Horsham District Council

# DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/26/0585
Land at Station Road, Warnham, West Sussex, RH12 3SR

DESCRIPTION:
Outline application for the erection of up to 24 residential dwellings, with all matters reserved except for access.

RELEVANT PLANNING HISTORY:

| | | |
|---|---|---|
| DC/09/1087 | Review of mineral planning permission (ROMP) for Langhurstwood Quarry at Warnham Brickworks (County Matter) | Permitted 19.08.2009 |

DESCRIPTION OF THE SITE
The application site lies directly to the west of Warnham Station with the site access wrapping around approximately 20 no. existing semi-detached dwellings to join Station Road. The rear gardens and garages of the existing dwellings separate the site from Station Road to the south.

The site as it exists is scattered with paraphernalia, including storage containers, small metal sheet structures and what appears to be a temporary enclosure constructed of Heras Fencing.

A separate area of existing storage/commercial/industrial works adjoins the site to the east. Further to the east beyond the railway track lies additional industrial/commercial works. Brickworks and landfill are located to the northeast.

The site is surrounded by and adjoins a wooded area to the north and west identified on Natural England's Priority Habitats Inventory and deciduous woodland, and a tree buffer with the railway track to the east.

The site lies in Flood Risk Zone One with ancient woodland lying to the north beyond the site and two Grade II listed building situated to the west of the site at the junction of Station Road and the A24.

DESCRIPTION OF THE APPLICATION
The proposal seeks outline planning permission for the erection of approximately 24 dwellings with all matters reserved apart from access.

The submitted (ACCESS AND MOVEMENT PLAN - WAR-WBR-ZZ-ZZ-DR-A-13304) includes 24 dwellings set out across the site with parking to the front or side elevations and rear gardens and a new access to Station Road.

Indicative Tree Protection Plans, site layout plans, tenure mix plans and landscaping plans have been provided.

The indicative layout and tenure plans show that the site would be laid out to provide a range of house type and sizes. This includes the provision of affordable units.

The indicative landscaping plan shows grasscrete visitor parking bays along with public open space to the outskirts of the site with hedging proposed to the rear of all the dwellings except plots 13-16.

Vehicular access to the development site will be provided via the new access from Station Road. The existing access to the east is to be retained for pedestrian access. Tree removal is required to allow for the installation of the western access. The parking for the site will be provided principally in the form of allocated off-street parking.

RELEVANT PLANNING POLICIES

**The National Planning Policy Framework (NPPF Aug 2026)**:

S3: Presumption in favour of sustainable development
S5: Principle of development outside settlements
S6: Neighbourhood plans and the presumption
CC2: Mitigation of climate change
CC3: Adaptation to climate change
HO7: Meeting the need for homes
HO8: Providing affordable homes
HO13: Build out of residential and strategic sites
M3: Assessing the benefits of mineral development
M6: Safeguarding mineral resources and infrastructure through decision-making
L2: Making effective use of land
L3: Achieving appropriate densities
DP3: Key principles for well-designed places
DP4: The design process
TR3: Locating development in sustainable locations
TR4: Street design, access and parking
TR6: Assessing transport impacts
P2: Ground conditions
P3: Living conditions and pollution
F4: Assessing flood risk for decision-making
F7: Ensuring development is safe from flooding
F8: Sustainable drainage systems and watercourses
N2: Improving the natural environment
N3: Trees in new development
N4: Protected Landscapes
N6: Areas of particular importance for biodiversity and geodiversity
HE4: Securing the conservation of heritage assets
HE5: Assessing effects on heritage assets
HE6: Proposals affecting designated heritage assets

**Horsham District Planning Framework (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 10 - Rural Economic Development
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 27 - Settlement Coalescence
Policy 28 - Replacement Dwellings and House Extensions in the Countryside
Policy 29 - Equestrian Development
Policy 30 - Protected Landscapes
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction

Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking
Policy 42 - Strategic Policy: Inclusive Communities
Policy 43 - Community Facilities, Leisure and Recreation

**Warnham Neighbourhood Development Plan (2019)**:
Policy W1: Built-Up Area Boundary
Policy W2: Scale of Housing Provision
Policy W3: Housing Mix- meeting local needs
Policy W4: Dwellings appropriate for the needs of older people
Policy W5: Design of residential development
Policy W7: Protection of existing commercial premises or land
Policy W8: Public car parking
Policy W9: Parking standards form new residential development

**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 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 10: Flooding
Strategic Policy 11: Environmental Protection
Strategic Policy 12: Air Quality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 16: Protected Landscapes
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 27: Inclusive Communities, Health and Wellbeing
Policy 28: Community Facilities, Leisure and Recreation
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

**Supplementary Planning Guidance**:
Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)

**Parish Design Statement**:
Warnham Parish Design Statement

**Planning Advice Notes**:
Shaping Development in Horsham
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES

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

Consultations:
INTERNAL CONSULTATIONS
**HDC Arboricultural officer**: More information sought
[Summary]

Five comments have been received from the Arboricultural Officer.

The first comment sought advice/modification.

The second comment continued to raise concerns about the site's layout stating '*no overriding justification has been provided to demonstrate that RPA encroachment is unavoidable or has been minimised as far as possible. As such, whilst the proposed mitigation measures may reduce potential impacts, it is not considered that sufficient evidence has been provided to demonstrate that the proposals are fully aligned with the core principles of BS 5837. Any development within the RPAs of retained trees should be supported by robust justification demonstrating that avoidance has been fully considered*.'

The third and fourth comments sought advice and more information raising concerns about the drainage routes impacts on the woodland and the lack of '*detailed assessment of a specific outfall alignment or a confirmed construction methodology. As a result, the extent of potential disturbance to retained root systems, woodland soils and site hydrology cannot be fully assessed.'*

The fifth comment stated '*Further to the amendments to Units B11 and B12, my previous concerns regarding encroachment into the RPA of retained tree T8 have been addressed.*

*However, insufficient information has been provided regarding the final drainage design. The route, construction methodology and excavation requirements associated with the proposed drainage infrastructure and sewer connection remain unclear. As such, it is challenging to fully assess the arboricultural impact of the proposal and determine whether the proposed drainage works can be accommodated without adverse effects on retained trees and the adjacent Priority Habitat Woodland'.*

Insufficient information to demonstrate drainage scheme can be implemented without adverse impacts on woodland resource.

**HDC Conservation**: No Objection.

**HDC Environmental Health**: Advice
Six comments have been received from the Environmental Health Team.

[Summary]
A CEMP condition has been recommended.

*Noise*
Additional mitigation is recommended to ensure that good internal acoustic environments are maintain within the proposed dwellings, alongside managing overheating risks. Boundary treatments protecting outdoor amenity space from the trainline noise may also be required. Conditions are recommended.

*Contamination*
Conditions are recommended.

*Odour*
Additional information was sought in relation to odour throughout the comments. The final comment stated: *'We accept that there will be transient odours from the local industrial sites, but the results from the odour assessment suggest it should not impact residents' amenity.'*

Conditions have been recommended.

*Air Quality*
A condition securing, at the reserved matter stage, an updated damage cost and subsequent Air Quality Mitigation Plan has been recommended.

**HDC Housing**: Comment
[Summary] Housing Officers require further information in relation to Register Provider engagement.

**Environment Management, Waste and Cleansing:** Comment
[Summary] Recommended block paving not used as these can stain. A plan showing drag distance has been included.

**HDC BNG:** No Objection
[Summary] All comments addressed. Further amendments are required at reserved matters/discharge of conditions relating to the local nature recovery strategy and strategic significance, and the content of the HMMP.

OUTSIDE AGENCIES

**Ecology Consultant**: No Objection
[Summary] Non-licensed Precautionary Method Statement for Hazel Dormouse supported. Conditions securing compliance with the ecological appraisal recommendations and conditions concurrent with the reserved matters, site occupation and a time limit on development before surveys are required.

**Landscape:** No Objection
[Summary]
No landscape objection, subject to attached recommendations and/or conditions.

*While the principle of development may be acceptable from a landscape perspective, the current indicative layout raises concerns regarding the provision of usable Public Open Space, passive surveillance, green infrastructure connectivity and mitigation for tree loss. These matters should be addressed and resolved at the Reserved Matters stage to ensure a high-quality design and an appropriate landscape response to the site are achieved.*

**Southern Water**: Comment
[Summary]

8th of May 2026:

*Southern Water will refuse any request to discharge surface water into our 'foul only' sewer network. Applications for surface water connections into a combined sewer will only be permitted if; a) there are no alternative options under the surface water disposal hierarchy, and b) there is capacity*.*

26th of June 2026:

*The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.*

*May we please request that the Drawing No: C01 Rev A – Proposed Drainage Plan be updated to change the existing foul sewer from Thames Water to Southern Water as this is our asset.*

*The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS). Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption of SuDS will be considered if requested by the developer if they comply with: Design and Construction Guidance (Appendix C), CIRIA guidance and Southern Water SuDS Guidance*

24th of July 2026:

*The Council's technical staff and the relevant authority for land drainage consent should comment on the adequacy of the proposals to discharge surface water to the local watercourse.*

*The supporting documents make reference to drainage using Sustainable Drainage Systems (SuDS). Where SuDS form part of a continuous sewer system, and are not an isolated end of pipe SuDS component, adoption of SuDS will be considered if requested by the developer if they comply with: Design and Construction Guidance (Appendix C), CIRIA guidance and Southern Water SuDS Guidance*

**WSCC Highways**: Comment
[Summary]

The Highways Officer has provided five comments on the proposal.

Following the provision of additional information the officer has raised no objection to the proposal.

*Parking allocation of 36 resident spaces and 5 visitor spaces considered sufficient for the requirements of the proposals. A parking survey has been undertaken and the results have been assessed by the LHA and the results show there is capacity on-street if there is any overspill in parking.*

*The LHA would not raise a capacity concern with the anticipated amount of additional vehicular movements onto the local network, and no further assessments are required.*

*In line with the LHA's comments the TN confirms that visibility splays can be provided within land in the applicant's or LHA's jurisdiction and the splays recorded are in line with 85th percentile road speeds.*

*Pedestrian Accessibility Improvements (A24/Station Road)*

Following the revised plan the officer confirmed the works were a betterment on the existing situation and are a suitable mitigation measure for the proposed development. These works would be secured via Section 278 Agreement with a design check and Stage 2 Road Safety Audit.

**WSCC Lead Local Flood Authority**: Objection
[Summary]

Four comments have been provided by the LLFA:

18th May 2026: Object and request additional information.

*The proposed method of discharge – It is understood from the drainage strategy provided that the Applicant proposes to connect their surface water discharge to an existing public foul sewer on the site. This would not be acceptable to us and is not in accordance with the National Standards for SuDS (see Note 2 and section 1.10 of Standard 1). In addition, we note that Southern Water have confirmed it is contrary to their policy to allow such a connection.*

7th July 2026: Holding Objection

*We are pleased to see an alternative discharge method (via a statutory main river embankment on land within the control of the Applicant) has been identified. We have no objection in principle to this method of discharge, as it complies with the National Standards for SuDS hierarchy, however we have comments regarding feasibility and the SuDS design generally:*

- Lack of evidenced route impact on woodland and lack of strategy to demonstrate pipe protection.
- An open watercourse would be preferable.
- Concerns the proposed layout does not meet the SuDS principles.

4th August 2026: Holding Objection

The Officer is not satisfied the proposal can be implemented in practice.

*In the absence of supporting comments from appropriate specialists, we cannot determine the feasibility of the discharge route which is to traverse the wooded area. Therefore, we would ask for supporting evidence from the Applicant and/or appropriate statutory consultees on behalf of the LPA before we are reconsulted.*

*We also note that the red line boundary does not currently incorporate this change (new route for surface water drainage) and would recommend this is updated accordingly.*

*Should a route through the wooded are ultimately prove undeliverable, the Applicant may wish to consider the alternative option of requisitioning a sewer to discharge surface water to the same local watercourse network.*

*We have reviewed the other proposed amendments to the strategy regarding the use of SuDS and the updated calculations and can confirm these address our concerns at this outline stage.*

7th October 2026: Objection

*At present, we **maintain our objection**, as the applicant has failed to demonstrate an acceptable means of draining surface water.*

*We note the Applicant has discussed Southern Water (SW) adopting a new surface water sewer that they would construct, which SW understandably cannot guarantee. **Please can the Applicant confirm if they have also approached Southern Water to requisition a sewer to the watercourse**. In principle this would be an acceptable means of draining the site.*

*For clarity, we cannot remove our objection to the application unless an alternative to a foul sewer discharge is available, as this is contrary to the NPPF. The Applicant has stated that they are proposing to discharge to a combined/foul sewer as their proposed option.*

*For clarity, a combined sewer is priority 5 (lowest priority) within the National Standards for SuDS and we would look for confirmation from Southern Water that they are willing to accept connection to any combined system at the rate proposed. Connections to foul only sewers, however, are not an accepted discharge method under 1.10 of the general requirements.*

**WSCC Rights of Way**: No Objection

**WSCC Minerals and Waste:** Objection
[Summary]

WSCC Minerals and Waste Officer has provided three comments. The first comment objected to the application due to the lack of a mineral infrastructure statement and a waste infrastructure statement. The second comment requested further information on the ground that a minerals and waste infrastructure statement drawing upon the conclusions of the noise and air quality assessments was required to demonstrate the compatibility of the site with the existing/future mineral and waster uses.

The most recent comment provided advice and no objection concluding that: '*The proposed development has the potential to sterilise minerals, however, the extent of minerals affected would be limited, and any substantive prior extraction is considered unlikely practicable or environmentally feasible. Therefore, subject to an overriding need for housing being established by the Local Planning Authority (LPA), the proposal would accord with JMLP Policy M9.*

*Based on the findings of submitted technical assessments, and no objections being raised by Environmental Health and Licencing Officers, whilst the MWPA reserve concerns over the potential odour*

*relationship, it is not considered there are sufficient grounds to raise an objection based on the potential to prevent or prejudice the operation of safeguarded minerals and waste infrastructure as required by Policies W2 and W10 of the WLP, and Policy M10 of the JMLP.'*

**WSCC Fire Officer:** Comment
[Summary] Fire hydrant conditions recommended.

**Network Rail:** Comment
[Summary]

26th June 2026

A financial contribution calculated at £21,792 is requested in recognition of the scheme's potential to increase pedestrian movements within the vicinity of the station, particularly the existing level crossing. It is expected pedestrians would make use of facilities on the eastern side of the train track increasing the interaction across the two areas, likely increasing potential safety concerns. The contribution is necessary for the required safety and accessibility improvements.

24th June 2026

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.

The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works.

Network Rail requires at least a 3m buffer between our land and any proposed development in areas where electrification is present. This is to maintain the safety of the applicants, groundworkers during development, future site users and Network Rail station in the case of an operational incident. We would request that the application is updated accordingly, at which time we would be happy to accept the application.

**District Newt Licensing Officer:** Comment
[Summary] Ecological report states district licensing route will be taken.

PUBLIC CONSULTATIONS

Representations:

24 letters of Objection have been received from 23 addresses, in objection on the following grounds:

- Overdevelopment.
- Inadequate local infrastructure and utilities, including doctors and dentists
- There are already power cuts and there are no proposals to improve the facilities.
- Sewage treatment plants can't cope with the increase of 24 dwellings.
- Loss of wildlife, habitats and ecology.
- Unsustainable road and increase in traffic.
- Design would be out of keeping with rural area.
- Proposed gravel road would not be suitable for traffic, bin lorries or oil tanker deliveries.
- Lack of visitor parking and designated rail commuter parking.
- Unsafe road for car users, cyclists and pedestrians.
- Proposal would result in a further reduction in safety for existing road users.
- No pavements along the road to Warnham.
- No safe way to cross the A245.
- Railway service for Warnham is unreliable, finishes early on Saturdays and do not run on Sundays.

- Dependent on cars.
- Accidents and safety incidents on the highway have been downplayed and not included in the report.
- Loss of informal countryside character.
- Outside the built-up area boundary and rejected as a site in the neighbourhood plan.
- The site already experiencing flooding and the proposal would increase the likelihood of flooding.
- Submitted ecological and flooding information is not suitable.
- Existing noise from the nearby industrial activity has not been considered as well as the odour issues with the nearby water management facility, causing detriment to new occupiers amenity.
- Elevated position of the new dwellings would result in overlooking, causing detriment to neighbouring amenity.
- Loss of an area used for resident recreation.
- Inadequate car parking capacity.
- Trees and landscaping.
- Insufficient detail to demonstrate how the proposal would be suitably integrated into a sensitive location.
- Contrary to policies within the HDPF and Warnham Neighbourhood Plan and is speculative development.
- Undermine strategic separation between Warnham and North Horsham, resulting in urban sprawl and coalescence.
- Flawed transport statement that does not accurately reflect the existing situation and conditions.
- No regular bus connection to Warnham Village and bus access requires the crossing of the A24 which is unsafe.
- Loss of parking for residents who regularly use the proposed development area.
- Insufficient turning space and road area for access to the existing garages.
- Privacy, light and noise.
- Would there be a gas supply for the new homes, the existing homes are run on oil.
- Construction would impact neighbours amenity.
- Net gain is only achieved by way off off-site contribution.
- Poor air quality from the brickworks.
- The proposal does not demonstrate it has addressed the constraints from the brickworks and waste processing facility.
- The proposed CHER Waste Incinerator has not been considered.
- Agent of Change requirement has not been fulfilled.
- Proposal would harm ancient woodland.
- Station Road is a public right of way.
- Legal challenge is being considered by residents.
- The proposal would increase light pollution impacting nocturnal species.
- The bridge required to access the site would not be able to cope with construction vehicles, the bridge has been deemed unacceptable for a bus also.
- The Council should commission and independent audit of the junction between Station Road and the A24.
- The existing road is too narrow for suitable on-street parking.
- The Council should assure itself that the Applicant has identified all rights of access over the land.
- The proposed access road prevents parking in front of no.18 Station Road.
- The proposal would result in a loss of 6 parking spaces.
- The historic use of the land for parking for no.16 Station Road has not been accounted for.
- Conflicts with the historic growth an objective within the Warnham Neighbourhood Plan.
- Loss of biodiversity.
- The residents are keeping the Giant Hogweed on the site, which causes harm to humans, under control. Wildlife and Countryside Act 1981 requires the landowner to ensure they are not allowing the growth of the hogweed on adjacent land and it has spread into neighbouring gardens.
- Insufficient ecology mitigation has been proposed.
- Heavy rainfall often causes Boldings Brook to burst its banks.
- The proposal is not necessary when Mowbray has already been approved.
- The proposal would result in an increase in crime rates, personal and home safety risks.
- Impacts of the proposals have not been considered.
- Ground contamination risk mitigation has not been demonstrated.
- Overshadowing.

- No meaningful consultation has been carried out.
- The Shelley cycleway does not extend to Horsham is ends at the A24 which cannot be crossed with a bike.
- Full survey of GCN not carried out.
- No BNG Metric has been provided.
- Loss of habitats across the site.
- The Local Authority have to comply with Section 40 of the NERC Act, Circular 06/05: Biodiversity and Geological Conservation and Natural England's Guidance Protected species.
- The ecological report is inadequate and misleading.
- The bat and bird surveys are inadequate.
- Nightingales can be heard singing at the site.
- The site would not be truly affordable.
- The lack of registered provider may result in the affordable homes not being provided.

No letters for Support have been received

Parish Comments:

**Warnham Parish Council**: Objection

- The proposal conflicts with policies 3, 25 and 26 of the HDPF and the Warnham Neighbourhood Plan.
- The site was rejected as a housing allocation in the neighbourhood plan.
- The site is outside the BUAB in a countryside location.
- The expansion is disproportionate and lacks infrastructure and services needed to grow.
- Concerns to highway and pedestrian safety. There are no pavements or street lighting and children regularly walk or cycle the route to access facilities. The road network is rural and the road is narrow. Safety concerns are held particularly with the existing regarding the A24/Station Road/Bell Road junction.
- The proposal is estimated to have 35 vehicles putting pressure on a hazardous road network.
- The proposal does not include pedestrian crossing facilities and there are no safe walking routes to key services.
- The location is unsustainable with train services once and house, no services after 19:00 on Saturdays and no services on Sundays, creating heavy reliance on private car use.
- The proposal would result in a loss of wildlife, ecology and ecological corridors. The ecological information submitted is inadequate and insufficient to properly assess the proposal.
- Serious concerns about flood risk, surface water drainage and the adequacy of the drainage strategy. Boldings Brook experiences regular flooding issues and this development on elevated land may increase surface water run-off, exacerbating flood risk to neighbouring homes.
- The LLFA and Southern Water have objected/confirmed the strategy is not acceptable.
- *Leeds City Council v SSCLG [2009] EWHC 1014, Midcounties Co-operative Ltd v Wyre Forest DC [2009] EWHC 964*
  *If there are concerns arising from a planning application about the capacity of wastewater infrastructure, applicants will be asked to provide information about how the proposed development will be drained and wastewater dealt with…The timescales for works to be carried out by the sewerage company do not always fit with development needs. In such cases, local planning authorities will want to consider how new development can be phased, for example so it is not occupied until any necessary improvements to public sewage system have been carried out.*
- The proposal would degrade the strategic gap between Warnham and North Horsham.

**North Horsham Parish Council:** No Objection subject to the flooding issues being resolved.

Member Comments:
None received

HUMAN RIGHTS AND EQUALITY:
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.

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.

PLANNING ASSESSMENT

**Principle of Development**:

*Development Plan Policy Context*
As it stands, the relevant development plan to the proposed development comprises the Horsham District Council Planning Framework (HDPF, 2015), the 'made' Warnham Neighbourhood Development Plan (WNDP, 2019) and the West Sussex Joint Minerals Local Plan (2018). In accordance with planning law, these documents form the statutory development plan and the starting point for the assessment of the development proposals. The National Planning Policy Framework and accompanying Planning Practice Guidance are material considerations relevant to the development proposals.

HDPF Policies 1 (Sustainable Development) 2 (Strategic Development), 3 (Development Hierarchy) and 4 (Settlement Expansion) identify the settlement hierarchy and establish the development strategy across the district. HDPF Policy 3 supports development within Built Up Area Boundaries (BUAB). The site is not located within any defined BUAB.

HDPF Policy 4 supports development outside of the BUAB where all of the following criteria are met:

1. *'The site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.*
2. *The level of expansion is appropriate to the scale and function of the settlement type.*
3. *The development is demonstrated to meet the identified local housing needs and/or employment needs or will assist the retention and enhancement of community facilities and services.*
4. *The impact of the development individually or cumulatively does not prejudice comprehensive long term development, in order not to conflict with the development strategy; and*
5. *The development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.'*

The site is not allocated within the Warnham Neighbourhood Development Plan, nor any other made or emerging plan, therefore the proposal does not accord with HDPF Policy 4.

HDPF Policy 26 (Countryside Protection) is also of relevance and supports development essential to its countryside location subject to several qualifying criteria. The proposal would not be essential to its countryside location and therefore would not be supported by HDPF Policy 26.

*Warnham Neighbourhood Development Plan*

The Warnham Neighbourhood Development Plan was made on 26th June 2019. The WNDP became part of the development plan over 5 years ago before the date of this decision, meaning national policy S6 is not engaged in the determination of this application.

The application site is not identified as an allocated site for housing or a green/community space in the neighbourhood plan. In respect of development outside of settlement boundaries, Policy W1 of the WNDP states: '*Development proposals outside the Built-Up Area Boundary will not be permitted unless they confirm to the policies of the Horsham District Planning Framework'*

As the proposals would conflict with HDPF Policies 2, 4 and 26, it follows that there is also conflict with WNDP Policy 1. Whether there are other material considerations that outweigh this conflict are discussed below and in the Planning Balance.

Other Material Considerations

*The Horsham District Local Plan (HDLP, 2023-40)*

The Horsham District Local Plan 2023-40 (the emerging Local Plan or 'eLP') is currently at examination stage with examination hearings having just completed at the time of writing. The Horsham District Local Plan 2023 - 2040 remains the emerging Local Plan (eLP) in the context of NPPF Policy DM4 and therefore constitutes a material consideration. Given the plan has passed through examination stage at the time of writing, the policies and background evidence base within the eLP are currently considered to carry significant weight. The site does not form a draft housing allocation within the eLP, whilst no other policy within the eLP lends support to the principle of housing development on this site, with Policy 14 requiring development proposals in the countryside to comply with national policy (ie National Policy S5 as discussed below). The eLP further sets out a five year housing land supply and evidence to support the Council meeting the housing delivery test.

*Shaping Development in Horsham District PAN*

In light of the Council's inability to demonstrate a 5-year supply of deliverable housing sites, and in recognition of the key objective of Government policy to significantly boost the supply of homes, the Council has endorsed a Shaping Development in Horsham District Planning Advice Note (SD PAN) to enable the Council to act proactively to continue to deliver housing in a sustainable manner. This document now forms a material planning consideration in decision making. The advice contained in the SD PAN is guidance only and does not form policy and does not alter the statutory decision-making framework and therefore can only carry limited weight in decision-making.

For development proposals located outside the defined BUAB, the SD PAN (at paragraph 5.12) echoes the requirements of HDPF Policy 4 and states that applications will be considered positively provided that **all** of the following criteria are met:

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

The site does not adjoin the existing settlement edge as defined by the BUAB, therefore the SDPAN does not support the principle of residential development on this site.

National Planning Policy Framework (2026)

The National Planning Policy Framework (NPPF) published August 2026 is a material consideration 'of critical importance' in decision making. Annex A of the NPPF sets out that development plan policies, not made against the most recent framework (NPPF 2026), which are materially inconsistent with national decision-making policies within the NPPF 2026 should be given very limited weight.

NPPF Policy S3 sets a presumption in favour of sustainable development, tying in a need to apply NPPF Policy S5 when development is proposed outside of settlements.

NPPF Policy S5 provides categories of development whereby the presumption applies outside of settlements, unless the benefits of doing so would be 'substantially outweighed' by adverse effects, when

assessed against the NPPF. In this instance the proposal relates to housing development that is not allocated within the development plan. The relevant categories of Policy S5 are therefore:

*d) The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential);*

*e) Limited infilling within groups of houses;*

*h) Residential and mixed-use development which would:*
- *i. Be within reasonable walking distance of a well-connected station (applying the definitions in the glossary at Annex B);*
- *ii. Be physically well-related to the station or the settlement within which the station is located;*
- *iii. Be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; and*
- *iv. Not prejudice any proposals for long-term comprehensive development in the same location.*

*j) Development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test), and where the development would:*
- *i. Be physically well-related to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; …*

NPPF Policy S5(4) outlines that development which does not fall within one of the categories of NPPF Policy S5 should only be approved in exceptional circumstances where the benefits of the proposal would substantially outweigh the adverse effects, including to the character of the countryside and in relation to promoting sustainable patterns of movement.

Assessing the proposal's compliance with the above Policy S5 categories in detail:

*Part d – the redevelopment of previously developed land*
An existing part of the site (approximately 726m$^2$) along the southern boundary is covered by hard surfacing used by the occupiers of the existing dwellings along Station Road to access their rear garages. Over time paraphernalia has been placed onto this land. The Local Planning Authority does not hold record of lawful planning uses for this part of the site however it is clear that this surfacing has been long established. The remainder of the site, including the proposed site access, south westerly area of the site and the northern area of the site where the proposed dwellings are to be sited, comprises undeveloped land used as a small holding and does not meet the NPPF definition of PDL. Whilst a small part of the site fringe is deemed to comprise PDL, the vast majority of the site does not, including the area indicated to be occupied by the proposed dwellings and their vehicular access. It does not follow that part of a site being deemed PDL means that the whole site should be considered to be supported by Part d) of Policy S5.

*Part e- Infilling*
The Local Planning Authority does not consider the proposal would qualify as infill development as the site sits rear of the dwellings on Station Road and not between groups of houses as required by Part e).

*Part h- Well-connected Stations*
The site is in close proximity to Warnham Station therefore a careful assessment of its compliance with the four criteria of Part h) is required, as follows:

The following table assesses whether the proposal meets the criteria i) requirement to be within reasonable walking distance of a well-connected station (as expressly defined within the NPPF).

**Table One***: Assessment of a well-connected station*

| **Requirement of Part H** | **Warnham Train Station/ Site Location** | **Requirement met/not met** |
|---|---|---|
| Reasonable walking distance | The site is within reasonable walking distance (800m and 10 minutes walk time) of Warnham Station. | Met |
| **Is Warnham Station 'well-connected'?** | | |
| The railway station is located within a top 80 Travel to Work Area located partially or fully within England by Gross Value Added (GVA). | The site and Warnham Station is located within the Crawley Travel to work area. This is within the top 80 areas within England by GVA. | Met |
| A normal weekday daytime timetable for the station includes (or has a reasonable prospect of being served due to planned upgrades or through agreement with the rail operator) by at least four trains and hour or at least two trains per hour in any one direction. | The National Rail website shows Warnham Railway Station is served during the weekday and daytime by two trains an hour, one to Horsham and one to London Victoria. | Not Met- only two trains an hour, on a normal weekday timetable, in separate directions serve Warnham Railway Station. The Applicant has provided no evidence to demonstrate there are reasonable prospects of increased service through planned upgrades or agreement with the rail operator. |

Therefore, due to the low frequency of services at Warnham Railway Station and the absence of any evidence this will increase in the future, the proposal is not considered to be within reasonable walking distance of a well-connected station. The proposal fails to comply with the requirements of part h(i) of Policy S5(1) as a result.

Criteria ii of part j) requires development to be physically well-related to the station or the settlement the station is located in. The NPPF definition of 'settlement' is clear that scattered groups of houses outside settlement boundaries, such as those located adjacent to the application site, are not considered settlements. Nevertheless, in the event that Warnham station is to be considered 'well-connected' then the proposal would be physically well-related to it by virtue of its proximity, despite the station not being within or in any proximity to a defined settlement.

Criteria iii requires development to be of a scale that can be accommodated, taking into account the existing or proposed availability of infrastructure. It is not considered the site location complies with this given the absence of any services other than an hourly train service on a normal weekday during the daytime. Unless using this hourly service, residents would be entirely reliant on the private car for everyday needs. Further, the quantum of homes proposed would more than double those on Station Road, significantly increasing the scale of housing in this area. It is not therefore considered that the proposal is of a scale that can be accommodated in his location were Warnham Station to be considered well-connected.

Criteria iiii requires development not to prejudice any proposals for long-term comprehensive development in the same location. The proposal complies with this requirement.

Overall, therefore, the proposal does not find support under part h) of Policy S5(1).

*Part j- Unmet Housing need and well related development*

NPPF Policy S5.1(j) provides in-principle support for residential development outside settlement boundaries where evidenced unmet need is addressed and where development is '*physically well-related*

*to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure*.'

The Council's latest Authority Monitoring Report (AMR) (December 2025) demonstrates the Council currently has a housing land supply of 1.7 years against current targets. In addition, The Housing Delivery Test (HDT) for Horsham (2025) was 44% (published on 17 August 2026). It is therefore acknowledged that the Council is unable to demonstrate a full 5-year housing land supply and that the Council's most recent HDT is below 75%. Part j) is therefore relevant when considering this application.

In respect of whether the site is '*physically well-related to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure'*, the proposal is set approximately 0.7km from the BUAB with Warnham (as the crow flies) and approximately 1.2km as the crow flies from Warnham village shop. Warnham village is considered to be the nearest existing settlement as the small grouping of houses adjacent to the site on Station Road is not considered to comply with the NPPF definition of 'settlement'.

The intervening countryside between the site and Warnham village, along with the separation afforded by the A24, also creates a clear physical and visual gap meaning that the proposal does not meet the qualifying criteria to find support under part j) of Policy S5(1).

In reaching this judgement, regard has been had to footnote 28 to Policy S5(1)j which states that '*Where a development proposal is located outside a settlement, and separated from the existing built-up area by virtue of being beyond the outside edge of an allocated site that has yet to be fully developed, consideration should be given to whether the proposal is in a suitable location should the allocated development not proceed.*'

The eLP seeks to allocate approximately 300 homes immediately across the rail line to the east on a site north and south of Mercer Road, and a parallel full application for these homes is currently under consideration (DC/25/0151 refers). This draft allocated site would in turn connect to the future Phase 3 of the consented Mowbray strategic development site. In time, therefore, this application site would be in physical proximity to these planned developments to the east, albeit separated by the rail line. Once built out, there would be walking and cycling routes east to the services and facilities at Mowbray (albeit at a distance of 1.7km as the crow flies), with new crossing points over the A264 to the southeast to allow for access into Horsham via foot and bicycle. The proposals at Mercer Road also include a 2,000sq.ft (190sq.m) retail unit, albeit it is unclear how viable a proposition this is and if/when it would be occupied).

However, at this stage there is no certainty as to when planning permission would be granted for the 300 homes at Mercer Road, with there being outstanding issues relating to viability and odour impacts. In respect of Phase 3 at Mowbray, this would likely not commence until after 2032/33 as Phase 2 housing has yet to commence and is required to be majority complete before Phase 3 housing can be delivered. Therefore, it likely there would be a considerable number of years where residents will be distant from infrastructure and reliant on the private car for journeys. Therefore, the future prospect of built development east of the site is not yet sufficiently certain as to when it will be delivered and complete such as to enable the application site to be physically well-related.

Therefore, considered on the basis of the current site context, and having had regard to the uncertainties over future development to the east, the proposal is not considered physically well-related to an existing settlement.

<u>Summary to Principle</u>

As the site is set outside the BUAB within the countryside and is not allocated for development within the adopted development plan the proposal conflicts with HDPF Policies 2, 4 and 26 and WNDP Policy 1, and is offered no support in principle within the post-examination Horsham District Local Plan. The principle is therefore not supported within the adopted development plan or the emerging development plan, and nor is it supported by the Council's SDPAN note. In addition, the proposal fails to attract the support of NPPF Policies S3 and S5. In light of this conflict, national Policy S5(4) states that development

proposals that do not accord with the Policy S5(1) criteria '*should only be approved in exceptional circumstances, where the benefits of the proposal would substantially outweigh the adverse effects, including to the character of the countryside and in relation to promoting sustainable patterns of movement'*. Whether there are such exceptional circumstances is discussed in the Planning Balance below.

**Highway Safety, Access and Parking**

HDPF Policy 40 states that development will be supported if it is appropriate and in scale to the existing transport infrastructure, including public transport; is integrated with the wider network of routes, including public rights of way and cycle paths, and includes opportunities for sustainable transport which reduce the need for major infrastructure and cut carbon emissions.

HDPF Policy 41 states that adequate parking and facilities must be provided within developments to meet the needs of anticipated users. WNDP Policy W9 expects development without satisfactory alternative provision provides the minimum numbers of parking spaces be in accordance with West Sussex Residential Parking Demand Calculator.

NPPF Policy TR3 requires development to be located where it can support sustainable patterns of movement and enable good accessibility for different users. NPPF Policy T3(a) sets out that development which could generate a significant amount of movement, in the context of the area they are locates should limit the need to travel, particularly by private car. The choice of transport modes should also be genuine, unless the nature of the development would make this impractical. NPPF Policy T3(e) addresses rural areas specifically confirming opportunities to improve walking, wheeling, cycling, public transport and the connectivity of an area should be taken where they exist and can be supported by the development proposed.

National Policy TR6 requires proposals that are likely to generate significant amounts of movement to be supported by a transport statement / assessment and a travel plan. These should be proportional to the development and should reflect the transport vision for the development and the transport strategy for the area in which it is located. National Policy TR6.4 further states that development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement.

Vehicular access is provided to the site via a new access to Station Road, with the existing site access allocated for pedestrian use only. A 2.4m x 32m visibility splay has been provided for the access onto Station Road. The County Highways Officer has confirmed that these splays are acceptable.

The indicative site plan includes the provision of 38 car parking spaces, with 6 of these being visitor parking spaces. Officers note the Local Highway Authority's comments which consider the proposed parking to be sufficient refer to 36 resident spaces and 5 visitor spaces. While the tenure mix has altered slightly since the highways specific comment on parking and the allocated spaces are below that quoted by the Highways Officer, the layout is indicative meaning this matter can be addressed at reserved matters stage.

Turning to the loss of existing street parking through the introduction of the site access, the Highways Officer has not objected to the small loss of parking created through the addition of the site access.

*Site Connectivity and Sustainability*

HDPF Policy 40 supports developments that promote an improved and integrated transport network, with a re-balancing in favour of non-car modes as a means of access to jobs, homes, services, and facilities. Development should be appropriate and in scale to the existing transport infrastructure and should be located in areas where travel distances are minimised and where there would be a choice of transport modes.

NPPF Policies TR3 and TR4 outline that development should be located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure and offer a genuine choice of transport modes for residents and users.

NPPF Policy TR3(1) part (a) outlines that proposals which could generate a significant amount of movement should be in sustainably sited to limit the need to travel, particularly by private car, and offer to a genuine choice of transport modes. NPPF Policy TR3(1) part (e) outlines that opportunities to improve walking, wheeling, cycling and public transport should be taken in rural areas.

NPPF Policy TR4(a) states proposals should:

*a) Give priority first to walking, wheeling and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating easy access to high quality public transport, with layouts and densities which maximise the catchments for bus or other public transport services;*

*b) Incorporate or contribute towards appropriate features to support this prioritisation, such as permeable street networks, continuous footways and segregated cycle facilities which are adequately lit, sufficient secure and accessible cycle parking, regularly spaced public seating and good quality waiting facilities for public transport;*

*c) Ensure that the arrangement of streets and other routes help to create places that are safe, inclusive and attractive for all users (particularly for women and girls, for other groups who may be vulnerable to crime or the fear of crime, and for those with limited mobility). This includes reflecting relevant aspects of policy DP3(2), as well as employing measures to:*

*i. Minimise the scope for conflict between pedestrians, cyclists and vehicles;*
*ii. Meet the needs of disabled people, older people and children in relation to all modes of transport, and*
*iii. Avoid unnecessary street clutter.*

NPPF Policy CC2 further outlines that proposal should accord with policies TR3 and TR4 so that sustainable patterns of movement are prioritised, and opportunities are taken to improve walking, wheeling, cycling, and public transport.

The site is located very close to Warnham station; however, this does not meet the NPPF test for well-connected as explained above. Nevertheless positive weight is to be given to the fact that the hourly service would allow for some non-car trips. The station's accessibility is however limited, as to access the platform to the east any future residents would need to go through a stepped underpass, or cross the tracks. Both options are unattractive in nature and unlikely to be accessible for all users. Those who are unable to cross the track or use the stepped underpass would otherwise need to make a car journey of some 2 miles to access the eastern platform as vehicular crossing of the tracks is not available. The underpass is set down some very steep steps severely limiting the opportunity for any overlooking or general surveillance, in what appeared from the officer's site visit to be a quiet location/station. The railway crossing is uncontrolled in nature, with lighting to indicate when crossing is safe and a sign instructing any crossing to be quick. A gate that likely needs to be manually opened towards those crossing is also present.

While it is recognised that the station would provide some opportunity for sustainable travel given it offers one train per hour in each direction, it does not meet the NPPF definition of well-connected, nor would it provide good accessibility for all users given the requirements to cross the tracks or use the stepped underpass. This tempers the beneficial weight to be given to the site's location close to Warnham station.

In terms of busses, Google Maps shows that the nearest bus stops are:

- Giblets Way, Horsham which requires approximately a 26 minute walk to access along unpaved, unlit roads, including either crossing the tracks at Warnham Station, or using the underpass the crossing of the A264 into a wooded pathway/alleyway (which appears unlit from April 2026 Google Streetview images) with lighting and pavements only becoming present on Northland Road, within Horsham.

- Church Street, Warnham which requires approximately a 24 minute walk, of which approximately 12 minutes would be along an unpaved and unlit road until the A24 is crossed.
- Rusper Roundabout, Mowbray which requires approximately a 30 minute walk along unlit and unpaved roads, including either crossing the tracks at Warnham Station, or going under the underpass and walking along a considerable part of the A264.

These bus stops are well over the 800m 'reasonable waking distance' as defined within the NPPF and as a result are not likely to be well used by future residents.

To better facilitate walking and cycling west to Warnham, amendments to the proposal include a proposed pedestrian crossing of the A24 to the west of the site including the re-alignment of the existing footway. The Local Highway Authority have commented on the application confirming that these works would be secured through a Section 278 Agreement and offer a betterment over the existing situation and are a suitable mitigation method for the proposed development. While this would be a betterment to the existing access to Warnham this is not considered to be sufficient to enable the application site to be considered sustainably located. This is because pedestrians/cyclists would still need to navigate an unlit and unpaved rural road with limited to no natural surveillance to reach any of the village's services, including the nearest bus stop. Particularly for younger children accessing the primary school in Warnham and those that may need to navigate the route in the night or winter evenings, the route is not considered to provide a genuine opportunity, as required by NPPF Policies T3(a) and TR4. Policy TR4 in particular expects proposals to prioritise *walking, wheeling and cycle movements, both within the scheme and with neighbouring areas* and so far as possible facilitate easy access to public transport and expects proposals to *ensure that the arrangement of streets and other routes help to create places that are safe, inclusive and attractive for all users (particularly for women and girls, for other groups who may be vulnerable to crime or the fear of crime, and for those with limited mobility).* In light of the above clear deficiencies, the proposal would be in clear conflict with these national policies.

Furthermore, these access routes are not considered in the spirit of NPPF Policy P5 which expects development proposals to anticipate and address hazards, explicitly referring in point a to groups who may be vulnerable to crime, or the fear of crime, including women and girls.

As for the other non-car routes out of the site, these do not provide a clear safe, lit and accessible route. Access to both bus stops outside Warnham require the negotiation of unpaved, unlit roads and the crossing of a railway track, or underpass with steep steps to access. Neither of these routes are considered genuine options for sustainable modes of transport.

*Conclusion*

In summary, the LHA does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. Having considered the site and its context, Officers have no reason to disagree with this conclusion.

Whilst development to the east is proposed the relevant applications have not been permitted. Were these proposals granted it is not expected that there would be any sustainable connections to the east for some time, given the build out rates and phasing of these sites as discussed earlier.

Given the above it is clear that the site would not be physically well-related to an existing settlement nor would the site be able to support sustainable patterns of movement, with genuine options beyond private car use very limited. The proposal would not therefore enable good accessibility for different users, and therefore does not accord with NPPF Policy TR4 and HDPF Policy 40. The benefits of the train station have been weighed against other elements of the proposal within the planning balance section of the report.

**Housing Mix and Affordable Housing**:

HDPF Policy 16 requires residential development to provide a mix of housing sizes, types and tenures to meet the needs of the district's communities as evidenced in the latest Strategic Housing Market Assessment (SHMA). For a development of the size proposed the policy requires 35% of the proposed homes to be affordable.

WNDP Policy W3 seeks the following housing distribution:

*a) 1-bed dwellings: 15% to 20%*
*b) 2-bed dwellings: 40% to 45%*
*c) 3-bed dwellings: 35% to 40%*
*d) 4+-bed dwellings: 5 to 10%*

WNDP Policy W4 supports the provision of dwellings which provide 25% of dwellings to Lifetime Homes standards.

Nationally, NPPF policy HO8 requires development proposals to meet or exceed up-to-date development plan requirements for the proportion and tenure of affordable housing, with a priority for on-site provision in the first instance.

The District Housing Officer has confirmed there are 196 households waiting for housing in the Parish, the percentage is shown below alongside the proposed.

| | **Proposal Split** | **WNP Policy W1** | **Housing Officer- Need in Warnham** |
|---|---|---|---|
| 1 bed | 17% | 15-20% | 32% |
| 2 bed | 50% | 40-45% | 18% |
| 3 bed | 25% | 35-40% | 37% |
| 4 bed | 8% | 5-10% | 13% |

The overall indicative housing mix as presented in this outline proposal is shown below, alongside comparisons with the Council's current SHMA (2019):

| **Affordable Rented** | ***SHMA 2019*** | **Proposal (units)** | **Over / under supply** |
|---|---|---|---|
| **1-bed** | 2.1 | 1.0 | -1.1 |
| **2-bed** | 1.8 | 2.0 | 0.2 |
| **3-bed** | 1.5 | 2.0 | 0.5 |
| **4+ bed** | 0.6 | 0.0 | -0.6 |
| **Total** | 5.9 | 5.0 | -0.9 |

| **Shared Ownership** | ***SHMA 2019*** | **Proposal (units)** | **Over / under supply** |
|---|---|---|---|
| **1-bed** | 0.6 | 1.0 | 0.4 |
| **2-bed** | 1.0 | 2.0 | 1.0 |
| **3-bed** | 0.6 | 0.0 | -0.6 |
| **4+ bed** | 0.3 | 0.0 | -0.3 |
| **Total** | 2.5 | 3.0 | 0.5 |

| **Open Market** | ***SHMA 2019*** | **Proposal (units)** | **Over / under supply** |
|---|---|---|---|
| **1-bed** | 1 | 2 | 1 |
| **2-bed** | 5 | 8 | 3 |
| **3-bed** | 6 | 4 | -2 |
| **4+ bed** | 4 | 2 | -2 |
| **Total** | 16 | 16 | 0 |

The tenure split would be 67% open market and 33% affordable housing. To ensure policy compliant affordable provision 35% of the total dwellings are to be affordable (8.4 dwellings). Eight dwellings are proposed and as such the proposal is considered compliant. The affordable and intermediate tenure are

split 62%:38%. The Local Planning Authority would seek intermediate provision to be Shared Ownership. Overall, the proposed indicative housing mix would result in a policy compliant affordable housing provision with a suitable tenure split that focuses on two and three bed provision meeting a suitable balance of the SHMA (2019), WNDP Policy W3 and the need identified by the Council's Housing Officer.

The District Housing Officer has raised concerns over the potential of the site to reach an agreement with a registered housing provider. At this stage it is not unusual that a final registered provider has not been secured. The affordable housing would be secured as part of the S106 agreement requiring the securing and then delivery of the affordable homes.

Subject to the s106 agreement, and the agreement of the final housing mix at reserved matters stage, the proposals would provide for a suitable market and affordable housing mix in compliance with Policy 16 of the HDPF and Policy 3 of the WDNP.

**Heritage and Archaeology**:
Policy 34 of the Horsham District Planning Framework states that development should be reinforce the special character of the historic environment through appropriate siting, scale, form and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric and materials.

The nearest listed building (Westons Place) lies on the junction between Station Road and Bell Road. The Conservation Officer raises no objection to the proposal and confirms the proposal would not result in harm to the heritage assets significance or its setting.

**Indicative Layout and Trees**:

HDPF Policies 25 and 26 seeks to preserve, conserve and enhance the landscape and townscape character of the district, taking into account individual settlement characteristics, and maintaining settlement separation. HDPF Policy 31 seeks opportunities to enhance green infrastructure.

HDPF Policies 32 and 33 require development to be of a high standard of design and layout. Development proposals must be locally distinctive in character and respect the character of their surroundings. Where relevant, the scale, massing and appearance of development will be required to relate sympathetically with its built-surroundings, landscape, open spaces and to consider any impact on the skyline and important views.

Nationally, these ambitions are embedded within policy DP1 as a whole, which advises that developments which fail to conflict with DP3(1), or the paragraphs of DP3(2) without clear justification should be refused. DP(3) states that substantial weight should be given to compliance with relevant development plan policies when assessing the quality of proposals.

Matters relating to landscaping, layout and scale are reserved for later stage consideration. The Applicant has provided an indicative layout plan (WAR-WBR-ZZ-ZZ-DR-A-133010 and landscaping plan (WAR-WBR-ZZ-ZZ-DR-A-13302) that informs the key parameters and scheme components (amongst other things, the extent of developable area of the site and indicative location of access and future housing on the site).

Policies 32, and 33 set out that proposals should consider development seeking to provide an attractive, functional and accessible environment that complements locally distinctive character. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to surroundings.

WNDP Policy W5 supports residential development where: the scale and character of the proposal respect the landscape, its features, valued views, streetscape and heritage assets; the proposal is of high-quality design in keeping with the existing scale and character of the area.

National Rail have requested the applicant contact Network Rail's Asset Protection and Optimisation team and sets out the requirement for a 3m buffer between Network Rail Land and any proposed

development in areas where electrification is present. As presented at outline stage, the development proposals and extent of developable area (which, by NPPF definition, includes access roads, hard landscaping and incidental open spaces) appears able to accommodate these requirements. The indicative layout shows the dwellings closest to the site boundary (plots 15/16) are located approximately 4.46m from the site boundary. As such this constraint is not expected to prevent development of the quantum of homes proposed. This provides the local planning authority sufficient certainty at this stage that this matter could be addressed at reserved matters, which presents opportunities to amend the site layout.

Following the provision of the amended landscaping plan, the Council's Landscape Consultant has raised no objection to this outline scheme, subject to conditions. Comments were received on the open space provision, suitability and functionality. Following amendments to the site layout the Council's Tree Officer has also confirmed the layout is satisfactory (further comments on trees are covered in the drainage section) was also satisfied. Were this proposal supportable in all other aspects matters of landscaping, trees, and the quantity of open space offer could be addressed under a reserved matters application, which presents opportunities to amend the site layout.

**Residential Amenity**:

Policy 32 of the HDPF states that development will be expected to provide an attractive, functional, accessible, safe, and adaptable environment that contribute a sense of place both in the buildings and spaces themselves. Policy 33 continues that development shall be required to ensure that it is designed to avoid unacceptable harm to the amenity of occupiers/users of nearby property and land. Policy W5(b) of the WNDP supports development where there are no unacceptable impacts on neighbouring amenity.

The indicative site plan shows back-to-back garden layout with a gravel access road separating plot 17-24 from the rear gardens of dwellings along Station Road. The distance between the outriggers of dwellings on Station Road and the proposed dwellings is considerable, at approximately 42m. The proposal would still allow residents of the dwellings along Station Road to access their rear garages from the site.

This arrangement would offer adequate amenities and living conditions to existing and future residents if it were replicated at detailed design stage at reserved matters. This includes consideration of noise and light arising from the routing of the new site access (given set back approximately 5.9m from the boundary with no.18 Station Road with limited vehicle movements).

The neighbouring commercial element to the east has permitted car sales and repairs (planning application DC/18/2725). In 2008 permission was given for an extension to the dispatch office and in 2004 a portacabin. The hours of trade for car repairs and car sales were restricted in the permission in consideration of impact on the existing neighbour amenity (Station Road). The Environmental Health Officer has made reference to the large industrial processes to the east and northeast, and the railway line in relation to noise impacts. They note that the submitted Noise Impact Assessment notes the presence of these industrial processes but does not identify any significant contribution from these activities. The officer goes on to raise concern that the limited brickwork activities in 2026 and the impacts from the consented energy facility are under reported.

Officers do not consider the proposed dwellings would be impacted to an unacceptable level given the current restrictions on the car sales and repair area. Regarding noise from the large industrial sites the Environmental Health Officer has confirmed that additional mitigation should be considered to ensure a good internal acoustic environment is maintained. The Environmental Health Officer also confirms that outdoor amenity space may require protection from noise through the means of appropriate boundary treatment. The Environmental Health Officer has recommended suitable environmental noise conditions within their comments that can be secured within any permission.

Therefore, it is not considered that adjacent and nearby commercial elements/ permitted energy facility will impact the amenities of future occupiers to an extent that would require a reduction in the extent of developable area nor trigger issues with agents of change principles.

- *Odour, noise and dust*

The adjacent brickworks and waste processing site to the north east of the rail line are sources of potential odour, noise and dust pollution. Following the provision of additional information within the Quantum Air's Environmental Air Quality Assessment, dated 7th August 2026 and Quantum Air's AQA Addendum, dated 21st September 2026 the district Environmental Health Officer has confirmed that whilst there will be transient odours from these local industrial sites, the results from the odour assessment suggest it should not impact resident's amenity. The officer has raised no objections in their most recent comment.

The Officer goes on to comment on the 'agents of change principle', in relation to the operation of the neighbouring existing and future safeguarded minerals and waste infrastructure, confirming the key area of concern for the proposal is odour. The County Waste Officer notes that whilst there are still concerns over the potential odour relationship they do not consider there are sufficient grounds to raise an objection.

On basis of the indicative layout it is considered that the proposal would not result in unacceptable impacts on amenity, subject to relevant conditions.

**Ecology**:

HDPF Policy 31 seeks to protect the natural environment of the district against inappropriate development and encourages opportunities to enhance green infrastructure and biodiversity.

Policy N2(1)(e) and (f) of the NPPF indicates that when determining planning applications local planning authorities should ensure that development proposals minimise adverse impacts on biodiversity and include features which support priority or threatened species and take suitable opportunities to connect and strengthen ecological networks which extend beyond the site (such as Local Nature Recovery Strategies). Developments resulting in the loss of irreplaceable habitats (such as ancient woodland and ancient, or veteran trees) should be refused, unless there are wholly exceptional reasons (such as infrastructure projects where the public benefit would clearly outweigh the loss or deterioration of habitat) and a suitable compensation strategy exists (policy N6(2)).

The Council's Ecology Consultee had reviewed the submitted Ecological Impact Assessment and Preliminary Appraisal Report. The consultee is supporting of the measures proposed for protected species and raises no objection subject to conditions securing accordance with the submitted details; a Construction Environmental Management Plan for Biodiversity; the submission of a Reptile Mitigation Strategy; a Biodiversity Enhancement Strategy; Wildlife Sensitive Lighting Scheme and a Reserved Matters Time Limit for Updated Surveys.

The site falls within a red impact zone for Great Crested Newts (GCN) with 17 ponds within 500m of the site and direct connectivity with the surrounding landscape. GCN has been identified within three of these ponds and the submitted information indicates one of these three ponds is likely to be removed as part of the application. The district licensing officer confirms that a District Newt Licence is required prior to determination. The Applicant has provided a NatureSpace Partnership District Licence Report which confirms the proposal can be dealt with under the District Licence. Conditions are recommended within the NatureSpace Report.

Accordingly, it is considered that the proposal meets the criteria set out under HDPF policy 31 relating to protected species and would contribute towards the protection and enhancement of existing biodiversity, and would retain and / or enhance significant features of nature conservation.

**Drainage and Flood Risk**:

Policy 38 (3) of the HDPF states *'Where there is the potential to increase flood risk, proposals must in corporate the use of sustainable drainage systems (SuDS) where technically feasible, or incorporate water management measures which reduce the risk of flooding and ensure flood risk is not increased elsewhere.'*

The Planning Practice Guidance explains that applications for development relying on anything other than connection to a public sewage treatment plant will need to be supported by sufficient information to

understand the potential implications for the water environment. The need to properly service development with essential services, including sewerage and drainage, is a requirement of Policy 24 of the HDPF.

Representations made against this application have raised concerns about the site drainage and flooding. A constraint on development is that it is not an option for water outflowing to percolate into the ground because of the underlying Weald Clay.

Several strategies have been submitted to the Local Planning Authority, all of which have been commented on by the Lead Local Flood Authority (LLFA). There is a lack of clarity as to which strategy is the final proposal, with the most recently submitted information referring to evidence of non-feasibility.

*Summary of Submitted Information*

The Flood Risk Assessment and SUDS Strategy submitted on 14th April 2026 is understood to have been superseded by the Flood Risk Assessment and SUDS Strategy submitted on 24th June 2026. A further proposed drainage plan was provided on 7th July 2026 with a drainage technical note received on 14th July 2026. Lastly, evidence on non-feasibility of surface water drainage was received on 21st September 2026.

*First Proposal- Discharge to Sewer*

The LLFA objected to the original proposal to connect the surface water discharge to an existing public foul sewer on site. Their objection was on the grounds that the proposal would not be acceptable to them and was not in accordance with the National Standards for SuDS. Furthermore, the officer notes Southern Water had confirmed that it was contrary to their policy to allow such a connection.

*Second Proposal- Discharge to Watercourse*

The LLFA objected to the second proposal to discharge of surface water to a local watercourse due to concerns that it would not meet the SuDS principles, an incorrect CV value, and a lack of confirmation that the route the outfall culvert would take through a wooded area would protect pipes from root damage and would be suitable given root protection zones.

In their third comment the LLFA continued to object to the proposal on the grounds that evidence the proposal could be implemented in practice had not been provided.

The Council's Arboriculture Officer has commented on the proposal to discharge to a watercourse and confirms that information demonstrating a detailed assessment of a specific outfall alignment or details of a confirmed construction methodology have not been provided. As such there is insufficient information to demonstrate the extent to which the proposal would disturb retained root systems, woodland soils and site hydrology within a priority habitat.

*Third Proposal- Evidence to Support Discharge Route*

Following the LLFA's third comment the Applicant provided a sequential test for surface water disposal. It appears within this document that the Applicant seeks to refer back to their original proposal to discharge to the combined public sewer.

The Applicant confirms that some rainwater reuse is proposed at the site and that infiltration has been discounted, following infiltration testing.

Paragraph 3.2 of the document discounts watercourse discharge on the grounds '*that the dense woodland would mean avoiding tree removal and root incursion cannot be reliably achieved even using sensitive construction methods, that confirming an RPA-avoiding alignment would require a disproportionate tree survey across several hundred trees, and that resulting ecological and Biodiversity Net Gain (BNG) impacts would be difficult to mitigate on site. On this evidence, the watercourse discharge route is discounted as a feasible option due to severe impacts on RPAs and associated ecological constraints.*

Whilst the applicant did consult an ecologist on the watercourse discharge approach, a detailed assessment of a specific outfall alignment or details of a confirmed construction methodology have not been provided to the Local Planning Authority.

The surface water sewer option was discounted by the Applicant due to the practicality of the proposal and economic feasibility.

The Applicant has stated that following their sequential test the only option is to proceed with a discharge into the combined/foul sewer.

*Third Proposal- Discharge to Foul/combined Sewer*

Whilst it is unclear from the information provided if the proposed sewer to be connected to is a foul or combined, Southern Water in the emails provided to the LPA show the nearest surface water sewer is approximately 950m from the site and their consultation comments show a foul sewer to the rear of Station Road and a probable combined sewer running along Station Road. Within the emails to the Applicant Southern Water confirm that would not allow a surface water connection into the foul sewer.

In their most recent comments, the LLFA have objected to the foul water sewer discharge as it is the lowest priority within the National Standards for SuDS. The LLFA would look for confirmation from Southern Water that they are willing to accept connection to a foul/combined sewer at the proposed rate. The LLFA have also requested the Applicant confirm if they have approached Southern Water to requisition a sewer to the watercourse.

In their comments to the original strategy Southern Water confirmed that they *'will refuse any request to discharge surface water into our 'foul only' sewer network. Applications for surface water connections into a combined sewer will only be permitted if; a) there are no alternative options under the surface water disposal hierarchy, and b) there is capacity'.* They also confirm that the position is supported by their Surface Water management Policy and National Standards for sustainable drainage systems which states: *Surface water runoff from the development shall not discharge to a foul drainage system.* The Local Planning Authority have not been provided information to confirm Southern Water are in agreement that the proposals have demonstrated that the above tests have been met.

Furthermore, the third proposal includes a layout plan which Officer's understand from the Applicant's Agent to be indicative only and is not the updated drainage plan. Without confirmation as to the routes proposed to connect to a sewer it is considered there is insufficient information to demonstrate the impact the proposal may have on the existing trees within the site as well as the potential impact on offsite trees within a priority habitat. It is also noted that this indicative plan shows an amended landscape plan and appears to include drainage basins which have not been considered as part of the landscape for this application.

Summary
As the above shows, a number of drainage strategies have been submitted, the evidence to which presents inconsistencies and inaccuracies.

The submitted Drainage Technical Note (second proposal) proposes a surface water outfall through the woodland, however the final alignment and construction methodology have yet to be determined. Whilst the submitted arboricultural documents provide general advice regarding the installation of drainage infrastructure in proximity to retained trees, they do not specifically assess the proposed outfall route through the woodland or its potential effects on woodland soils, retained root systems and site hydrology.

The submitted evidence (third proposal) appears to propose the connection to a combined/foul sewer. The plan provided is indicative only and does not align with the other plans provided. Alongside the additional information requested by the LLFA, which includes Southern Waters confirmation as to whether they agree to the connection, there is no clear route proposed on the plans for the connection.

As such, insufficient information has been provided regarding the routing, construction methodology and extent of disturbance associated with the proposed outfall/connection to a combined or foul sewer. For

both proposals two and three it is not currently possible to fully assess the implications of the drainage proposals offsite and on the adjacent woodland habitat and for proposal three it is also not possible to fully assess the onsite implications. Further information should therefore be provided to demonstrate that the drainage scheme can be implemented without adverse effects on the woodland resource.

Given it is not known what works may be required or how any issues could be overcome for the strategies, it is not a drainage option that has, at this stage, a reasonable prospect of being a deliverable and ready solution. Furthermore, the LLFA have objected to strategy three on the grounds that confirmation as to the proposals acceptability from Southern Water has not been provided. The Local Planning Authority is not satisfied this approach to drainage could reasonably be left to a planning condition, including a Grampian condition, in any approval. To reiterate, it has not been shown that this approach to drainage would not contribute to any surface water flood risks along sections of Station Road. In regard to foul disposal, it has not demonstrated that Southern Water would accept a connection to the sewer with the applicant having ruled out a new sewer.

It follows that it is concluded that the measures for the disposal of foul and surface water have not been found to be adequate. In these circumstances, permitting the scheme without the reasonable prospect of a deliverable drainage solution could lead to the potential for pollution and flood risk. The requirements of the PPG in this respect have not been met and the proposal has not been supported by sufficient information to demonstrate that the potential implications for the water environment would be acceptable. There would also be conflict with Policy 24 of the HDPF, in particular in relation to criterion concerning sewerage and drainage. More generally there would not be compliance with Policies 32, 33, 38 and 39 of the HDPF and the Framework with regard to providing infrastructure to meet the requirements of development.

To reinforce the point, the Local Planning Authority has carefully considered whether a planning condition or conditions attached to a permission would be a way forward to allow details of drainage to be worked through. However, it is concluded, in the light of the analysis above, including because of the uncertainty of delivery and potential for off-site works which are not clearly known, that such a condition or conditions would not meet the test of reasonableness.

For the above reasons it is considered there is insufficient evidence to demonstrate a drainage solution which accords with the SuDS hierarchy and that a proposed strategy would be implementable.

**Other Matters**:

Contaminated Land:
Given the Preliminary Ground Contamination Risk Assessment Report identified potential contamination risks ground contamination, conditions have been recommended by the district Environmental Health Officer.

Minerals and Waste:
The County Minerals and Waste Officer has confirmed mineral resource extraction from the application site itself (brick clay) would be constrained. District Officers have balanced the loss of this abundant extraction against other planning considerations and are satisfied there is compliance with local plan waste policy in this regard.

Climate Change:
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 NPPF that local plans and decisions seek to reduce the impact of development on climate change. Were all other matters supportable conditions would be attached to secure at least:

- Water consumption limited to 110litres per person per day
- Requirement to provide full fibre broadband site connectivity
- Dedicated refuse and recycling storage capacity
- Cycle parking facilities
- Opportunities for biodiversity gain
- Electric vehicle charging points

Were these conditions attached the application is considered to suitably reduce the impact of the development on climate change in accordance with local and national policy.

Biodiversity Net Gain (BNG):
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 must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

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.

The Applicant has submitted a Biodiversity Metric which demonstrates a 12.58% net gain is achievable by way of onsite and offsite biodiversity gains. A S106 agreement is not required for the onsite gain as it is not considered 'significant' onsite BNG gain, however a S106 would be required if the offsite gain is to be on an unregistered BNG site.

S106 Legal Agreement

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017. This development constitutes CIL liable development. In the case of outline applications the CIL charge will be calculated at the relevant reserved matters stage

HDPF Policy 39 requires new development to meet additional infrastructure requirements arising from the new development. The provision of affordable housing must be secured by way of a Legal Agreement, as would contributions to infrastructure and off-site improvements including sustainable transport commitments and air quality mitigation measures.

- *Network Rail*

Network Rail have confirmed given the potential for the scheme to increase pedestrian movements within the vicinity of Warnham station, use of the existing level crossing is expected to increase. Network Rail have requested a contribution of £21,792 to contribute towards the accessibility and station improvements at the station, necessary to mitigate the impact of the development on the pedestrian railways and support the safe movement of users. Network Rail haven't confirmed a specific infrastructure upgrade that would mitigate the impacts of this development, whilst officers cannot immediately see how such a spend would improve access to the station given the underpass and at grade constraints would require significant sums to improve. Therefore, this request is not considered by the Council to meet the CIL and NPPF tests of an obligation.

A s106 legal agreement to secure the obligations necessary to make this application acceptable in planning terms is required. The headline obligations include the following 35% Affordable Housing, BNG, Monitoring Fee. At this stage, heads of terms have been not agreed.

**Conclusions and Planning Balance**:

The application seeks the introduction of 24 new dwellings outside the defined built-up area boundary of Warnham, on a site which has not been allocated for development within the adopted development plan, and without an essential need for a countryside location. The development is therefore contrary to HDPF Policies 2, 4, and 26 and WNDP1. The proposal is also not supported by any of the policies within the post-examination Horsham District Local Plan, nor by the SDPAN guidance document.

However, it is a material planning consideration of very significant weight that the Council is unable to demonstrate a 5-year supply of deliverable housing sites and scores below 75% in the most recent Housing Delivery Test. In light of these factors, and given the Warnham Neighbourhood Development Plan is over 5 years old thereby not benefitting from the safeguards of national Policy S6, the above adopted development plan policies are considered to be out of date and must be given reduced weight in decision-making per Annex A to the NPPF.

In such circumstances, updated national policy in the NPPF (Aug 2026) instructs that decisions on development proposals should apply a presumption in favour of sustainable development (Policy S3) including outside of settlements, where that development would address an evidenced unmet need (including the provision of housing).

This report has considered the proposal's accordance with NPPF Polices S3 and S5. The proposal fails to attract in-principle support from NPPF Policy S5(1) despite a small portion of the site deemed to comprise PDL. This PDL land is on the southern fringe of the site where none of the proposal's housing or vehicular access is proposed, therefore it is not considered to justify development on the remaining greenfield part of the site.

NPPF Policy S5(4) confirms that in these instances proposals should only be approved in 'exceptional circumstances', where the benefits of the proposal would substantially outweigh the adverse effects of the proposal, including in relation to promoting sustainable patterns of movement.

In terms of benefits, the proposal would provide for 24 homes, including a policy-compliant level of affordable housing, at a time when the Council is unable to demonstrate a five-year housing land supply and has delivered under 75% of its identified housing need. Further benefits, albeit of considerably less weight, would be derived from increased local spend and the short-term economic benefits from construction work, and provision of the road junction improvement. Other key matters including impacts on highway safety and capacity and ecology and capacity are judged to be acceptable and attract neutral weight given these comprise policy requirements. The proximity of the site to Warnham station is of some benefit, tempered however by the limited rail service.

However, the harms are also very notable and of considerable importance. The ability to provide an adequate drainage scheme for both foul and surface water has not been demonstrated for the reasons explained. The Council is not satisfied that it would be reasonable or effective to leave this to a planning condition. A suitable drainage scheme is a basic requirement of providing safe and healthy living conditions on site and to protect the site and wider area from flood risk. The drainage issues go to the heart of providing an acceptable scheme in terms of the health and wellbeing of the occupants and those in the area. These drainage harms are of such importance that they raise fundamental concerns with the development of the site and fail related development plan and NPPF policies.

Whilst the Local Planning Authority is aware future development is proposed along Mercer Road to the east, in relatively close proximity to the site, this does not currently benefit from planning permission meaning delivery is uncertain. The scale of the Mercer Road proposal is also expected, if it is permitted, to result in a longer timescale for build out. Given the above there is uncertainty as to its implementation and cannot be relied upon to provide support for the development's location. The same considerations apply to Phase 3 of the Mowbray development beyond the Mercer Road site to the east. The beneficial weight to be attached to these future developments is therefore considered to be limited in the planning balance given these delivery uncertainties. This means the development would be remote from services and facilities leading to the majority of movements needing to be via private vehicle unless using the limited rail service. As a consequence the site is not considered sustainably located in transport terms, leading to conflict with national policies TR3, TR4 and CC2.

Having considered the above harms and benefits, none of these benefits are considered to substantially outweigh the harms such that the grant of planning permission as an 'exceptional circumstance' is justified under NPPF Policy S5(4).

The application is therefore recommended for refusal.

**Recommendation:** To refuse planning permission for the following reasons:

1. The development is distant from the settlement of Warnham and is not allocated in a development or neighbourhood plan, nor is it essential to its countryside location. The proposal does not attract in principle support from Policy S5 of the NPPF as Warnham station does not meet the definition of 'well-connected, whilst the site is not physically well-related to the nearest settlement of Warnham. Nor is the site primarily located on land demonstrated to be lawfully previously developed. The proposal would further not promote genuine sustainable patterns of movement as its location is remote from existing services and facilities. The proposal therefore fails to accord with National Planning Policy Framework (2026) Policies S3, S5, TR3, TR4 and CC2, HDPF Policies 2, 3, 4, 26 and 40, Policy WNP1 of the Warnham Neighbourhood Plan, and Policy 14 of the emerging Horsham District Local Plan. There are deemed to be no material considerations which would outweigh the conflict with the above development plan and National Planning Policy Framework policies in these regards.

2. It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposal would provide for satisfactory foul and surface water drainage, to avoid increasing flood-risk elsewhere, in conflict with Policies 24 and 32, 33, 38, 39 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework (2026).

3. The proposed development has not been accompanied by a completed s106 Legal Agreement, thereby does not secure the units required to be provided as affordable housing units or other obligations required to make the development acceptable. The proposal is therefore contrary to Policies 16, 31 and 39 of the Horsham District Planning Framework (2015), as it has not been demonstrated how the infrastructure needs of the development would be met.

NOTE TO APPLICANT

POSITIVE AND PROACTIVE STATEMENT
Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

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**Plans list for: DC/26/0585**
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **not approved**:

| Plan Type | Description | Drawing Number | Received Date |
|---|---|---|---|
| Supporting Statement | District Newt Licence Report | | 30.09.2026 |
| Supporting Statement | ARBORICULTURAL CONSTRAINTS SURVEY, IMPACT ASSESSMENT, PROTECTION PLAN AND METHOD STATEMENT | | 21.09.2026 |
| Supporting Statement | AIR QUALITY ASSESSMENT - ADDENDUM | | 21.09.2026 |
| Supporting Statement | EVIDENCE OF NON-FEASIBILITY - SURFACE WATER DRAINAGE | | 21.09.2026 |
| Supporting Statement | RESPONSE TO THE EHO | | 07.09.2026 |

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|---|---|---|---|
| Supporting Statement | ENVIRONMENTAL AIR QUALITY ASSESSMENT | | 12.08.2026 |
| Supporting Statement | Drainage Technical Note 260714 JFP-200 | | 14.07.2026 |
| Supporting Statement | Proposed A24 Pedestrian Crossing J32-8671-PS-005 | | 14.07.2026 |
| Supporting Statement | Proposed Drainage Plan | | 07.07.2026 |
| Supporting Statement | TECHNICAL NOTE 001 V1.1 | | 24.06.2026 |
| Supporting Statement | ECOLOGICAL IMPACT ASSESSMENT | | 24.06.2026 |
| Supporting Statement | FLOOD RISK ASSESSMENT AND SUDS STRATEGY | | 24.06.2026 |
| Supporting Statement | NOISE IMPACT ASSESSMENT: QA25133/NIA | | 09.04.2026 |
| Supporting Statement | TRANSPORT STATEMENT | | 09.04.2026 |
| Supporting Statement | | | 09.04.2026 |
| Supporting Statement | ENERGY AND SUSTAINABILITY STRATEGY: 25.1937, REV 02 | | 09.04.2026 |
| Supporting Statement | RELIMINARY GROUND CONTAMINATION RISK ASSESSMENT REPORT PARTS 1-5 | | 09.04.2026 |
| Supporting Statement | TRAVEL PLAN STATEMENT | | 09.04.2026 |
| Supporting Statement | PLANNING, MINERALS AND SUSTAINABILITY STATEMENT: 35211 | | 09.04.2026 |
| Supporting Statement | Minerals and Waste Infrastructure Safeguarding Assessment | | 05.10.2026 |
| Supporting Statement | FLOOD RISK ASSESSMENT AND SUDS STRATEGY | | 14.04.2026 |
| Tree plan | Tree Location Plan | | 21.09.2026 |
| Tree plan | Tree Portection Plan | | 21.09.2026 |
| Tree plan | Tree Protection Plan | | 21.09.2026 |
| Tree plan | Tree Protection Plan | | 21.09.2026 |
| Site plan | Site Layout WAR-WBR-ZZ-ZZ-DR-A-13301 P11 | | 17.09.2026 |
| Location plan | SITE LOCATION PLAN - WAR-WBR-ZZ-ZZ-DR-A-13306 | | 24.06.2026 |
| Site plan | SITE PLAN LANDSCAPING - WAR-WBR-ZZ-ZZ-DR-A-13302 | | 24.06.2026 |
| Site plan | SITE PLAN TENURE MIX - WAR-WBR-ZZ-ZZ-DR-A-13303 | | 24.06.2026 |

**DELEGATED**

Case Officer sign/initial Alice Johnson Date: 29/10/2026

Authorising Officer sign/initial Adrian Smith Date: 29/10/2026