From: Planning@horsham.gov.uk <Planning@horsham.gov.uk>
Sent: 30 November 2025 13:35:26 UTC+00:00
To: "Planning" <planning@horsham.gov.uk>
Subject: Comments for Planning Application DC/24/1581
Categories: Comments Received

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 30/11/2025 1:35 PM.

Application Summary

Address:	Land at 508967 124469 Marringdean Road Billingshurst West Sussex
Proposal:	Outline planning application for up to 79 Dwellings (including affordable homes) with all matters reserved except for access.
Case Officer:	Matthew Porter

Click for further information

Customer Details

Address:	8 Kingsfold Close Billingshurst

Comments Details

Commenter Type:	Neighbour
Stance:	Customer objects to the Planning Application
Reasons for comment:	- Design - Other
Comments:	I submit the following objection as my initial findings, provided under severe time constraints due to the very late notification of significant changes to this application. Notification of the revised HRA and the removal of the water-neutrality strategy was issued to residents on 23rd November at 1:52pm, yet the Planning Committee is scheduled for 2nd December. This leaves only a few working days to review a highly technical and material change, which does not constitute a fair or reasonable consultation period.

For this reason alone, the only procedurally safe option is deferral followed by proper re-consultation.

1. Material change to the proposal requiring re-consultation
The scheme originally presented to the public and the July 2025 committee relied on full water neutrality, including onsite efficiencies and offsite offsetting at Sumners Pond. These measures were central to the previous recommendation and acceptance. The applicant now seeks to remove those commitments entirely and depend only on 110 litres per person per day. This is a significant downgrade in environmental protection and represents a materially different proposal. The public have not been given a meaningful opportunity to comment on this new approach.

2. The area is already in "serious water stress" (Horsham & Billingshurst)
The Council's own HRA confirms that Horsham District is in an area of serious water stress.
Billingshurst already experiences supply pressures. Reducing or removing water-neutrality measures in this context is contrary to sustainable development principles, the NPPF, and HDPF Policy 37.

3. The HRA contains major uncertainties acknowledged by the Council itself
The HRA states explicitly that Horsham District Council has not had sight of the full details of the mitigation package, including how, when, and by whom it will be delivered. It also states that the Hardham abstraction licence has not yet been amended and is only expected "by March 2026."

Under the Habitats Regulations, mitigation must be certain, secured, and deliverable before it can be relied upon. The Council's own assessment acknowledges that this is not the case. Therefore, the conclusion of no adverse effect on integrity is not beyond reasonable scientific doubt, as required by law.

4. Reliance on unenforceable Southern Water leakage savings
The HRA relies entirely on 3.24 million litres/day of "capacity" created by Southern Water leakage reduction in 2024/25.

Leakage reduction is part of the water company's statutory duties and is not a development-specific, enforceable mitigation measure. It is temporary, cannot be secured through planning conditions, and cannot lawfully be used to offset new water demand. This creates substantial uncertainty in the Appropriate Assessment.

5. Internal contradictions in the HRA
On page 2, the HRA states that Horsham cannot yet be certain the mitigation package is resolved due to lack of detail and lack of

an amended abstraction licence.
Yet the concluding section asserts a confident "no adverse effect on integrity."

These contradictory statements undermine the reliability and robustness of the Appropriate Assessment.

6. The revised proposal is weaker than the scheme originally judged acceptable
The development was considered acceptable in July 2025 only because of the full water-neutrality strategy. The current version removes that strategy and provides a lower standard of protection. Decision-makers must assess the development based on what will actually be delivered-not on mitigation that has since been removed after initial support was gained.

7. Late notification undermines fairness and natural justice
Being notified on the night of 23/11 for a 2nd December committee meeting does not provide sufficient time to understand, analyse, or respond to the newly submitted HRA and the materially altered mitigation proposals. This is particularly significant given the technical nature of the documents and the severe water-stress context. Proceeding to committee under these circumstances risks an unsafe and procedurally unfair decision.

Given the material change to the proposal, the absence of secured mitigation, the acknowledged uncertainties within the HRA, the severe water stress in Horsham/Billingshurst, and the extremely inadequate consultation window, the application should be refused. If refusal is not pursued, the only lawful and procedurally fair alternative is to defer the decision and undertake a full re-consultation on the materially altered proposal and HRA.

Kind regards

Telephone:

Email: planning@horsham.gov.uk



Horsham District Council

Horsham District Council, Albery House, Springfield Road, Horsham, West Sussex RH12 2GB
Telephone: 01403 215100 (calls may be recorded) www.horsham.gov.uk Chief Executive: Jane E aton