richmond Road/St Christophers Close junction,
 - Richmond Road/Hurst Road junction.

- Permissive cycle route from Wimblehurst Road through the site to the boundary with DC/25/0415 Phase 3 – to submit details of the proposed permissive route including any related signage for agreement with WSCC, and to thereafter provide and retain the route for the use of cyclists prior to the final occupation of the proposed development.
- B2237 North Parade Traffic Signals Improvement – Contribution of £11,960 payable on 1st occupation.
- Submission of a Traffic Monitoring Plan for the Wimblehurst Road / Parsonage Road junction.
- Provision of 35% affordable housing (with a split of 70% affordable rent / 30% shared ownership accommodation).
- Marketing to be submitted for the use of the commercial unit as a residential unit. In the event that the marketing indicates that the commercial use of the unit is not viable, the unit can be converted into a flat in accordance with the submitted plans.

Conclusions and Planning Balance:

- 6.149 The proposed development is considered contrary to Policies 2 (paragraph 4) & 8 of the HDPF in that it neither provides for an education facility nor the reserve option of a wholly commercial development. Sufficient information has though been provided to demonstrate that there is no identified higher educational occupier for the development. Evidence has also been submitted to show that the redevelopment of the site for employment purposes would not be viable through robust marketing reports. This takes into account the change of circumstances since the previous outline consent was granted in 2020, which has significantly affected the delivery of commercial developments.
- 6.150 Notwithstanding the conflict with Policies 2 & 8, the proposals will deliver an appropriate alternative use for this strategic site with much needed housing within Horsham town. The scheme would also provide an appropriate development, utilising a large brownfield site in a central and sustainable location, resulting in the regeneration of this strategic town centre site which has been vacant since 2014. The weight attached to the provision of housing takes into account the Council's significant lack of a five year housing land supply (currently at 1.7 years), and the requirements of paragraphs 124, 125 and 127 of the NPPF which require 'substantial' weight to be given to using brownfield land within settlements for homes and other identified needs. These policies also which seek to support development for alternative uses (particularly those uses which help to meet unmet need, such as housing) on allocated sites where there is no reasonable prospect of an application coming forward for the use allocated within the adopted plan.
- 6.151 In addition, two separate transport consultants (WSCC Highways and Stantec Transport Planning) have commented that the proposal is acceptable in relation to highway impacts. This is subject to conditions and obligations under a legal agreement. This includes the requirement to monitor the traffic at the Wimblehurst Road / Parsonage Road roundabout in order for the Councils to ascertain whether future CIL monies could be spent to improve this junction.
- 6.152 The scheme is also considered appropriate in terms of its design and layout. The amendment to the scheme to part demolish Building 3 has been sufficiently justified with the resulting part rebuilt building preserving the appearance of the art deco building of local historic interest. The application is also appropriate in terms of ecology impacts taking into account the existing peregrine falcon nest on the existing building on site. Subject to further details, the scheme is also considered appropriate in relation noise impact, air quality, land contamination, water neutrality and drainage. The proposal would also provide the required level of Biodiversity Net Gain statutorily required. Under a s106 legal agreement, a minimum of 35% affordable housing would be secured in accordance with policy requirements. The replacement of the cedar trees on site has also been suitably justified.

- 6.153 Therefore, having regard the wider benefits of the development in regenerating this long-vacant brownfield site with much needed housing, and in the absence of any other identifiable harm, the proposal is considered acceptable as a departure from the development plan and is recommended for approval accordingly.

7. RECOMMENDATIONS

- 7.1 That planning permission be granted for approval subject to the conditions recommended below, and subject to the completion of the necessary section 106 agreement.

Conditions:

1 Plans Condition.

- 2 Regulatory (Time) Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 3 Pre-Commencement Condition:** Other than works of site survey and investigations, notwithstanding the submitted details, the development hereby approved shall not commence until the following demolition and construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall be limited to the following measures:

- (a) Details of site management contact details and responsibilities;
- (b) A plan detailing the site logistics arrangements on a phase-by-phase basis (as applicable), including:
 - i. location of site compound,
 - ii. location for the loading, unloading and storage of plant and materials (including any stripped topsoil),
 - iii. site offices (including location, height, size and appearance),
 - iv. location of site access points for construction vehicles,
 - v. location of on-site parking,
 - vi. locations and details for the provision of wheel washing facilities and dust suppression facilities
- (c) The arrangements for public consultation and liaison prior to and during the demolition and construction works.
- (d) Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination

All demolition and construction activities shall thereafter be carried out in accordance with the details and measures approved.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

- 4 Pre-Commencement Condition:** Other than works of site survey and investigations, no development shall commence until full details of 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 accordance with the landscaping 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 33 of the Horsham District Planning Framework (2015).

- 5 **Pre-Commencement Condition:** Other than works of site survey and investigations, no development shall commence until a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
- (a) Risk assessment of potentially damaging construction activities.
 - (b) Identification of “biodiversity protection zones”.
 - (c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements e.g. for Falcon and Little Ringed Plover) and sensitive lighting scheme during construction..
 - (d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - (e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - (f) Responsible persons and lines of communication.
 - (g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - (h) Use of protective fences, exclusion barriers and warning signs.
- The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority

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).

- 6 **Pre-Commencement Condition:** Other than works of site survey and investigations, 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).

- 7 **Pre-Commencement Condition:** Other than works of site survey and investigations, no development shall commence until a Bird Hazard Management Plan has been submitted to

and approved in writing by the Local Planning Authority. The submitted plan shall include details of the management of the roofs of the apartment blocks which may be attractive to nesting, roosting and 'loafing' birds. The Bird Hazard Management Plan shall be implemented as approved, upon completion of the roofs and shall remain in force for the life of the buildings. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: To manage the roofs in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and operation of London Gatwick in accordance with Policy 33 of the Horsham District Planning Framework.

- 8 **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until an Arboricultural Method Statement detailing all trees/hedgerows on site and adjacent to the site to be retained during construction works, and measures to provide for their protection throughout all construction works, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and thereafter carried out at all times strictly in accordance with the agreed details.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

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

- 9 **Pre-Commencement Condition:** Other than works of site survey and investigations, notwithstanding the submitted details, no development shall hereby commence a full detailed Air Quality Mitigation Measures Report has been submitted and approved by the Local Planning Authority. The report shall outline modelling and all mitigations measures stating how the measures will be delivered. The details shall have regard to the Council's latest Air Quality & Emissions Reduction Guidance document, as well as West Sussex County Council's 'Guidance on Parking at New Developments'. The measures shall be implemented in accordance with the approved details and be retained as such thereafter.

Reason: To ensure the development provides appropriate and deliverable air quality mitigation measures in accordance with Policies 24 & 40 of the Horsham District Planning Framework (2015).

- 10 **Pre-Commencement Condition:** Other than works of site survey and investigations, no development shall commence until a scheme of noise mitigation and mechanical ventilation sufficient to prevent overheating and maintain thermal comfort for all dwellings shall be submitted to for approval in writing from the Local Planning Authority. Any mechanical ventilation shall then be designed in accordance with the ANC Acoustics Ventilation and Overheating: Residential Design Guide 2020. The scheme shall also include performance details and a glazing plan sufficient to achieve the habitable room standards as detailed in BS8233:2014 [and appropriate consideration of Lamax, including details of post construction validation measurements]. The dwellings shall be constructed in accordance with the approved details.

Reason: As this matter is fundamental in the interests of residential amenities by ensuring an acceptable noise level for the occupants of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 11 **Pre-Commencement Condition:** Other than works of site survey and investigations, no development shall commence until construction drawings of the surface water drainage

network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the Local Planning Authority. The scheme shall then be constructed as per the agreed drawings, method statement, FRA dated 24.11.2025 and Drawings and remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF and Local Planning Policy 38.

- 12 **Pre-Commencement Condition:** Other than works of site survey and investigations, no development shall commence to Block C11 until details of the proposed panelling to the ground floor of Block C11 have been submitted to and approved in writing by the Local Planning Authority.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 13 **Pre-Commencement Condition:** Other than works of site survey and investigations, no development shall commence, which would impact the resting place of bats, until the Local Planning Authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- b) evidence of site registration supplied by an individual registered to use a Bat Mitigation or Earned Recognition Class Licence; or
- c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve protected 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 s17 Crime & Disorder Act 1998.

- 14 **Pre-commencement Condition:** No demolition shall take place until documentary evidence is produced to the Local Planning Authority to show that the developer will ensure that building work on the replacement wings of Building 3 is commenced within a period of 6 months following commencement of demolition in accordance with a scheme for which planning permission has been granted.

Reason: To ensure the works to Building 3 are completed to ensure a satisfactory appearance to the Locally Listed Building in accordance with Policy 34 of the Horsham District Planning Framework (2015).

- 15 **Pre-commencement Condition:** No demolition shall take place until an updated Habitat Monitoring and Management Plan has been submitted for the approval of the Local Planning Authority. The scheme shall be implemented in accordance with the amended HMMP.

Reason: In order to achieve Biodiversity Net Gain on site in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 16 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the

approved report, 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) and in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 17 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the approved buildings has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 18 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of any dwelling hereby permitted shall take place until details of all air source heat pumps proposed and any photovoltaic panels, including their location and appearance, have been submitted to and approved in writing by the local planning authority. The air source heat pumps shall be installed in accordance with the approved details.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 19 **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) a timetable for its implementation,
 - (b) details of SuDS features and connecting drainage structures and maintenance requirement for each aspect
 - (c) 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 and Policy 38 in Horsham District Planning Framework.

- 20 **Pre-Occupation Condition:** Prior to the occupation of any dwellings hereby permitted, the relevant fire hydrant serving that dwelling, in accordance with the submitted Fire Statement Form, shall be provided and thereafter retained as such.

Reason: To ensure fire hydrants are provided for fire safety in accordance with Policy 32 of the Horsham District Planning Framework (2015).

- 21 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling has been made for that dwelling in accordance with the approved plans. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 22 **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Planting and seeding plans, including a schedule specifying plant numbers, sizes, densities and species in Latin names
- Details of the Dawn Redwoods to the central boulevard
- Coordination of planting plans with proposed ecological enhancement measures
- Hard and soft written specifications (NBS compliant) including ground preparation, cultivation and other operations associated with plant and grass establishment
- Tree pit and staking/underground guying details, including details for sloping ground and position of root barriers if required
- Details of all hard surfacing materials and finishes, including layout, colour, size, texture, coursing and levels
- Details of all boundary treatments - such as walls, fencing and railings - including location, type, heights and materials
- Details of minor artefacts and structures – street furniture and signage – including location, size, colour and specification
- Details of existing and proposed levels for all external earthworks associated with the landscape proposals – such as SuDS, play areas, retaining walls, banking etc - including cross sections where necessary
- Proposed and existing services above and below ground – such as drainage, power, communications cables and pipelines – including lines, manholes, supports and other technical features
- Details of all external lighting

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

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 23 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a “lighting design strategy for biodiversity” for areas to be lit in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) has been 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) and in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 24 **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 superfast broadband speeds of a minimum 30 megabits per second through full 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).

- 25 **Pre-Occupation Condition:** No dwelling shall be first occupied until the car parking serving the respective dwelling has been constructed in accordance with the approved site plan. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 26 **Pre-Occupation Condition:** No dwelling shall be first occupied until covered and secure cycle parking spaces serving the respective dwelling have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 27 **Pre-Occupation Condition:** No part of the development shall be first occupied until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by, the local planning authority prior to the occupation of the development [or specified phase of 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 e.g. reptiles translocated to receptor site to inform ongoing management.
- (i) Maintenance schedules.
- (j) Accompanying plan delineating areas of responsibility.

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 or a minimum of 30 years to deliver the required condition of habitats created.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

- 28 **Pre-Occupation Condition:** No dwelling shall be first occupied until the road(s), footways, and casual parking areas serving that dwelling have been constructed, surfaced, and drained in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of road safety in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 29 **Regulatory Condition:** Upon completion of the surface water drainage system, including any SuDS features, and prior to the first occupation of the development; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition 19. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policy 38.

- 30 **Regulatory Condition:** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Greengage Environmental, 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) and Policy 31 of the Horsham Development Framework.

- 31 **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).

- 32 **Regulatory Condition:** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order amending or revoking and/or re-enacting that Order), the commercial premises hereby permitted shall be used for uses within Class E(a)(b)(g)(i) and F2(a)(b) of the Town and Country Planning (Use Classes) Order 1987 and for no other purposes whatsoever, (including those defined in the Town and Country Planning (Use Classes) Order 1987 (as amended by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) without express planning consent from the Local Planning Authority first being obtained.

Reason: Changes of use as permitted by the Town and Country Planning (General Permitted Development) Order or Use Classes Order 1987 are not considered appropriate in this case due to (insert with reasons) under Policy 33 of the Horsham District Planning Framework (2015).

- 33 **Regulatory Condition:** The commercial premises shall not be open for trade or business except between the hours of 08.00 and 22.00 daily.

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

- 34 **Regulatory Condition:** The scheme shall be implemented strictly in accordance with the Peregrine Falcon Mitigation Strategy received on the 9th December 2025.

Reason: To safeguard a protected species in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- 35 **Regulatory Condition:** The dwelling(s) hereby permitted shall meet the optional requirement of building regulation G2 to limit the water usage of each dwelling to no more than 110 litres per person per day. The subsequently installed water limiting measures shall thereafter be retained.

Reason: To limit water use in order to improve the sustainability of the development in accordance with Policy 37 of the Horsham District Planning Framework (2015).

Biodiversity Net Gain Conditions

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:

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

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/submit-a-biodiversity-gain-plan)

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.

Effect of Section 73(2D) of the 1990 Act

Under Section 73(2D) of the Town and Country Planning Act 1990 (as amended) where -

- (a) a biodiversity gain plan was approved in relation to the previous planning permission (“the earlier biodiversity gain plan”), and
- (b) the conditions subject to which the planning permission is granted:
 - (i) do not affect the post-development value of the onsite habitat as specified in the earlier biodiversity gain plan, and
 - (ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat within the meaning of regulations made under paragraph 18 of Schedule 7A, do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier biodiversity gain plan.

the earlier biodiversity gain plan is regarded as approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) in relation to the planning permission.