



The countryside charity
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Attn: Case Officer Ms Alice Johnson

Horsham District Council
Albery House
Springfield Road
Horsham
West Sussex
RH12 2GB

1 October 2026

Dear Ms Johnson,

CPRE Sussex representation OBJECTING to:

DC/26/0933

Land between Muntham Drive and Smugglers' Lane, Chapel Road, Barns Green, West Sussex. Erection of 31 dwellings with access from Chapel Road, includes roads, parking and open space

1. The proposed scheme is not supported by Itchingfield Parish Council.
2. The HDC SHELAA Housing Land Report by Parish, December 2018: Itchingfield Parish: Site Reference SA-10 Land South of Muntham Drive found that the Site was "Not Currently Developable", and "Unless allocated for development through the review of the Horsham District Planning Framework 2015 (HDPF) or via a made Neighbourhood Plan, it is considered development would be contrary to Policies 1 to 4 and 26 of the HDPF. **In addition, this site, although located adjacent to the settlement edge, is not well related to the built form of the village**".
3. The Site was not allocated to the Barns Green and Itchingfield Neighbourhood Plan 2024 - 2031.
 - 3.1 The Site was put forward by its promoter for allocation in the Neighbourhood Plan (Neighbourhood Plan Housing Land Availability Assessment: Site 18 Land between Muntham Drive and Chapel Road). The proposed allocation was rejected,
4. Notwithstanding this rejection, HDC allocated the Site, for 25 homes, within their Regulation 19 Horsham District Local Plan 2023 – 2040 (HDLP) under Policy HA6 Barns Green Housing Allocation: BGR2.
5. **The Examination in Public (EiP) of the Plan, which commenced on 10 Dec 24, was suspended after only three days** (10th, 11th and 12th Dec 24) by the examining inspector and was subsequently rejected by him.

5.1 Consequently whether the allocation of the Site to the HDLP was justified, effective, consistent with national policy and positively prepared was neither considered nor determined at and by the EiP.

6. The Sustainability Appraisal of the Horsham District Local Plan (Regulation 19) July 2021, Chapter 8, advises re BGR1: Land South of Smugglers Lane, 3.3 hectares (50 homes) (appraised as site option SA006), BGR2: Land South of Muntham Drive, 1.85 hectares (25 homes) (appraised as site option SA510), and BGR3: Land at Slaughterford Farm (Sumners Pond), 1.5 hectares (30 homes) (appraised as site option SA613) that:

- An increase of this size to the settlement boundary could have implications for the established character of Barns Green as well as that of the surrounding landscape.
- Sites BGR1 and BGR2 are located on land that has been assessed as having low-moderate landscape capacity for medium scale housing development”.
- “The relatively limited capacity for housing growth at these sites could increase the potential for adverse effects of this nature” (paragraph 8.393).

6.1 DC/26/0933 Land between Muntham Drive and Smugglers’ Lane = Site BGR2: Land South of Muntham Drive. The Site was allocated by HDC to the HDLP for 25 dwellings; the applicant is seeking to build 31 there. An increase of 24%.

6.2 The recently refused DC/25/ 2057 Land North of Little Slaughterford = Site BGR1: Land South of Smugglers Lane. HDC allocated this site to the HDLP for 50 dwellings; the application to develop the site was for 68 dwellings. An increase of 36%.

6.3 In summary, 75 (50 + 25) dwellings have become 99 (68 + 31) dwellings. An increase of 32%.

7. HDC considered that DC/25/2057 would, by reason of its standardised suburban design and appearance, fail to positively respond to the character and appearance of the locality within the historic core of the village (HDC Decision Notice 7 Aug 26).

8. CPRE Sussex considers that DC/26/0933, too, by reason of its standardised suburban design and appearance, fails to positively respond to the character and appearance of the locality within the historic core of the village. And, as stated in the HDC SHELAA Housing Land Report by Parish, December 2018, the Site “although located adjacent to the settlement edge, is not well related to the built form of the village”.

8.1 The proposed scheme would harm the established character of Barns Green as well as that of the surrounding landscape.

9. NPPF Section 4 Achieving Sustainable Development stipulates the need to safeguard the intrinsic character and beauty of the countryside. DC/26/0933 would not safeguard the intrinsic character and beauty of the countryside.

Would the proposed scheme enable young first-time buyers to live in the parish, and would it enable older residents to remain in the parish, should they wish to do so? Apparently not.

10. The made Barns Green and Itchingfield Neighbourhood Plan stipulates:

“It is important, for the sustainability of the parish, that any developments contain a mix of housing for families and individuals of all ages. It is important that older residents should be able to remain in the parish (should they wish to do so) by having accommodation suitable to their needs. Younger first-time buyers ought to be able to live in the parish” (Paragraph 6.9.0).

10.1 In compliance with the Neighbourhood Plan, would DC/26/0933 enable younger first-time buyers to live in parish?

10.2 Apparently not.

Affordable Homes – clarification needed, and delivery not assured

11. The applicant’s Planning and Affordable Housing Statement and Design and Access Statement (PAHS) advise that the development will provide 11 (35%) affordable homes (PAHS paragraph 5.13; DAS part 1, section 5.3).

12. Surprisingly, the type/types of affordable housing that the development would provide is not disclosed by either document.

12.1 According to the applicant’s Schedule of Accommodation, the proposed scheme would provide 20 private, 8 rented and 3 shared homes; the rented and shared homes are the ‘affordable homes’.

Would the ‘affordable’ homes include Social Rent homes?

13. Shelter advises that “Social rent homes are the only genuinely affordable type of home because their rents are set by a formula tied to local incomes. On average, the weekly rent for a genuine social home is around £89 compared to £196 for private renters – around half the cost” (Shelter: The problem we are facing).

https://england.shelter.org.uk/support_us/campaigns/social_housing/what_is_social_housing

13.1 Are the eight rented homes, Social Rent homes? Since ‘affordable’ and ‘social’ housing are often used interchangeably, clarification of the applicant’s intent is needed.

14. Regarding Shared Ownership, findings of The Shared Ownership House of Commons Levelling Up, Housing and Communities Committee’s Fifth Report of Sessions 2023-24 (26 March 2024) included:

“Shared ownership schemes are drastically failing to deliver an affordable route to homeownership for too many people and subject buyers to rising rents, uncapped service charges, complex leases and a disproportionate exposure to repair and maintenance costs”.

<https://publications.parliament.uk/pa/cm5804/cmselect/cmcomloc/61/report.html>

14.1 The negative findings of this report were reinforced by the subsequent National Audit Office (NAO) Investigation into shared ownership (published 23 March 2026).

<https://www.nao.org.uk/reports/investigation-into-shared-ownership/>

14.2 Sir Geoffrey Clifton-Brown, the chairman of the public accounts committee, which worked closely with the NAO, said shared ownership was wholly unsatisfactory for those who relied on the scheme to get a foot on the property ladder.

<https://www.telegraph.co.uk/money/property/mortgages/shared-ownership-trapping-a-generation-audit-finds/>

Whether a Registered Provider can be engaged to deliver and manage the affordable homes (social rent or other affordable housing for rent) proposed by the applicant for DC/26/0933 is not assured.

15. DC/21/2697 Land at Sumners Ponds, Barns Green was permitted by HDC with the understanding that 12 of the 32 proposed homes would be “affordable with tenures split between intermediate and affordable rent” (DC/21/2697 Design and Access Statement paragraph 3.0.1). And that the tenure split would accord with the HDPF Policy 16 requirement that 70% of affordable units should be delivered as social/affordable rent, whilst 30% should be delivered as shared/ intermediate ownership (Planning and Affordable Housing Statement paragraph 6.3.4).

15.1 Subsequently however, “Despite extensive marketing” the developer was “unable to gain any interest in the affordable housing units” (e.g. the social/affordable rent homes) from a Registered Provider.

15.0.1 “The only offer received was from a non-registered provider” on condition that the tenure of these homes was “amended to all shared ownership”.

(Application for the Modification or Discharge of Planning Obligations, 2 October 2023).

15.2 The resultant proposed modification was approved by HDC (Application for the Modification or Discharge of Planning Obligations. Date on which Notice was served 11 Oct 2024).

Contrary to Barns Green and Itchingfield Neighbourhood Plan 2024 – 2031, and Natural England’s Guidance Protected species and development advice for Local Planning Authorities: How to assess a planning application when there are protected species on or near a proposed development site (last updated 7 April 2025) the application is not supported by up-to-date data from on-site bat activity surveys

16. The Barns Green and Itchingfield Neighbourhood Plan 2024 – 2031:

“Protected species will also be protected from harm caused by actual or nearby development and developers will comply with the guidance issued by Natural England and DEFRA” (paragraph 4.45).

“In order to be fully compliant with the Habitats Directive regarding the Mens SAC qualifying features, proposals for the development of greenfield sites within the Parish must evaluate whether there is a potential for the loss of suitable foraging habitat and / or the severance of commuting flightlines, such as in the form of mature treelines, hedgerows and watercourses.

If so, such features must be preserved or compensated for, unless bat surveys demonstrate that they are not used by barbastelle bats.

Care must also be taken through development design to ensure that such features are not subject to unacceptable levels of artificial lighting” (paragraph 4.64).

Development proposals on greenfield sites, including any windfall development, would require a project-level Habitats Regulations Assessment that is supported by up-to-date data from bat surveys” (Policy 2: Biodiversity Conservation).

16.1 Note that Barbastelle bats are one of the UK’s rarest mammals which is listed on Annex II of the EC Habitats and Species Directive (JNCC, 2007) and is a Species of Principal Importance in England under Section 41 of the Natural Environment and Rural Communities Act 2006 in addition to being listed as vulnerable on the IUCN global red list (IUCN, 2016).

17. The application bundle includes a Preliminary Ecological Assessment Report (PEAR), informed by a “UK Habitat Classification (UK Habitats) survey and protected species scoping survey” of the Site, 5 November 2025 (PEAR paragraph 2.5), together with a desktop study undertaken in the same month.

17.1 Regarding bats, “building and tree observations were made from ground level only, any potential roosting features for bats along the upper extents of trees could not be closely observed” (PEAR paragraph 2.25). “A number of trees within the boundary tree lines included veteran and mature trees, which supported numerous potential roosting features” (paragraph 4.68). The positions of these trees are shown at Appendix 1: Figure 07 - Ground Level Tree Assessment.

17.2 No bat activity surveys have been conducted on the Site.

Contrary to the applicant’s Planning and Affordable Housing Statement the proposed scheme does have the potential to disrupt foraging and commuting barbastelle, and the habitats that attract them, and in consequence The Mens SAC.

18. According to the applicant’s Planning and Affordable Housing Statement, June 2026 (PAHS):

“The application is accompanied by a Preliminary Ecological Appraisal (Preliminary Ecological Appraisal Report, June 2026) which shows that there is no adverse impact upon existing ecology, designated sites or species as a result of the development” (paragraph 5.33).

“The site is not within close proximity to SPA, SACs, SSSIs, NNRs, LNRs or SNCIs” (paragraph 5.35).

“The site does not have potential to impact on the Arun Valley SPA or Mens SAC” (5.37).

19. However, as explained below, these statements are incorrect and misleading because the applicant’s Preliminary Ecological Appraisal Report (PEAR) does NOT demonstrate that there would be no adverse impact upon existing ecology, designated sites or species (notably bats) as a result of the development.

19.1 The PEAR (paragraphs 4.70, 4.71) advises that

“habitats on Site comprising hedgerow and lines of trees provide good habitat suitability to support foraging or commuting bats, with good connectivity to the wider landscape. Taking all this into consideration the habitats present on site are considered to be of high interest to foraging and commuting bats” (PEAR paragraph 4.67). And that:

The “Ecology Partnership (2025) Land South of Smugglers Lane, Barns Green Bat Activity Report details the results of the bat activity surveys undertaken from April to October 2025 on the land immediately adjacent to the southern boundary of the site” (DC/25/2057 Land North of Little Slaughtered, Chapel Road, Barns Green).

“These surveys identified nine bat species: common pipistrelle, soprano pipistrelle, myotis species, brown long-eared bat, barbastelle, noctule, Leisler’s bat *Nyctalus leisleri*, serotine, and Nathusius’s pipistrelle” (PEAR paragraph 4.70).

“A number of trees within the boundary tree lines included veteran and mature trees, which supported numerous potential roosting features. These trees have been classified as having a mix PRF-I, PRF-M and FAR potential for roosting bats, illustrated in Figure 7, Appendix 1” (PEAR paragraph 4.68).

20. Natural England’s Guidance Bats advice for making planning decisions: How to assess a planning application when there are bats on or near a proposed development site’ (updated 7 April 2025) is Natural England’s ‘standing advice’ in respect of bats, which “local planning authorities (LPAs) should take into account when making planning decisions. It is a material planning consideration for LPAs”.

20.1 The Guidance advises that

“Several species of bats are [included on the list of species of principal importance in England](#) under section 41 of the Natural Environment and Rural Communities Act (2006). Some species are also listed as vulnerable, endangered and critically endangered on the [Red List for England’s Mammals on the Mammal Society website](#).

20.2 The Guidance stipulates that:

“You must consider the conservation of all bat species as part of your planning decision. Find out more about your [biodiversity duty](#)”.

“The effect of a development proposal on a bat population will need to consider the predicted level of impact based on both the:

- conservation status of the bat species affected
- **importance of the development site for bats at a local and national level”.**

20.3 a **Section 41 bat species of Principal Importance in England recorded at the site:** Barbastelle, Brown Long-eared, Noctule, Soprani pipistrelle.

20.3 b **Bat species listed** on the [Red List for England’s Mammals on the Mammal Society website](#) recorded at the site:

‘Near threatened’: Leisler’s and Nathusius’ pipistrelle.

‘Vulnerable’: Barbastelle and Serotine.

21. Barbastelle is a qualifying species for The Mens Special Area of Conservation (SAC). The SAC supports an important population of barbastelle bats (*Barbastella barbastellus*).

21.1 The SAC is designated under Article 4(4) of Directive 92/43/EEC for the Annex I habitat: Atlantic acidophilous beech forests with Ilex and, occasionally, Taxus in the shrub layer (*Quercion robori-petraeae* or *Ilici-Fagenion*), namely beech forests on acid soils. And for the Annex II species: Barbastelle bat (*Barbastella barbastellus*).

(See Natural England European Site Conservation Objectives for The Mens SAC (UK0012716).

22. The PEAR advises that Land South of Smugglers Lane is located 8.5km south-west from The Mens Special Area of Conservation (SAC) (paragraph 4.3, Table 5: Internationally designated sites for nature conservation).

22.1 Land South of Smugglers Lane is therefore within the SAC's 12km Wider Conservation Area (Natural England/South Downs National Park: Sussex Bat SAC Planning and Landscape Scale Enhancement Protocol, Map 2).

22.2 The Protocol advises that Barbastelle roosting within the SAC

“rely on land outside of the Men SAC's boundaries. Such land which is required to sustain the bats associated with the SAC is referred to as being ‘functionally linked’ to the SAC’.

“Where impacts to such functionally linked land could result in significant effects to the bat populations associated with the SAC, full consideration needs to be undertaken under the Habitats Regulations (in the same way as habitat in the SAC)”.

“Whilst the European protected species legislation protects the bats and their breeding and resting places, it is the effect of the designation of the SAC that protects, through the Habitats Regulations Assessment process, the habitat of the bats outside the SAC”.

23. Land South of Muntham Drive is within the SAC's 12km Wider Conservation Area.

23.1 Because the habitats present on the site are considered to be of high interest to foraging and commuting bats, including Barbastelle, the Site is functionally linked to the SAC.

23.2 The proposed scheme could adversely impact Barbastelle bats and therefore adversely impact upon a qualifying feature of the The Mens' SAC.

23.3 Since the proposed scheme could impact adversely on foraging Barbastelle, and therefore the SAC, ‘full consideration needs to be undertaken under the Habitats Regulations (in the same way as habitat in the SAC).

23.4 Hence the PEAR advice “As barbastelle were recorded using the adjacent site boundary habitats, consideration of the site’s development in relation to The Mens SAC may be required. Further details will be provided following the completion of the bat activity surveys on Site in 2026” (PEAR para 4.71).

24. Note that Barbastelle “need a range of habitats during the year in response to the annual cycle, the bats feed at a number of locations through the night and will select different feeding areas through the year linked to the seasonal availability of their insect prey; of mating, hibernating, giving birth and raising young” (Barbastelle Bats Exmoor and Quantocks Oak Woodlands Special Area of Conservation (SAC) Guidance on Development. Larry Burrows, Ecologist, Somerset Ecology Services, Planning Control, Somerset County Council working in partnership with Natural England, April 2018).

25. In summary, contrary to the applicant’s Planning and Affordable Housing Statement the proposed scheme has the potential to disrupt foraging and commuting barbastelle, and the habitats that attract them, and in consequence The Mens SAC.

26. Accordingly, the PEAR’s precautionary advice to the applicant: “as barbastelle were recorded using the adjacent site boundary habitats, consideration of the site’s development in relation to The Mens SAC may be required. Further details will be provided following the completion of the bat activity surveys on Site in 2026” (PEAR para 4.71) should not be ignored by decision takers.

27. On-the-Site bat activity surveys as specified by Natural England’s Guidance (detailed above), using bat detectors capable of detecting Barbastelle echolocation emissions, are needed for DC/26/0933, to identify bat species foraging and commuting there, and bat species roosting and hibernating in the Site’s boundary trees.

27.1a Barbastelles use "**stealth echolocation.**" They emit hunting calls that are **10 to 100 times lower in amplitude** (quieter) than those of other aerial-hunting bats to sneak up on moths. Because these calls are so quiet, cheap, basic, or poorly tuned detectors often fail to pick them up unless the bat passes exceptionally close to the microphone.

27.1b Simple **heterodyne detectors** must be manually tuned to a specific frequency (like 32 kHz) to hear the barbastelle's characteristic "castanet" clicking sound. If the user is tuned to a pipistrelle frequency (e.g., 45–55 kHz), they will completely miss a barbastelle. Conversely, **full-spectrum or automatic-scanning detectors** are much more capable because they record all frequencies simultaneously, though high microphone sensitivity is still required to capture the quiet signal.

<https://www.nottsbatgroup.org.uk/barbastelle-bats/>

https://phys.org/news/2018-03-barbastelle-moths-echolocation.html#google_vignette

28. Natural England's Guidance Protected species and development advice for Local Planning Authorities: How to assess a planning application when there are protected species on or near a proposed development site (last updated 7 April 2025), stipulates (dependent on weather conditions) when bat surveys should be undertaken, as follows:

- Bats (preliminary roost assessment): Any time of year (trees are best surveyed without foliage).
- Bats (hibernation roosts): November to mid-March
- Bats (summer roosts): May to August
- Bats (foraging or commuting): April to October for spring, summer and autumn behaviour.
- Bats (swarming): August to October.

29. The applicant's Preliminary Ecological Assessment Report (PEAR) paragraph 5.4 advises that "The potential effects on ecological features could be reduced by including the following (re bats) within construction phase and the design for the Proposed Development:

- Retention of the boundary line of trees on Site, and incorporation of a suitable buffer to facilitate maintain of the habitat and maintain dark zones for commuting, foraging and roosting bats.
- A sensitive lighting strategy is recommended as a precautionary measure to mitigate impacts on foraging and commuting bats, following the principles within the Institution of Lighting Professionals guidance. Particular consideration must be made to barbastelle bats and The Mens SAC. An assessment will be made following the completion of the bat activity surveys in 2026".

29.1 A sensitive lighting strategy has not been provided for DC/26/0933.

30. Research has shown that genetic connectivity between Barbastelle bats in Britain has decreased with increasing artificial lights. Barbastelle tend to avoid artificially lit areas and their activity is reduced when foraging or drinking sites are artificially illuminated. The continuing expansion of artificial lights in Britain may fragment barbastelle populations, impede genetic connectivity and affect foraging success.

(paragraphs 3 & 4: O. Razgour, C. Montauban, F. Festa, D. Whitby, J. Juste, C. Ibáñez, H. Rebelo, S. Afonso, M. Bekaert, G. Jones, C. Williams, & Boughey, K. (January 2024). 'Applying genomic approaches to identify historic population declines in European forest bats'. Journal of Applied Ecology Volume 61 Issue 1, pages 160 – 172).

31. It is to be hoped that completions bat activity surveys on Site in 2026 will enable HDC to fulfil its biodiversity duty under the NERC Act Section 40, and the

Government Circular 06/2005 Biodiversity and Geological Conservation Statutory Obligations.

31.1 Whether HDC can comply with the act will depend on the date-range of when the surveys are undertaken, and the use of bat detectors capable of detecting Barbastelle echolocation emissions.

For the reasons explained above we ask that DC/26/0933 be refused,

Yours faithfully,

Dr R F Smith, DPhil, BA (Hons), PGCE, FRGS

Trustee CPRE Sussex

Copy to: CPRE Sussex Planning Campaigner Maria Tomalova