PLANNING COMMITTEE REPORT

DATE:	3rd November 2026
DEVELOPMENT:	Construction of up to 23 residential dwellings, (including 9 affordable homes), including access, parking, landscaping and other associated infrastructure works.
SITE:	Land To The Rear of The Copse, Worthing Road, Horsham, West Sussex, RH13 9AT
WARD:	Southwater North
APPLICATION:	DC/26/0355
APPLICANT:	**Name:** Star Build Ltd. **Address:** C/O SLR Consulting Ltd, Mountbatten House, Grosvenor Square, Southampton, SO15 2JU

NATIONAL SCHEME OF DELEGATION:

In accordance with the Council's constitution and the National Scheme of Delegation this application has met the criteria for consideration for referral to the Planning Committee for determination for the following reason(s):

- The application represents a departure from the development plan
- More than eight persons in different households or bodies have made written representations within the consultation period raising material planning considerations that are inconsistent with the recommendation of the Head of Development and Building Control.
- By request of Southwater Parish Council
- By request of Councillor Vickers

Reason for referral to the Planning Committee:
The Nominated Officer and Nominated Member (neither of whom have an interest in the application and/or are the local ward member for the application site) have reviewed the application and this report and have determined that the proposals raise matters of economic, social and/or environmental significance and/or significant planning matters insofar that development is proposed outside of a settlement boundary that does not in principle comply with the adopted development plan, leading to significant environmental and social considerations. These are of sufficient significance as to warrant determination by the Planning Committee.

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

1. THE PURPOSE OF THIS REPORT

1.1 To consider the planning application.

Contact Officer: Kate Turner **Tel: 01403 215184**

DESCRIPTION OF THE APPLICATION

1.2 This application seeks full planning permission for the construction of 23 residential dwellings, including access, parking, landscaping and other associated infrastructure works.

1.3 The site would be laid out to provide a range of house type and sizes. This includes the provision of nine affordable units, which in negotiation with the HDC Housing Officer are now proposed as follows:

Affordable rent
2x4b (Bedroom)
3x3b
1x1b
Intermediate rent
3x3b

1.4 The open market housing would consist of 4x2b, 6x3b and 4x4b units. The overall housing mix would be provided as below:

Plot number	Tenure	Bedroom Number	Unit type
1	Open Market	3	Detached
2	Open Market	4	Detached
3	Open Market	4	Detached
4	Affordable Rent	4	Semi- Detached
5	Affordable Rent	4	Semi- Detached
6	Affordable Rent	3	Terraced
7	Affordable Rent	3	Terraced
8	Affordable Rent	3	Terraced
9	Open Market	2	Semi- Detached
10	Open Market	2	Semi- Detached
11	Open Market	3	Detached
12	Open Market	3	Detached
13	Affordable Rent	1	Over Garage
14	Intermediate	3	Terraced
15	Intermediate	3	Terraced
16	Intermediate	3	Terraced
17	Open Market	3	Detached
18	Open Market	2	Semi- Detached
19	Open Market	2	Semi- Detached
20	Open Market	3	Detached
21	Open Market	4	Detached
22	Open Market	4	Detached
23	Open Market	3	Detached

1.5 The access to the development site will be provided via the consented access associated with the adjacent Care Home development to the front of the site which has been granted planning permission under application DC/24/0622.

1.6 The main access road will be 5.0m wide, extending westward from Worthing Road. It will continue as a private road section, to the rear of the Care Home staff parking area and along the edge of a pond feature. Beyond this point, the road will extend further west into the development site providing direct access to the proposed residential area.

1.7 A new 2.0m footpath will run along the southern side of the main access road from the new development before crossing to the north to serve the Care Home. At the site access, visibility splays of 2.4m x 57m have been secured in accordance with highway standards as

part of the Care Home consent. A pedestrian crossing with dropped kerbs and tactile paving will also be delivered immediately north of the access onto Worthing Road.

1.8 The parking for the site will be provided in the form of allocated off-street parking with some additional detached garages for the four-bedroom houses. There will be a total of 46 allocated spaces excluding the garages plus five visitor spaces within road laybys.

1.9 The landscaping and other infrastructure works include an attenuation pond and open space to the west of the housing development with the retention of the existing ditch that runs north-south through the site. The layout includes a footbridge over this ditch to the north and a vehicular bridge over the ditch to the south to enable occasional maintenance access to the open space/ attenuation pond. A landscape buffer is provided to the east with the boundary of the properties on Welcome Place.

1.10 A circular pedestrian path is proposed around the attenuation pond, laid with self- binding gravel with amenity grassland, picnic bench and timber play equipment forming a 'trim trail'.

Amendments

1.11 During the course of considering the application, amended plans have been received that remove the private amenity space at plots 5,11,12 and 23 from being within the adjacent tree canopy. The landscape plan has also been updated to extend the play space to the north west and omit the woodland alongside the attenuation pond, thereby increasing the amount of amenity grassland. The affordable housing mix has also been amended to reduce the number of smaller affordable homes. The locations for Air Source Heat Pumps have also been provided on a plan (indicative only to show they can be accommodated at this stage).

DESCRIPTION OF THE SITE

1.12 The site is located to the north of the village of Southwater, on the western side of Worthing Road (B2237) and to the south of the Blakes Farm Roundabout and the Hop Oast junction on the A24. The A24 provides a link between Horsham, the southern parts of the District and Worthing. The site comprises a field managed as grassland and has an overall area of around 1.8 hectares. To the north east, the site adjoins the development site on Worthing Road that until recently demolished, comprised a derelict 2-storey detached dwelling (The Copse). This site has planning permission for a care home, drainage pond and an access road under DC/24/0622.

1.13 To the east lies the relatively recent Welcome Place development. The eastern site boundary, which backs onto the rear gardens of properties along Welcome Place, is defined by a timber post fence and hedgerow, with additional tree clusters in the south-eastern corner. Directly to the rear (west) of the site is a draft strategic allocation site for some 1,000 homes currently being considered under application DC/26/0366. The site is otherwise surrounded to the north and west by open countryside comprising grassland and arable fields with hedges, woods and plantations. A dense tree line provides screening from the A24 to the north, coupled with the ditch bordering the site, which provides a strong defensible northern site boundary.

1.14 The northern boundary of the site is also defined by a row of trees which are protected under TPO-1543. The site lies adjacent to existing properties in Welcome Place, and other detached properties called 'Pine Lodge' and 'Woodlands' which are located close to the site entrance onto Worthing Road.

2. INTRODUCTION

STATUTORY BACKGROUND

2.1 The Town and Country Planning Act 1990.

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

National Planning Policy Framework (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 (HDPF 2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy
Policy 4 - Strategic Policy: Settlement Expansion
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 27 - Settlement Coalescence
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
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

Southwater Neighbourhood Plan (2021):
SNP1 – Core Principles
SNP2 – Proposals for Residential Development
SNP4 – Keeping Our Roads Moving
SNP9 – Home Standards
SNP10 – Residential Space Standards
SNP11 – Specialist Accommodation and Care
SNP12 – Outdoor Play Space
SNP13 – Enhancing Our Non-Motorised Transport Routes
SNP14 – Adequate Provision of Car Parking
SNP15 – Driving in the 21st Century
SNP16 – Design
SNP17 – Site Levels
SNP18 – A Treed Landscape
SNP22 – Telecommunications

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 9: Water Neutrality
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 15: Settlement Coalescence
Strategic Policy 16: protected Landscapes
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 27: Inclusive Communities, Health and Wellbeing
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 39: Affordable Housing
Policy 40: Improving Housing Standards in the District

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

Parish Design Statement:

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

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/24/0622	Erection of a 70-bed care home, access, landscaping and associated infrastructure	Application Permitted on 26.03.2025
DC/23/1350	Hybrid planning application for the demolition of the existing dwelling and phased development comprising 33 dwellings, access, landscaping and other associated infrastructure (Full Planning); and erection of a 76 bed care home (Outline Planning) with all matters reserved except for access to the site.	Withdrawn Application on 02.02.2024
DC/25/2002	Prior notification for the demolition of derelict house known as The Copse.	Prior Approval Required and PERMITTED on 29.12.2025

3. OUTCOME OF CONSULTATIONS

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

INTERNAL CONSULTATIONS

3.2 **HDC Arboricultural Officer:** Comments

07.10.2026: (Comments on potential bridging)
The concept of bridging tree rooting areas is always a potential if expensive approach to a design solution.

It can be difficult as engineers often fail to fully appreciate that the entire structure and slab needs to be above existing ground levels and bar a few strategically placed mini piles there should be no excavations. This type of engineering then requires significant levels made up either side of the construction usually within tree RPA's which may defeat the purpose (as shown on submission). In this instance, I do not see how the engineering can be undertaken without impact upon the RPA's to the north of the slab.

If to be pursued I would like to see detailed design solution presented. I do not consider that this is an issue that can be left to a condition as it may not be feasible without significant impact on the tree RPA's.

19.08.2026: Objection
The altered garden layouts are an improvement in terms of future pressures on retained trees. No outstanding concern in this respect subject to the approval of the landscape team /ecology.

Regrettably, as I originally intimated, the road engineering proposed does not comply with the relevant design standard BS5837: 2012 Trees in relation to design, demolition and construction - Recommendations, and thus unsurprisingly it fails to protect the key rooting area of the TPO trees affected at the pinch point.

The layperson may not appreciate that the specification proposed requires the compaction of the existing minimum recommended root protection area of the oak trees prior to installation of the engineering. Whilst partially a "no dig" road it does not protect the roots or rooting environment beneath it. The product proposed is Geoweb's "Load Support System" that has absolutely no pretence to be for conserving or protecting viable tree rooting areas.

The product is stated as being “a proven cost-effective solution for challenging soil stability problems”.

The Geoweb product used for no – dig above ground engineering solutions to protect tree roots and the rooting environment is called “Geoweb Tree Root Protection System (TRP)”. The submitted AMS is somewhat confused as to how the road would be installed.

In my view, the engineering proposed may not be fit for purpose. Fit for taking heavy loads for development purpose but of no value in conserving the roots and rooting areas of the TPO trees beneath.

If on balance the foreseeable adverse impact on the future health of the trees is considered to be accepted, I would recommend that you ensure appropriate compliance conditions are utilised that ensure an appropriate scheme of arboricultural supervision for all aspects of the development and associated tree protection measures.

07.07.2026: Comments

The specification of road submitted is not to an adoptable standard. I recommend that you get WSCC to confirm if you are minded to approve.

The section drawing and proposed method of construction does not accord with the BS5837 design standard. Steel road edgings as shown to a depth of circa 250mm will sever all roots at this upper level within the soil horizon and act as a constraint on future rooting within the oak trees minimum recommended root protection areas (RPA’s). The reference to “Abweb” and submission of generic “Geoweb” information is not synchronised. The 100mm depth of web shown is highly unlikely IME to be adequate for purpose. An engineered design for both construction purpose (reference is made to a sacrificial web layer in this respect -no detail of depth or acceptability of approach with submitted “Geoweb” information is made) and latter finished surface, should be prepared by an engineer with knowledge of the existing soil bearing characteristics.

I would imagine existing/proposed levels and ground quality may not enable a ‘no-dig’ web formation to be laid over it and provide a suitable access road for 20 tonne plus vehicle movements as the development requires. The applicant should be given the opportunity to respond on this point as it is fundamental to understanding the foreseeable impact of the access road on the adjacent protected oak trees to the North.

Extent of RPA incursion for the road is within the maximum recommendation of the design standard.

A single trench utility line outside tree RPA’s would be acceptable in principle.

22.04.2026: More Information Required.

I have undertaken an assessment of the above site development and associated arboricultural impacts. It is apparent that deliverability in principle hinges on the ability to construct an access road and instal utility trenching that does not significantly impact upon the future health of the TPO oak trees immediately to the North.

The submitted arboricultural information does not deal with this key element satisfactorily/to the degree necessary at this stage of the planning process to have confidence that a no-dig solution and services connection route that complies with the design standard BS5837 recommendations is viable.

Therefore, please request the following additional information:

1. Clarification/confirmation that the road **will not** be built to an adoptable highway standard;

2. Provide a section drawing of the proposed finalised road specification including edging that accords with the BS5837 design standard;

3. Provide confirmation that the extent of new no-dig hard standing proposed does not exceed 20% of the currently unsurfaced minimum recommended root protection area of either of the two TPO oak trees affected;

4. Provide confirmation of where all the relevant utility installations will be routed – water, gas, electric etc. through this pinch point. If only a single trench is required, provide detail of services layout within it.

3.4 **HDC BNG/ Ecology Officer:** No Objection

08.07.2026: No Objection
[Summary] Many of the comments have been addressed, which is positive. However, discrepancies between documents remain pertaining to tree planting and the overlapping boundary with DC/24/0622. It is also disappointing to see that the proposed footpath through the retained priority woodland habitat remains, and the 5m riparian zone for some ditches are still subject to proposed encroachment. Further consideration to amend the plans to respect these habitats is strongly advised.
Comments relating to the post-development habitats and final HMMP will need addressing to discharge the deemed biodiversity gain condition and obligations within the legal agreement.

16.04.2026: Modification/ More Information
[Summary] The biodiversity metric demonstrates that the development will have an overall -46.04% net loss (-5.31 units) in area habitat and a 20.31% net gain (+0.27 units) in watercourses. However, further amendments are required pertaining to the baseline and the post-development tabs within the metric. Further modifications are requested relating to the layout of the development, in particular respecting the 5m riparian zone of the ditch network and redesigning the footpath to avoid the need for a bridge over the ditch and removal of priority woodland habitat. Brief comments are provided on the draft HMMP.

3.5 **HDC Drainage Engineer:** No comment

3.6 **HDC Environmental Health:** No Objection

12.10.2026: Conditions Recommended
[Summary]
1. I have reviewed the Updated Walkover from GeoEnviro Solutions Ltd and although the report is undated and provides no indication of when the updated walkover was undertaken it addresses our previous comment in relation to the walkover.
2. I have also reviewed the GeoEnviro Solutions Ltd Phase II and Updated Risk Assessment report, dated September 2025, and the fact that ground investigation works in the vicinity of the former dwelling have been undertaken is welcomed, we note however that this area around the former dwelling falls outside of the red boundary line for this application.
3. The conclusions of the preliminary contamination risk assessment are noted, in order to confirm ground conditions on the site, in particularly in areas that will be residential gardens, we would however like to see some ground investigation works undertaken on the site. The below conditions are therefore recommended (Contamination/ air source heat pump locations/ CEMP.

13.08.2026: More Information Required

1. Environmental Health have reviewed the drawing ref: FL25-2301-065 – Air Source Heat Pump Location Plan Rev A, which we understand supersedes the previous version, and it would appear that some of the ASHP units are still located close together. For these areas we therefore remained concerned in relation to the cumulative noise impact from these units, both in terms of proposed dwellings and offsite receptors.
2. In our comments dated 16.04.26, reiterated in our comments dated 29.06.26, we requested that a revised preliminary contamination risk assessment be provided, it is however not clear if this has been provided.
3. During site clearance, preparation and construction there is the potential for local residents to experience adverse impacts from noise, dust and construction traffic movements. These should be minimised and controlled by the developer and a construction environmental management (CEMP) plan will be recommended as a condition, once we are satisfied that the above matters have been addressed.

29.06.2026: More Information Required

1. EH have reviewed the Air Source Heat Pump Location Plan and it would appear that some of the ASHP units are located close together. For these areas we therefore have some concerns in relation to the cumulative impact of these units, both in terms of proposed units and offsite receptors.
2. We also note that a revised proposed site layout has been provided (uploaded onto the planning portal on 23.06.26), it therefore not clear if the above mentioned air source heat pump location plan is still accurate.
3. In our comments dated 16.04.26 we also requested that a revised preliminary contamination risk assessment be provided, it is however not clear if this has been provided.

16.04.2026: More Information Required
(summary)
Noise
Given the information submitted, no further information or conditions are required in relation to potential impacts from road traffic noise.

Land Contamination
An up to date site walkover is required

Construction Phase:
A CEMP will be required.

3.7 **HDC Housing**: No Objection

12.10.2026: No Objection
We are now happy with the proposed split.

07.07.2026: More Information Required
It is recommended that the applicant reviews the proposed affordable housing mix and looks to include family sized housing in line with current local demand. In the absence of a secured Registered Provider and evidence that the affordable housing provision is deliverable, Housing Officers are unable to support the application in its current form.

31.03.26: More Information Required
In the absence of confirmation that a suitable Registered Provider has been secured, and without sufficient evidence demonstrating that the proposed affordable housing provision is deliverable, Housing Officers are unable to support the application in its current form.

3.8 **HDC Landscape Architect:** No Objection

27.08.2026: No Objection
[Summary] Most concerns have been sufficiently addressed and there are no further comments. Please note the recommended conditions below.

21.07.2026: Advice/ Modification
[Summary] Many previous comments have been addressed and consistency is now broadly demonstrated across plans and documentation, with the exception of proposed woodland. Modification to layout remains requested in order to safeguard boundary tree belts, highlighting aforementioned plots 5, 11, 12 and 23; 23 in particular, given its relationship with P2T92 which is afforded protection under TPO/1543. Further amenity grassland suitable for informal play continues to be recommended in addition, given the limitations posed by the detention basin, ditch easement and woodland.

Existing and proposed levels plans required- this can be secured via condition.

Revision 5 of the Drainage Strategy (within the updated Flood Risk Assessment) has been coordinated with the landscape strategy. Areas of proximity are noted between underground services and tree planting, however it is noted that details of root barriers and root cells are to be provided at a later stage

While the HDC Arboriculturist has raised no arboricultural concerns, concern remains on landscape grounds. These trees, particularly P2T92, are a key feature of the receiving landscape and positively contribute to its rural qualities. Their loss or deterioration would have an eroding effect on the local landscape character, thus alterations to the layout remain requested.

It continues to appear that BNG proposals have not been coordinated with the Site Layout. Lack of consistency notwithstanding, details of wet woodland and lowland mixed deciduous woodland can be secured by condition

Further amenity grassland provision is recommended given the limitations posed by the detention basin, ditch easement and woodland.

22.04.2026: Advice/ Modification
[Summary] No concerns in principle. Modifications requested.
- Landscape Buffers should increased
- Inclusion of private gardens within RPAs should be avoided
- Lack of consistency amongst submitted plans
- Landscape impact of loss of trees
- It is recommended that not all open spaces be designated as woodland. To support the broader range of recreational opportunities, provision should include an area of amenity grassland suitable for informal play, picnics, etc.

3.9 **Nature Space:** Comment

03.09.2026: Comment
[Summary] The applicant for DC/26/0355 has recently obtained their NatureSpace certificate. Conditions and informative required

14.04.2026: Holding Objection- more information needed.
[Summary] The development falls within the red impact zone for Newts.

In line with the guidance from Natural England (Great crested newts: District Level Licensing for development projects, Natural England, 2025), there is a reasonable likelihood that great

crested newts will be impacted by the development proposals and therefore, the applicant must either:

Carry out Further Survey work OR Obtain a District Licence - Submit a NatureSpace Report or Certificate to demonstrate that the impacts of the proposed development can be addressed through the Council's District Licence (more details can be found at www.naturespaceuk.com)

OUTSIDE AGENCIES

3.10 **Archaeology Consultant:** Comment

10.06.2026 and 07.07.2026: Advice
I note that the applicants have requested that the archaeological requirement be conditioned and so, If the Council is minded to approve the application without an assessment, then an archaeological condition requiring a search of the Historic Environment Record to be provided within a Written Scheme of Investigation for the trial trench evaluation of the site should be attached to planning consent if granted.

The recommended planning condition is set out below. The same condition was advised for the adjacent site in 2024 but was replaced by a condition specifying that a watching brief was required when the application was approved. Please note that a watching brief is not appropriate for this site as a trial trench evaluation is required to determine the presence or absence of significant archaeology and so allow appropriate mitigation measures to be designed if required.

27.03.26: More Information
The application is for the development site of c.1.8 ha which is well over the 0.5ha area that requires the results of a search of the West Sussex Historic Environment Record to be provided. Due to the nature and size of the development, which would have a destructive impact on any archaeological remains that may be present, an archaeological desk based assessment should be provided that includes the results of a search of the West Sussex Historic Environment Record and examines all appropriate available sources in order to assess the archaeological potential of the site. The work should be carried out by an appropriately qualified professional heritage organisation to standards set out by the Chartered Institute for Archaeologists.
Once the assessment has been received an informed decision can be made regarding the need for further work to both clarify the archaeological potential and devise appropriate responses to mitigate the threat posed by the proposals to any potential archaeological remains.

3.11 **Ecology Consultant:** No Objection

17.07.2026 and 25.08.2026: No Objection Subject To Conditions
[Summary] We are now satisfied that there is sufficient ecological information available to support determination of this application.

23.04.2026: Further Information Required

We are not satisfied that there is sufficient ecological information available for determination of this application and recommend that details of survey results, mitigation and enhancement measures for bats are provided prior to determination.

Preliminary Bat Root Assessment required as well as confirmation that T83 is to remain.

We note from the Ecological Impact Assessment Revision 01 (Lizard Landscape Design and Ecology, December 2025) that some trees are proposed for removal as the trees are suffering from Ash die back. As the trees will be removed due to safety concerns and not for the development, no further surveys for bats are required for these trees. However, we recommend that due diligence with regard to roosting bats is exercised during removal.

We support the non-licensed Precautionary Method Statement for Hazel Dormouse in Section 4.7.2 of the Ecological Impact Assessment Revision 01 (Lizard Landscape Design and Ecology, December 2025), which should be secured by a condition of any consent and implemented in full.

We also support the Precautionary Method Statement for mobile protected and Priority species (including Hedgehog, which is a Priority and threatened species) in Section 4.5.2 of the Ecological Impact Assessment Revision 01 (Lizard Landscape Design and Ecology, December 2025), which should be secured by a condition of any consent and implemented in full.

3.12 **Environment Agency**: No Objection

13.04.2026: Conditions recommended

Without the following conditions we would object to the proposed development in line with paragraph 187 of the National Planning Policy Framework (NPPF) because it cannot be guaranteed that the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate or will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Condition – 1

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the LPA. The remediation strategy shall be implemented as approved. This should be carried out by a competent person in line with paragraph 196 of the NPPF.

We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the LPA. This is required prior to commencement of the development.

Reasons – 1

The previous demolition on the proposed development site presents a risk of contamination that may mobilise during site works and construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a secondary aquifer A and includes an abstraction.

This condition is to ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 187 of the NPPF.

Condition – 2
A scheme for managing any borehole on site shall be submitted to and approved in writing by the LPA. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring or abstraction purposes will be secured, protected and inspected. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the LPA.

Reasons – 2
If not decommissioned or maintained correctly, boreholes can provide preferential pathways for contaminant movement which poses a risk to groundwater quality. Groundwater is particularly sensitive in this location because the proposed development site provides a preferential pathway through an aquitard to the underlying principal aquifer.
This condition is to ensure that boreholes are safe and secure, and do not pose an unacceptable risk of groundwater pollution or loss of water supplies in line with paragraph 187.

Other comments relating to a borehole- not proposed on site.

Waste on-site Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the environmental permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

3.13 **Natural England:** No Objection
08.07.2026:
The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

10.04.2026: No Objection
Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

3.14 **Southern Water:** Comment
[Summary] Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer. Drainage condition recommended (foul and surface).

If it is the intention of the developer for Southern Water to adopt the proposed SuDS, the system shall be designed and constructed in line with the Design and Construction Guidance. No Soakaways should be connected to the public surface water sewer.

Southern Water requests that if consent is granted, the following pre commencement condition is attached to the planning permission; The developer must advise the local authority (in consultation with Southern Water) of the landscaping proposals in proximity of public apparatus in order to protect it in accordance with Southern Water's guidance, prior to the commencement of the development.

3.15 **WSCC Fire Officer:** Comment
[Summary] A planning condition for the requirement of additional fire hydrant(s) for the proposed development is required. This is to ensure that all dwellings on the proposed site are within 150 metres of a fire hydrant for the supply of water for firefighting.

Evidence will also be required that Fire Service vehicle access meets with the requirements identified in Approved Document B Volume 1 2019 Edition: B5 Section 13, including Table 13.1 and diagram 13.1.

3.16 **WSCC Highways:** No Objection

[Summary] Worthing Road (B2237) is a 'C' classified road subject to 40mph at the site access location. Worthing Road Roundabout is approximately 50 metre north of the proposed site access. There is footway on both sides of the carriageway in this location. South of the site, up to New Road, the footway continues east side only. To the north the eastern side footway provides a link to Blakes Farm Road and an alternative pedestrian route across A24.

The existing access will be upgraded to a bellmouth style access. The shared access road width will be 5m which is suitable for two cars to pass (in accordance with Manual for Streets Fig. 7.1) and footway and pedestrian crossing facilities will be created. The new footway will tie in with the existing provision on Worthing Road. A dropped kerb/tactile paved pedestrian crossing is proposed within the site access road and another to the north of the site access.

Visibility- adequate

Road Safety Audit- No outstanding road safety concerns

Parking and Internal Layout-
The site lies within Parking Behaviour Zone (PBZ) 2. In accordance with WSCC's Parking Standards, there is a requirement of 1.4 space for a 1- bed,1.7 space for a 2-bed, 2.1 space for a 3-bed and a 2.7 space for a 4-bed dwelling. The development mix comprises 1 x 1-bed, 7 x 2-bed, 9 x 3-bed and 6 x 4-bed dwellings which equates to 48 spaces. The applicant demonstrates 48 spaces including 5 visitor parking spaces which the Highway Authority considers as acceptable.

Safe and secure cycle parking provision is made within private garden sheds or garages of each dwelling. The internal layout accommodates a turning head for vehicles to turn within site and exit in forward gear. Delivery and refuse collection are carried out on site.

Sustainable Transport Accessibility-
The nearest bus stops are located to the south of the site within 2/3-minute walk and serve frequent routes to destinations such as Horsham (including train and bus station), Crawley and Worthing. There are also school services. Considering the likely additional bus use from residents and visitors, WSCC would support Realtime information boards at both northbound and southbound stops – contribution for which could be secured through s106 agreement.

Lintot Square, which is identified in the Southwater Neighbourhood Plan policy SNP1 as the centre for which development will be centralised in/around, is approximately 25-minute walk/ 5-minute cycle and provides grocery, healthcare and restaurants in its vicinity. It is at the higher end of the acceptable walking distance (approx 2km) however could be reached by sustainable transport modes for some.
Walking routes north are not ideal as require crossing of the A24 dual carriageway, though this may be acceptable for some pedestrians/cyclists wishing to reach Horsham football club, park and ride, garage or Horsham town centre.
The nearest train station is Christs Hospital which whilst outside of acceptable walking distance, could be reached by cycle in approximately 8 minutes. Alternatively, bus services 23 and 98 serve Horsham Train Station which has regular services to Bognor, Portsmouth, London etc.

Trip Generation and Highways Capacity-
The nationally recognised TRICS database has been interrogated to derive trip rates to estimate the likely vehicular movements associated with the development proposal. It is estimated that the development would generate two-way vehicle movements of 12 trips in the AM peak, 11 trips in the PM peak and 101 trips during the whole day.
Whilst the proposed development would give rise to additional vehicular traffic, the Highway Authority do not anticipate that the proposed use will result in causing a detrimental impact on the operation of the local highway network.

Conclusion-
The Highway Authority do 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; therefore, is not contrary to the National Planning Policy Framework (NPPF), paragraphs 114 -117, as revised December 2024. Therefore, there are no transport grounds to resist this proposal.
If the LPA are minded approving the application, we would advise securing following conditions: Access/ parking and turning/ Cycle parking/ Construction Management Plan/ Travel Plan

S106 Agreement -
TP monitoring fee (£4,110) and contribution (amount TBC) toward provision of Realtime at north and southbound Warnham Gate bus stops.
The access works including dropped kerb/tactile paved crossing of the new junction along Worthing Road could be secured through the s106 legal agreement.

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

29.06.2026 and 01.09.2026: No Objection
Following a review of the additional information, we have no further comments to make. If there are any further alterations to the site layout which will alter the impermeable area/drainage strategy for the site, an updated drainage strategy may be required.

13.04.2026: No Objection. Conditions recommended

3.18 **WSCC Minerals and waste:** No Objection

The proposed development seeks Planning Permission for the development a 2.8ha area of land to the west of Southwater for the delivery of 23 dwellings and associated infrastructure and landscaping. The application site is located within the Mineral Safeguarding Area (MSA) for Brick Clay (Weald Clay) and Building Stone. Paragraph 2.4 of the Minerals and Waste Safeguarding guidance sets out the criteria for when the MWPA should be consulted on applications within Mineral Safeguarding Areas. Consultation with the MWPA on applications for non-mineral development within a Brick Clay or Building Stone MSA are only necessary when the development area exceeds 3ha. Therefore, given the application site area is less than 3ha, no significant degree of mineral sterilisation is anticipated. As a result, the MWPA would offer no objection to the proposed development from a mineral safeguarding perspective.

PUBLIC CONSULTATIONS

3.19 Representations:
19 letters of Objection have been received from 14 addresses, objecting to the application on the following grounds:

- Conflict with the development plan
- Introducing Built form beyond the settlement boundary
- Compact and dense design/ layout

- A number of three/ two and a half storey houses providing over looking and loss of sunlight
- Overdevelopment
- Loss of Light, privacy and Noise
- Over looking to rear of Welcome Place
- Construction noise/ dust/ disruption
- Cumulative impact of small sites in Southwater
- Highways Impact- congestion and safety due to location near roundabout
- Concern over danger to children of ponds
- Impact of road running along the side of additional dwelling on Welcome Place
- Lack of infrastructure
- Drainage and surface water
- Noise impact from air source heat pumps
- Impact on wildlife
- Concern with previous bat survey
- Cumulative impact of development and settlement coalescence

3.20 One letter of Support have been received from one address and one neutral comment, commenting on the application on the following grounds:

- Good design and layout
- Vacant land for a long time
- Good gateway into the village
- Increase biodiversity is essential

3.21 Parish Comments:

Southwater Parish Council: Objection

05.10.2026: Additional Objection Justification
Further to our objection dated 10 April 2026, copy attached, Southwater Parish Council considers that this application raises significant planning matters.

The principal issue is the proposed development of up to 23 dwellings would be outside Southwater's built-up area boundary, on an unallocated site which was rejected through the Neighbourhood Plan process. This raises a fundamental question about the location of settlement growth and adherence to the adopted spatial strategy, rather than a minor or technical objection.

The Council further considers that the proposal conflicts with HDPF Policies 2, 4 and 26 and Southwater Neighbourhood Plan Policies SNP1 and SNP2. The backland and edge-of-settlement form also raises concerns about local character and the transition to the surrounding countryside under SNP16 and SNP17.

The dismissal of a materially identical proposal at appeal in July 2019 further reinforces the significance of the planning issues. In the Council's view, the reduction in dwelling numbers does not overcome the fundamental objection to the principle of development

The Council therefore request referral to the Planning Committee to scrutinise whether the housing and economic benefits are sufficient to outweigh these development plan conflicts. The Parish Council maintains that they are not.

10.04.2026: Objection
[Summary] A materially identical proposal was dismissed at appeal in July 2019 under comparable policy circumstances- no material change to justify a different conclusion.

The site lies outside the defined built-up area boundary of Southwater and is not allocated for development within either the Horsham District Planning Framework (HDPF) or the made Southwater Neighbourhood Plan. The site was also rejected through the Neighbourhood Plan process.

Contrary to HDPF 2, 4 and 26.

Conflicts with SNP1, SNP2, SNP16 and SNP17.

The proposal represents speculative and unplanned development in the countryside, directly undermining the adopted development strategy.
The Council acknowledges that there is currently a shortfall in housing land supply and that paragraph 14 of the NPPF is engaged. It is also recognised that the proposal may deliver some benefits, including affordable housing, construction employment and increased local expenditure.
However, these benefits represent standard development expectations, not exceptional circumstances. They do not outweigh the significant and fundamental conflict with the development plan.
The absence of harm in terms of landscape, amenity or highway safety does not outweigh clear policy conflict.
Paragraph 17 of the NPPF emphasises the importance of a genuinely plan-led approach to decision making, consistent with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990.
There are no material considerations of sufficient weight to justify a departure from the adopted development plan.

In conclusion, Southwater Parish Council objects to application DC/26/0355 because:

- The site lies outside the built-up area boundary and is not allocated for development.
- The proposal conflicts with HDPF Policies 2, 4 and 26.
- The proposal fails to comply with Southwater Neighbourhood Plan Policies SNP1, SNP2, SNP16 and SNP17.
- The principle of development has previously been dismissed at appeal.
- The benefits of the scheme do not outweigh the clear and significant policy conflict.

3.22 Member Comments:
Firstly and most significantly the severe impact on existing neighbours in Welcome Place causing a loss of privacy, overlooking and noise. This will cause significant loss of amenity and impact on daily life for existing residents here.

There is also a significant impact on the landscape on biodiversity and on loss of natural habitats for wildlife. I have concerns on loss or potential damage to trees with TPOs.

I also have concerns with the proposed development's conflict with the Southwater NP. In particular policies SNP1 and SNP2 and also concerns about impact on local character and transition to the surrounding countryside under policies SNP16 and SNP 17 of the Southwater Neighbourhood plan.

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

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

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

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

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

6. PLANNING ASSESSMENTS

Background:

6.1 Three previous planning applications were refused in 2015 (DC/15/0290), 2017 (DC/17/2195) and 2019 (DC/19/2219) for 13 - 15 new dwellings on the eastern part of the site (where permission has since been approved for a care home under DC/23/1350). All three applications were refused in principle owing to their location on an unallocated site outside of the defined Southwater settlement boundary at a time when the Council could demonstrate a five year housing land supply. The 2017 application was also dismissed at appeal.

Principle of Development:

6.2 As it stands, the development plan relevant to the proposed development comprises the Horsham District Planning Framework (HDPF, 2015), the 'made' Southwater Neighbourhood Plan (SNP 2021) and the West Sussex Joint Minerals Local Plan (2018). In accordance with planning law, these documents form the statutory development plan and the starting point for the assessment of the development proposals. The National Planning Policy Framework (2026) and accompanying Planning Practice Guidance are material considerations relevant to the development proposals.

Horsham District Planning Framework (HDPF, 2015) and Southwater Neighbourhood Plan (2021)

6.3 HDPF Policies 1 (Sustainable Development), 2 (Strategic Development), 3 (Development Hierarchy), and 4 (Settlement Expansion) set out the settlement hierarchy of the district and establish the Council's main strategy for the location of development across the district. HDPF Policy 3 specifically outlines the settlement hierarchy of the district and establishes that development will be permitted within defined built-up area boundaries (BUABs).

6.4 HDPF Policy 4 (Settlement Expansion) supports the growth of settlements outside built-up area boundaries to meet identified local housing where;

1.) A site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge;
2.) Where the level of expansion is appropriate to the scale and function of the settlement;
3.) Where the development would satisfy identified local housing (or employment) need or would assist with the retention and enhancement of community facilities/services;
4.) Where development would not prejudice long-term strategic development and;
5.) Where development is contained within an existing defensible boundary and would maintain features of landscape and townscape character.

6.5 HDPF Policy 26 (Countryside Protection) also provides support for development outside of BUABs where there is an essential need for a countryside location, and where further qualifying criteria are met.

6.6 The Southwater Neighbourhood Plan was formally made in June 2021. The plan contains policies and allocations of housing land to meet the identified housing need. Policy SNP1 stipulates that new development within Southwater should be within easy walking distance of Lintot Square, (some 1.9m to the south), and that the settlement should only grow beyond its boundaries in accordance with policies in the Development Plan.

6.7 The frontmost part of the site, which encompasses the immediate site access off Worthing Road, falls within the defined Built Up Area Boundary of Southwater (as this part of the site forms part of the residential curtilage to the former dwelling on the site). The remaining substantive part of the site comprising the remaining access road and all the dwellings and open space, falls outside the defined settlement boundary to Southwater and therefore in the countryside in policy terms. The proposed development is not considered to have an essential need for a countryside location, and the site has not been allocated for residential development within either the HDPF or the SNP. The proposal would therefore be at odds with the adopted spatial plan and would fail to accord with HDPF Policies 2, 4 and 26 and SNP Policy 1 accordingly.

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

6.8 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. Nonetheless, given the plan remains at examination stage at the time of writing, the policies and background evidence base within the eLP are currently considered to carry limited weight.

6.9 The site does not form a draft housing allocation within the eLP. It is though noted that draft Policy HA3 of the eLP allocates land for a strategic allocation for 1,000 homes at Land North West of Southwater that will extend to the west and north of this application site, and a parallel outline planning application pursuant to draft policy HA3 is under consideration (DC/26/0366). Given this draft allocation will develop the countryside to the west and north to varying degrees, the application site will in effect become surrounded by development. This is material to the Officer recommendation on this application, and the weight to this consideration will increase as the eLP moves towards adoption.

Shaping Development in Horsham District PAN

6.10 In light of the Council's inability to demonstrate a 5-year supply of deliverable housing sites, and in recognition of the key objective of Government policy to significantly boost the supply of homes, the Council has endorsed a Shaping Development in Horsham District 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.

6.11 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.

6.12 The site adjoins the existing settlement edge as defined by the BUAB, is of a modest level of expansion appropriate to the scale and function of Southwater as a Tier 2 'Small Town and Larger Village' within the HPF Policy 3 settlement hierarchy, will help meet local housing needs, will not prejudice comprehensive long-term development (noting the adjacent proposed strategic allocation for 1,000 homes at Land North West of Southwater that will extend to the west and north of the site), and is contained within an existing defensible boundary and maintaining the landscape character features. In the event the Land North West of Southwater allocation progresses as anticipated, the site will be in effect surrounded by further development on all sides, further evidencing compliance with the above criteria. The SDPAN therefore supports the principle of development on this site.

National Planning Policy Framework (2026)

6.13 The updated National Planning Policy Framework (NPPF 2026) was published on 17 August 2026 and is a material consideration 'of critical importance' in decision-making from the date of publication. Annex A of the NPPF sets out that development plan policies (or parts of policies) which are materially inconsistent with national decision-making policies in the Framework should be given very limited weight, but that development plan policies should not be given reduced weight simply because they were adopted prior to the current NPPF.

6.14 NPPF Policy S3 establishes a permanent presumption in favour of sustainable development and states that development outside settlement boundaries should be assessed in accordance with Policy S5. NPPF Policy S5(1) identifies specific forms of development outside settlements that should be approved unless the benefits of doing so would be 'substantially outweighed' by any adverse effects. As the Council has a current 1.7 year housing land supply and a Housing Delivery Test score of 44%, part j) of Policy S5(1) is most relevant in the determination of this application, which requires support to be given for:

> *(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; or*
>
> *ii) Comprise major development for freight and logistics purposes which accords with policy E3.*

6.15 The application site is considered to be physically well-related to Southwater as it adjoins the defined settlement edge immediately to the east with access gained from with the settlement boundary itself. Although at the most northly end of the village, the site is well connected to the local road and bus network on Worthing Road, which leads directly to Lintot Square, Southwater Infant School and Southwater Academy (juniors) as well as other community facilities such as the doctors surgery. Further, the provision of 23 homes is clearly of a scale that can be accommodated on the edge of this Tier 2 'Small Town and Large Village' settlement given the range of infrastructure within Southwater.

6.16 The proposal therefore gains in-principle support from NPPF Policy S5.1 (j). How this support is balanced against the conflict with the development plan policies referred to above is provided at the end of this report under the heading 'Planning Balance'.

Housing Mix and Affordable Housing:

6.17 HDPF Policy 16 states that development should provide a mix of housing sizes, types, and tenures to meet the needs of the district's communities as evidenced in the latest Strategic Housing Market Assessment (Iceni, November 2019). HDPF Policy 16 additionally requires proposals for 15 or more dwellings to deliver 35% of dwellings to be affordable with a tenure split of 70% affordable rented and 30% intermediate tenure.

6.18 Nationally, 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.

6.19 The Council's housing team have commented that the Housing Register in Southwater/ Christs Hospital currently identifies 314 households in need of accommodation. The demand profile is broken down as follows:

- 97 households (31%) require a one-bedroom property
- 53 households (17%) require a two-bedroom property
- 122 households (39%) require a three-bedroom property
- 42 households (13%) require a four-bedroom or larger property

6.20 The schedule of housing is set out in paragraph 1.4. of this report. A tenure plan is also provided showing the location of the affordable units. The overall housing mix is considered to represent an appropriate housing mix in suitable compliance with the SHMA and the Council's Housing Officer is content that the affordable housing offer is appropriate, being weighted towards three bedroom units where demand is the greatest. The tenure mix for the affordable housing is suitably compliant with HDPF policy 16 with a 66 to 33 % split (6:3) in favour of rental homes.

Design and Appearance:

6.21 HDPF Policies 25 and 26 seek to protect the natural environment and landscape character of the district, including the landform and development pattern, together with protected landscapes and habitats. Development will be required to protect, conserve and enhance landscape and townscape character, taking account of areas or features identified as being of landscape importance, individual settlement characteristics and settlement separation.

6.22 HDPF Policies 32 and 33, and SNP16 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.

6.23 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.

6.24 The wider residential development of the site would be appropriately proportioned and detailed in accordance with the edge of village location and rural transitional location, with materials and details subject to final planning conditions. The housing would be laid out

along one main primary road which enters the site from Worthing Road, past the consented care home and into the site where it turns left heading south then right heading west towards the attenuation basin and open space. More housing is accessed via a shared surface off of the primary road.

6.25 The design and access statement says that the design has been inspired by the Berkeley Homes masterplan concept imagery and draws on materials and detailing found within the Horsham area, blending traditional influences with a 'refined, modern aesthetic'. The materials proposed include red brick, timber weatherboarding, brick detailing, and feature timber framework- all of which will establish a strong coherent appearance and are considered appropriate in this location.

6.26 The houses will have simple, low-profile roof forms that are relatively contemporary in design and less traditional than the higher pitched hipped roofs. While chimneys will be introduced to identify the site with the traditional forms of Sussex, and the materials will reflect the traditional character and remain sympathetic to the location, the overall design of the development is contemporary featuring clean lines and simple shapes. This is considered appropriate in the context of the site, where surrounding development is of a mixed post-war suburban character.

6.27 Officers have had regard to SNP policies 16 and 17, and consider that, subject to the submission of final material details by way of planning condition, there would be no adverse conflict with these policies, which seeks to direct a localised aesthetic of design and development.

6.28 Officers also note the densities, orientations, amenity spaces, play area, open spaces, parking, internal linkages and landscape buffers shown on the site plan (discussed separately below under relevant headings), and consider that these could satisfactorily be accommodated on the site without causing unacceptable harm to the wider landscape character and local amenity, and would therefore accord with HDPF policies 25, 32 and 33, and SNP policies 16 and 17.

Landscaping and Open Space:

6.29 Policy 25 of the HDPF seeks to preserve, conserve and enhance the landscape and townscape character of the district, taking into account individual settlement characteristics, and maintaining settlement separation. Policy 26 states that, outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Policy 31 of the HDPF sets out support for development proposals that demonstrate that it maintains and enhances the existing network of green infrastructure, as well as requiring proposals to enhance existing biodiversity, and create and manage new habitats where appropriate. Policy 33 of the HDPF states that in order to conserve and enhance the natural and built environment, developments shall be required to ensure that the scale and massing of development relates sympathetically within the built surroundings, landscape, open spaces and routes within the adjoining site.

6.30 Nationally, Policy N2(1) of the NPPF seeks to ensure that developments respond positively to the natural environment, and support nature's recovery. The policy goes on to require the following (relevant elements):

(a) consideration is given to the environmental qualities of development sites, including habitats, landscape character and the natural beauty and that those qualities are enhanced and conserved

(d) Conserve and enhance existing natural features or visual, historic or nature conservation value (such as hedgerows and trees), and use appropriate landscaping to help create a well-designed place and integrate the development into its surroundings
(e) Use green infrastructure as part of the scheme and nature-based solutions to secure multiple benefits
(g) Ensure that green infrastructure and other features which support nature are located and designed to minimised risk of failure, and that appropriate measures are in place for any necessary long-term management

6.31 Policy N2 also advises that proposals where significant harm to biodiversity cannot be avoided, adequately mitigated, or, as a last resort, compensated for, should be refused.

6.32 Aligned with N2, is Policy DP3, which sets out an expectation that development proposals respond to their context (character and setting), to integrate with and enhance their surroundings, and under DP3(2)(c) to incorporate and / or connect to a network of quality and accessible, multi-functional green infrastructure to provide opportunities for recreation and healthy living, strengthen habitats, improve climate change resilience and improve air and water quality, including maintaining and enhancing tree cover (in accordance with policy N3, which expects suitable tree species, and new tree-lined streets).

6.33 The application site adjoins but lies outside of the Built-Up-Area Boundary of Southwater. In physical terms the site consists of a grassland field surrounded by a hedgerow and tree boundary on three sides and properties on Welcome Place to the east.

6.34 Under the Open Space, Sport & Recreation Review (2021) Paragraph 331 states that 'the basic principle is that a development should provide for the recreational needs that they generate. All new developments should therefore contribute. Consequently, the Council expects adequate provision of open space, playing pitches, indoor and built sports facilities to be provided.' Chapter 11 of the review outlines a step by step guide to calculate the open & play provision needs of a development.

6.35 The development is laid out so the open space is provided adjacent to the new development to the west of the housing. The existing woodland to the north western corner will be protected forming a wider open space within the site. This also provides a buffer from development to the surface water flood risk susceptible area (which appears as a drainage ditch on the site). The existing streams lead to this wet woodland and provide a suitable location for attenuation ponds on site. The existing grassland in this area will be retained and over seeded with a species rich native seed mix for added biodiversity. Public access will be provided via a footpath offering a circular access around the open space and crossing the existing ditch on both sides of the pond. This would also provide a potential link to the west, towards the wider countryside and the proposed housing development to the west.

6.36 Play equipment would be scattered throughout the open space with timber trim trail elements located along the path. Given the restricted site area it is acknowledged and accepted that not all forms of open space set out in the OSSR review can be reasonably provided within the site.

6.37 The Council's Landscape Architect has assessed the application. The specialist officer confirms that the site is located within H1 Southwater and Christs Hospital Farmlands character are of the Horsham District Landscape Character Assessment. This landscape is typified by the low ridge and plateau, with prominent rounded knoll of Shapenhurst Hill, few woodland and hedgerows and relatively open character with extensive open views. The site is also considered as part of Local Landscape Character area 29: Land North West of

Southwater, in the Landscape Capacity Study (2021), which assesses the suitability of sites for medium to large scale development. In terms of medium scale development, the visual sensitivity of the area to development was determined to be 'Low-Moderate' due to the strong framework of hedgerows and shaws, although it is recognised that there will greater visual sensitivity on some valley sides. There is no public access into the site and it is recognised that the proximity of the road influences the tranquillity experienced. 'Low-Moderate' landscape value is attributed.

6.38 The Landscape officer did raise concerns relating to increasing buffers between the rear gardens of the properties to protect the existing tree belts from being included with the private garden spaces. The garden boundaries have been adjusted to ensure that the RPAs are not within the private gardens and the buffers have been extended.

6.39 Details relating to hard and soft landscaping have been provided, which include native planting, shared surfaces and wildflower seeding. Notwithstanding this detail, full hard and soft landscaping details should be conditioned.

6.40 Concern was raised with discrepancies in the plans including locations for planting and conflicts with services and drainages. Amended plans were received to ensure all plans aligned. Landscape 'mounds' have been omitted due to the extensive woodland planting requirements, and the woodland has been reduced slightly to provide more amenity space and additional benches and picnic table.

6.41 The application is accompanied by a Landscape and Visual Appraisal (LVA)- updated since the 2023 submission. As with the previous application, the overall conclusion is that the proposals will not have significant adverse effects on the landscape character and amenity of the area, even if recognised that locally some adverse effects may be recognised. To mitigate these adverse effects, the landscape officer has requested either further information or consideration or amendments to the layout of the site- all of which have been received and no objection or additional requirements that can not sufficiently be addressed by conditions remain.

Trees

6.42 A number of trees and tree groups within and adjacent to the site are subject to a Tree Preservation Order as below:

- TPO1543 Land to the west of Welcome Place. This is a strip of mixed woodland to the northern and western boundary of the site containing mostly protected Oak Trees/ Hornbeam/ Alder (excludes the ash trees). 2x Oak adjacent to eastern boundary with Welcome Place. T1 (on the eastern boundary- tree to the north) received consent to fell under 5 day notice on 29.08.2025- replacement is due.

6.43 There are also a number of drainage ditches around and through the site which many of the trees sit alongside of.

6.44 The Council's tree officer has reviewed the proposal and has concerns around the ability to construct an access road into the site and instal utility trenching that does not impact upon the future health of the TPO oak trees immediately to the north. The access road would run within the RPA of two of these TPO trees. This has been calculated as an encroachment of 16% for tree T12 and 18% for tree T13. This is within the 20% maximum recommended amount of new hardstanding within the RPA within BS5837 (2012) guidance.

6.45 To reduce the risk of harm to these two trees the applicants initially proposed a 'no dig' surface for the access road which would involve the installation of 'Geoweb' which is a sacrificial layer that is retained for ground works and constructions works and then removed and kerbs and surface finishes installed. The tree officer raised concerns that this will not protect the tree roots fully and in response the applicants have put forward a proposal to install a 'root bridge' which involves hand excavation of piles, allowing any significant roots to be identified and pile locations to be adjusted accordingly. The road is then effectively installed as a 'bridge' over the roots, involving engineering works to build up both ends of the bridge. The bridge would be around 20 metres in length and approximately 12cm deep plus the surface finish for block paving of 12.4cm- meaning a total land rise of approx. 24.5cm would be expected. The same types of root bridges have been used elsewhere for developments and it is noted that the recently approved appeal at Bax Close (DC/24/1196) was approved based on a very similar indicative engineering solution with the road in that instance being within 17.5% of the RPA of a protected tree.

6.46 It is agreed that the construction of an access road into the site is likely to cause some harm to the two trees that will have some road construction within their RPA. A proposed form of engineering works that can help to mitigate this has though been put forward, and that has been used elsewhere. The full details of these engineering works would be required to be provided prior to construction if it is found that the proposal is acceptable under the planning balance.

6.47 New tree planting will include 69 new trees, in alignment with HDPF Policy 31 and in excess of the 1 tree per 40m2 required by policy SNP18. Root barriers and root cells would be used in areas where tree planting is in close proximity to underground services.

6.48 The current provided planting lists are considered indicative and conditions are recommended to provide full details/ schedules of planting including larger specimens where required to maintain the boundary.

Residential Amenity:

6.49 HDPF Policy 33(2) and SNP16.1 state that proposal should not cause unacceptable harm to the amenity of the occupiers/users of nearby properties and land. The nearest residential dwellings are located to the east with the residential gardens of dwellings along Welcome Place backing onto the site.

6.50 NPPF Policy P3.2 sets out that development should protect the amenity of residents and sets out that developments should not result in the loss of light to neighbouring dwellings or any unacceptable levels of air, noise, artificial light, water, soil pollution.

6.51 The adjacent residential development at Welcome Place is in itself a backland development set to the rear of houses which front Worthing Road. The proposed development would exhibit comparable relationships to these existing dwellings as is already present within the development patterns of the area and the recent developments at Welcome Place and Courtlands.

6.52 Concern has been raised relating to the potential for overlooking to the properties on Welcome Place. The closest plots are plots 1 - 8 which have their gardens backing on to Welcome Place. Plots 4-8 are two storey properties with front dormers accommodating a bedroom and bathroom in the roof, and a single rooflight to each property on the rear roof plane serving the bathroom. These bathroom rooflights are not considering to pose overlooking concerns. A landscape buffer is also provided along the eastern boundary of plots 3-8 and an existing ditch and trees (outside of the red line boundary) also separate the rear boundaries of plots 1 and 2 from the gardens on Welcome Place. In any event, the back-to-back distances achieved between the existing dwellings at Welcome Place and within the

proposed development would be in excess of 30m. It is not therefore considered that the proposal will result in unacceptable amenity harm to these existing neighbours.

6.53 It is considered that the site layout otherwise appears to ensure an appropriate degree of separation between dwellings and raises no significant concerns of overlooking, overshadowing or overbearing impact.

6.54 Construction operations associated with the proposed development would not prove excessive, given the scale of proposed works, with noise/dust disturbance arising from construction operations deemed to be controlled to appropriate degree subject to the inclusion of conditions requiring detailing pertaining to construction set-up and management together with appropriate limits on construction hours.

6.55 Overall, subject to the inclusion of appropriate conditions, it is considered that the proposed development would not result in unacceptable harm to the amenities of nearby occupiers/users of land, such as to amount to conflict with HDPF policy 33 and SNP 16.1 in amenity terms.

Amenity – Future Occupiers:

6.56 Paragraph 135(f) of the NPPF seeks to ensure that development is safe, inclusive, accessible and which achieves a high standard of amenity for existing and future users. Policy 32 of the HDPF, further, seeks to ensure that development provides an attractive, functional, accessible and adaptable environment.

6.57 Each proposed dwelling would benefit from a private amenity space suited to the needs of family dwellings, and further, being designed to provide an adequate standard of internal space to suit the needs of future occupiers.

6.58 The development has been designed so that no rear walls will face each other and so there is considered to be private space, that is not unacceptably overlooked for each of the dwellings.

6.59 Each property will have an air source heat pump located to the rear elevation. This has been shown on a plan but the locations are only indicative at this stage. The Council's Environmental Health Officer has raised concerns where the heat pumps are located too closely together and the noise impacts of this. This can be dealt with via condition and the EHO would be consulted on their final positions.

6.60 It is, therefore, considered that future occupiers would benefit from a sufficient standard of amenity so as to satisfy the provisions of NPPF paragraph 135(f), HDPF policy 32 and SNP 16.1.

Archaeology

6.61 The site size is over the 0.5 hectares area that requires the results of a search of the West Sussex Historic Environment Record to be provided. This can be required via a pre-commencement planning condition, the wording of which has been recommended by the County Archaeological Officer. The officer has stated that a 'watching brief' would not be appropriate for this site and the full recommended condition is required.

Highways Impact:

6.62 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. Policy SNP4 of the SNP requires any new development to

demonstrate that it will not lead to any severe or unacceptable safety impact on the highway network and actively promotes alternative travel methods, with any infrastructure improvements necessary included within development proposals.

6.63 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 sates 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.

6.64 Worthing Road (B2237) is a 'C' classified road subject to 40mph at the site access location. Worthing Road Roundabout is approximately 50 metre north of the proposed site access. There is footway on both sides of the carriageway in this location. South of the site access, up to New Road, the footway continues on the east side only. To the north of the site entrance, the eastern side footway provides a link to Blakes Farm Road and an alternative pedestrian route across the A24

6.65 The existing access will be upgraded to a bellmouth access. The shared access road width will be 5m which is suitable for two cars to pass (in accordance with Manual for Streets) and footway and pedestrian crossing facilities will be created. The new footway will tie in with the existing provision on Worthing Road. A dropped kerb/tactile paved pedestrian crossing is proposed within the site access road and another to the north of the site access. A new 2.0m footpath will also run along the southern side of the main access road from the new development before crossing to the north to serve the Care Home, ensuring safe and convenient pedestrian connections to the residential units. A landscaped green buffer will be created between the road and the Pine Lodge boundary, providing both visual screening and amenity value.

6.66 A seven-day ATC speed survey undertaken in June 2025 revealed 85th percentile speeds of 31.8 miles per hour northbound and 31.7 miles per hour southbound on Worthing Road. The site access junction with Worthing Road has adequate visibility splays for the recorded 85th percentile speeds.

6.67 A Stage 1 Road Safety Audit (RSA1) was undertaken in May 2023 to identify any features of the proposed access and layout that could be modified to improve safety. The RSA raised two matters relating to potential overspill parking on Worthing Road and the presence of existing street furniture within the proposed footway. The applicant has addressed these two matters through confirmation that all parking demand can be accommodated on site and by amending the access plan to relocate the affected street furniture. A subsequent updated RSA 1, completed in September 2023 following WSCC comments, confirmed that there are no outstanding road safety concerns associated with the proposed scheme.

6.68 An inspection of collision data provided to WSCC by Sussex Police from a period of the last 5 years reveals no recorded injury accidents within the vicinity of the access. Therefore, there is no evidence to suggest the existing access is operating unsafely or that the proposal would exacerbate an existing safety concern.

6.69 The nationally recognised TRICS database has been interrogated to derive trip rates to estimate the likely vehicular movements associated with the development proposal. It is estimated that the development would generate two-way vehicle movements of 12 trips in the AM peak, 11 trips in the PM peak and 101 trips during the whole day.

6.70 Whilst the proposed development would give rise to additional vehicular traffic, the Highway Authority do not anticipate that the proposed use will result in causing a detrimental impact on the operation of the local highway network.

6.71 A number of objections are noted as part of the neighbour and Parish Council representations, citing the perceived danger arising from the development and the proposed access to the site from the Worthing Road, including concerns over diminished visibility to the north given vegetation growth along the verge. However, the West Sussex County Council Highways Authority have reviewed the submitted details and are satisfied that the proposal would not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. The proposal therefore is not considered to be contrary to Policy TR6 of the NPPF, and there are no transport / movement grounds to resist the proposal. Highways conditions have been recommended in the event that permission is granted, including: access to be implemented, and submission of a Construction Management Plan.

Parking

6.72 The site lies within Parking Behaviour Zone (PBZ) 2. In accordance with WSCC's Parking Standards, the proposed mix of dwelling sizes would require some 48 parking spaces. The plans detail 48 spaces including 5 visitor parking spaces which the Highway Authority considers as acceptable. Each dwelling would have a minimum of two dedicated parking spaces.

6.73 Safe and secure cycle parking provision is made within private garden sheds or garages of each dwelling. The internal layout accommodates a turning head for vehicles to turn within site and exit in forward gear. Delivery and refuse collection are carried out on site.

Site Connectivity and Sustainability

6.74 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.

6.75 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.

6.76 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.

6.77 As previously outlined the application site falls just outside and adjoining the Built-Up-Area Boundary of Southwater. Southwater is classified as a 'Small Town and Larger Village' settlement type with a good range of services and facilities, strong community networks and local employment provision, together with reasonable rail and / or bus services. The settlement acts as a hub for smaller villages to meet their daily needs, but also has some reliance on larger settlements such as Horsham to meet some of their requirements.

6.78 Policy SNP1.1a of the Southwater Neighbourhood Plan states that any development proposals consisting of 10 or more residential units should be within reasonable walking distance of Lintot Square or be able to easily access Lintot Square using public transport networks. Whilst it is noted that the walking distance into the centre of Southwater exceeds the 'reasonable walking distance' set out in the NPPF in relation to train stations (800m or 10 minutes), in this instance, the pedestrian route would be entirely within / through the built-up area of Southwater, on dedicated footways, and alongside roads with a posted 30mph limit.

6.79 The site accesses on to Worthing Road which is the main arterial highway and pedestrian route through Southwater. Worthing Road leads directly to the centre of Southwater with the closest shop at the Texaco garage being around a 20 minute walk and Lintot Square, the main shopping area of Southwater (groceries, healthcare and restaurant/ public house) being a further 5- 8 minute walk. All can be reached by bicycle in around 5-10 minutes. The Worthing Road also leads directly to both Southwater Infant School and Southwater Academy (juniors) as well as other community facilities such as the doctors surgery.

6.80 There is also a bus stop around 230m to the south of the site entrance (called Warnham Gate), served in both directions by bus routes 23 and 98. These provide a bus to Lintot Square in less than 5 minutes and a direct route back within 3- 4 minutes (and onwards to Horsham Station within 18- 24 minutes (depending on Tanbridge House School drop off times). There are also buses every 20 minutes from around 06.30 till at least 23.00 Monday to Friday, 07.00-23.00 Saturday and every 30 minutes 9.30 to 18.30 on Sundays.

6.81 Given these factors the is considered compliant with SNP Policy SNP1.1a, and enables the prioritisation of sustainable transport modes in compliance with national Policies TR3, TR4 and CC2.

6.82 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, therefore is not contrary to NPPF policy TR3 and TR4, and that there are no transport grounds to resist the proposal. The LHA has advised that conditions should be included to secure the provision of the vehicular access and a construction management plan. Having considered the site and it context, Officers have no reason to disagree with this conclusion.

Ecology:

6.83 HDPF Policy 31 states that development proposals will be required to contribute to the enhancement of existing biodiversity and should create and manage new habitats where appropriate. The Council will support new development which retains and /or enhances significant features of nature conservation on development sites. SNP18 requires proposals to produce measurable enhancements to the treed environment to ensure biodiversity net, and to provide a minimum of one new tree per 40m2 of floor space created.

6.84 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)).

6.85 The site is currently undeveloped and includes a number of features of potential ecological value including mature boundary vegetation, a drainage ditch and log piles from previous site clearance.

6.86 An Ecological Impact Assessment Revision 2 (Lizard June 2026) has been submitted to support this application. The Council's Ecologists have considered this and advise the following:

Bats

6.87 The site lies approximately 12.01km from The Mens Special Area of Conservation (SAC) and therefore lies outside the 12km Wider Conservation Area for this SAC, for which significant impacts or severance to flightlines must be considered (Sussex Bat Special Area of Conservation Planning and Landscape Scale Enhancement Protocol).

6.88 At first there appeared to be a lack of survey information relating to bats due to the building on site having being demolished. However, the previous concerns regarding bats and their roosts have been addressed, specifically with regard to the roost potential of the building, which has been clarified as being covered by a European Protected Species Mitigation Licence, dealt with via a separate planning application (the building is not within the red line boundary of this site). Additionally, regarding tree T83, which was assessed as having potential for bat roosts, there has now been clarity regarding the retention of this tree. As such further surveys are not considered necessary. The Council's ecology consultant recommends precautionary mitigation measures are detailed within a construction Environmental Management Plan (CEMP): Biodiversity and secured by a condition of any consent.

Other Protected Species

6.89 A non-licensed Precautionary Method Statement for Hazel Dormouse and other Priority Species including Hedgehogs as set out in Section 4.7.2 and 4.5.2 of the Ecological Impact Assessment Revision 02 (Lizard Landscape Design and Ecology, June 2026) is supported which should be secured by a condition of any consent and implemented in full.

6.90 Places Services have considered the likely impacts on European Protected Species and applied the Favourable Conservation Status licensing test to demonstrate that the LPA, as a competent authority, has had regard to the requirements of The Conservation of Habitats and Species Regulations 2017 (as amended) as this must not be left until the licence application stage when reaching planning decisions.

6.91 This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable. The mitigation measures identified in the Ecological Impact Assessment Revision 02 (Lizard Landscape Design and Ecology, June 2026) should be secured by a condition and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality.

6.92 A condition is recommended requiring a wildlife sensitive lighting design to ensure all external lighting is sensitive to wildlife and to avoid impacts to foraging and commuting bats.

Great Crested Newts

6.93 The site lies within the red impact zone for Great Crested Newts. In the red impact zone, there is suitable habitat and a high likelihood of Great Crested Newt presence. There are approximately 14 ponds within 500m of the development proposal with the closest being

located adjacent to the north of the site. In line with Natural England guidance there is a reasonable likelihood that Great Crested Newts will be impacted by the development.

6.94 In consultation with Nature Space the applicants have applied for a District Licence to demonstrate that the impacts of the proposed development can be addressed through the Council's District Licence.

6.95 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 enhancement of existing biodiversity, and would retain and / or enhance significant features of nature conservation

Biodiversity Net Gain (BNG)

6.96 Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG), unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024, and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development may not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

6.97 The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains (on unregistered sites) and significant on-site enhancements will be secured over this period by way of a Legal Agreement.

6.98 Once all retention, enhancement and habitat creation measures are taken into the account, the scheme currently results in the delivery a 17.55% Net Gain in Watercourse Units but a net loss in Habitat and Hedgerow units. The applicant therefore proposes to achieve the required BNG by way of significant onsite biodiversity gains in watercourse units and wet woodland, and the purchase of Habitat and Hedgerow Units from a third- party provider to satisfy the deficit. A legal agreement is being completed to secure the maintenance and monitoring of the significant onsite biodiversity gains / registered offsite biodiversity gains for the required 30 years. Any grant of planning permission will also be automatically subject to the statutory BNG condition.

Other matters

Air Quality

6.99 The application site is not located within or close to any of the district's defined Air Quality Management Areas (AQMAs), however, on account of the quantum of development, comprising a 'major' development, an Air Quality Assessment (AQA) has been submitted. The revised AQA arrives at a total damage cost arising from the proposed development over 5 years as £1,657. The application states that the proposal will provide one cycle storage shed per dwelling within the site, with this designed-in mitigation measures exceeding the above requirement. However, as cycle parking for new dwellings is already a policy requirement this is not mitigation that would address air quality. Officers consider that a suitable planning condition, setting out the requirement to submit alternative details of how the development will mitigate the Air Quality damage costs is an appropriate approach.

Minerals Safeguarding

6.100 Under the West Sussex Joint Minerals Local Plan (JMLP July 2018) the site falls within a Building Stone (Horsham Stone Formation) and Brick Clay (Weald Formation) Mineral

Safeguarding Area and would occupy some 2.9ha of land. The submitted Planning Statement refers to the Minerals and Waste Safeguarding Guidance (March 2020) which states that where both brick clay and building stone are present on sites, the threshold for consulting the WSCC is 3ha. Reference is also made to the previous applications where WSCC were consulted and did not find that 'a significant degree of sterilisation would occur' as a result of the proposed development.

6.101 Policy M9 (iii) of the West Sussex Joint Minerals Local Plan requires that for non-mineral development (such as residential development), the decision maker must determine whether the overriding need for the development outweighs the safeguarding of the mineral. In addition, the applicant must demonstrate that prior extraction is not practicable or environmentally feasible. It is acknowledged that there is a relative abundancy of Brick Clay in the south east, therefore its safeguarding is a lower priority than other more scarce minerals such as Horsham Stone. The proposal therefore satisfies the requirements of Policy M9 (iii) of the West Sussex Joint Minerals Local Plan.

Drainage/ Flooding

6.102 HDPF Strategic Policy 23 seeks to sustainably manage potential risks of flooding and outlines that proposal should make use of sustainable drainage systems (SuDS) and drainage techniques that mimic natural drainage patterns.

6.103 The Environment Agency Flood Map shows that the application site includes medium and high risk areas of surface water flooding, both along the site's northern boundary and running through the residential part of the proposal in a south-north direction. The site otherwise falls within flood zone 1 for fluvial flood risk.

6.104 The development has been designed to make sure that all buildings are located outside of the identified surface water flood zone. A 3 metre buffer is also to be maintained along the central ditch that runs through the site to protect the watercourse and allow for appropriate access and drainage.

6.105 Given the presence of mapped surface water flow routes within part of the site, sustainable drainage (SuDS) measures are proposed, including a retention basin and a 3m-wide easement to the existing ditch corridor. No buildings, escape routes, or ground level modifications are proposed within this area, thereby maintaining existing overland flow pathways.

6.106 The proposed development will introduce additional impermeable surfaces; however, runoff will be managed through the proposed SuDS strategy to restrict discharge to greenfield rates and provide attenuation for the 1 in 100 year rainfall event including climate change, ensuring no increase in off-site flood risk.

6.107 The applicants have submitted a Flood Risk Assessment to accompany the application. The EA's surface water flood depth map for the climate change scenario (Figure 4.3) shows that floodwater is confined to the ditch only, as the depth in other areas on site is too shallow to prevent access or cause property flooding. Therefore, the EA has removed the affected areas in the north and southeast corners of the site, where floodwater depths are less than 75 mm.

6.108 National Policy F5(2b) states that the sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).

6.109 While parts of the site are at risk of flooding from surface water, the site layout has been developed to avoid placing buildings and escape routes within the floodplain. Furthermore, no ground modification works will take place within the floodplain. Therefore, the planning application for the proposed development is not required to be subject to the Sequential Test.

6.110 The Local Lead Flood Authority (LLFA) has reviewed the information and raised no objection to the proposal, subject to three conditions which require construction drawings of the surface water drainage networks, details of the maintenance and management of the sustainable drainage scheme and a post completion survey and report of the system to be submitted. A full drainage strategy for all types of drainage including foul will also be required. Subject to these conditions there are no flood risk or drainage reasons to refuse this application.

Contaminated Land:

6.111 The Council's Environmental Health team has reviewed the submitted Phase 1 Desktop Study and Preliminary Risk Assessment Report. The conclusions of the preliminary contamination risk assessment are noted, but in order to confirm ground conditions on the site, in particular in areas that will be residential gardens, it is advised that further ground investigation works are undertaken on the site. A pre- commencement condition requiring on-site intrusive investigation is recommended to further consider the risk from contamination to future users

6.112 Officers are satisfied that these testing details can be requested as an appropriate pre-commencement condition, which would satisfy the requirements of NPPF Policies P2 and P3, and HDPF policy 24.

Climate Change

6.113 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 policy CC2 of the NPPF that decisions should seek to reduce the impact of development on climate change. The proposed development includes the following embedded measures to build resilience to climate change and reduce carbon emissions:

- Installation of Air Source Heat Pumps to all properties (full details and location to be secured by condition)
- Water Efficiency measures to reduce water consumption to less than 110 l/p/d
- Installation of PV Solar Panels to all properties (full details and location to be secured by condition)

6.114 Under Part S of the Building Regulations, each new dwelling is expected to be provided with an active EV charge point and passive ducting to all other spaces.

6.115 It has therefore been sufficiently demonstrated that local plan policies requirements related to energy use and sustainable construction (HPDF Polices 36 and 37) have been complied with, and appropriate measures could be secured by planning conditions.

Fire Hydrant

6.116 WSCC Fire and Rescue have requested a condition seeking the approval of details of fire hydrants to service the development. Fire safety for residential development is though addressed separately via the Building Regulations Part B, as noted in the comments:

'As part of the Building Regulations 2004, adequate access for firefighting vehicles and equipment from the public highway must be available and may require additional work on or off site, particularly in very large developments. (BS9999 Section 6: Para 21 & 22).'

6.117 As fire safety for new dwellings is expressly managed via the Building Regulations a planning condition is not considered necessary. The applicant is though advised by informative to discuss any need for hydrants and their location with the WSCC Fire and Rescue Service when undertaking detailed design work.

S106 Agreement

6.118 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.

6.119 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.

6.120 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 (9 units)
- Travel Plan Monitoring fee (£4110)
- Contribution towards the Provision of 'Realtime' at north and south-bound bus stops on Worthing Road (Warnham Gate)- amount TBC
- Provision of dropped kerb/ tactile paved crossing of the new junction, at the crossing of Worthing Road north of the site, and at the crossing south of the site (Warnham Gate bus stop)
- BNG
- Monitoring Fee

6.121 At this stage, heads of terms have been agreed and the s106 agreement is being progressed with the Council's legal department

COMMUNITY INFRASTRUCTURE LEVY (CIL)

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

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
Market Housing	1592.4	0	1592.4
Social Housing	870.3	0	870.3
		Total Gain	**2462.7**
		Total Demolition	

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

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

Conclusions and Planning Balance:

6.122 The application seeks the introduction of 23 new dwellings outside the defined built-up area boundary of Southwater, 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 SNP1.

6.123 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 Southwater Neighbourhood Plan is over 5 years old thereby not benefitting from the safeguards of national Policy S6, the above policies are considered to be out of date and must be given reduced weight in decision-making.

6.124 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) and where the development be physically well-related to an existing settlement and of scale which can be accommodated taking into account of infrastructure (Policy S5.1 (j)). In this instance, as explained above, the proposal would accord with national Policy S5.1 (j) meaning that development '*should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies*' (Policy S5.1).

6.125 In terms of benefits, the proposal would provide for 23 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. Other key matters including impacts on highway safety and capacity, ecology, flood risk and drainage, and sustainably/climate change are judged to be acceptable and attract neutral weight given they comprise policy requirements.

6.126 It is agreed that the construction of an access road into the site may cause some harm to the two protected trees (TPO1543) that will have some road construction within their root protection areas (a 16% incursion for tree T12 and 18% for tree T13). It is noted that this is within the 20% maximum recommended amount of new hardstanding within the root protection areas within BS5837 (2012) guidance, whilst a form of engineering works that would help to minimise adverse impacts on the tree roots has been put forward that has been used elsewhere successfully. A similar approach has also recently been allowed at appeal by the Planning Inspectorate at Bax Close in Storrington where a similar road incursion into the root protection area of a protected tree was considered acceptable by the Inspector (DC/24/1196 refers). Whilst planning officers cannot guarantee that adverse harm to these two trees would be completely avoided such that the longer term health of these trees may deteriorate, planning officers are nevertheless satisfied that all reasonable means for protecting these trees are capable of being secured within the recommended condition, and that the removal of these trees is not necessary to enable development to come forward.

6.127 Officers therefore consider that the limited potential harm to the two protected trees and limited harm by way of modestly expanding Southwater to the north within an otherwise well-defined site, do not 'substantially outweigh' the benefits of the additional homes in applying policy S5 of the revised NPPF. The application is therefore recommended for approval subject to the completion of a S106 agreement and appropriate conditions.

7. RECOMMENDATIONS

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

Conditions:

1. **Plans list**

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

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

3. **Pre-Commencement Condition:** The development hereby approved shall not commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following relevant measures:

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

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

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

4. **Pre- Commencement Condition**: The development hereby approved shall not commence until A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.
   The CEMP (Biodiversity) shall include the following.
   a) Risk assessment of potentially damaging construction activities.
   b) Identification of “biodiversity protection zones”.
   c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
   d) The location and timing of sensitive works to avoid harm to biodiversity features.
   e) The times during construction when specialist ecologists need to be present on site to oversee works.
   f) Responsible persons and lines of communication.

g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority

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

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

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

(b) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (a) and a verification plan providing details of what data will be collected in order to demonstrate that the remedial works are complete.

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

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

6 **Pre-Commencement Condition:** No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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

7 **Pre- Commencement Condition:** Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted and agreed in writing by the Local Planning Authority. The scheme shall then be constructed as per the agreed drawings, method statement and Flood Risk Assessment by Price & Myers, January 2026, revision 3 and remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF, National Standards for SuDS and Local Planning Policy.

8 **Pre-Commencement Condition**: No development shall commence until precise details (to include details shown on a plan) of the existing and proposed finished floor levels and external ground levels of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

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

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

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

10 **Pre- Commencement Condition**: No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR177, or a 'Further Licence') and with the proposals detailed on plan "Land To The Rear of The Copse: Impact plan for great crested newt District Licensing (Version 1)", dated 2 September 2026.

Reason: In order to ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR177, or a 'Further Licence'), section 19 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

11 **Pre- Commencement Condition**: No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR177, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence.
The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: In order to adequately compensate for negative impacts to great crested newts, and in line with section 19 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

12 **Pre- Commencement Condition:**

(i) No development shall take place until a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.

(ii) The development hereby permitted shall not be commenced until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [i] and that provision for analysis, publication and dissemination of results and archive deposition has been secured and approved by the Local Planning Authority in writing.

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

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

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

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

14 **Pre-Commencement Condition:** No development shall commence, including site clearance, ground preparation works, or the bringing onto the site of any plant, machinery, equipment or materials, until detailed plans of the proposed root protection bridge have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include scaled plans, sections, construction specifications, and the extent of all Root Protection Areas (RPAs) affected by the works.

No development requiring access within the RPAs of Trees T12 or T13 shall take place until the approved root protection bridge has been fully installed in accordance with the approved details. Written confirmation, including photographic evidence of its installation, shall be submitted to and approved by the Local Planning Authority prior to such access commencing.

Reason: To secure the satisfactory protection and long-term retention of important trees and hedgerows on the site, in accordance with Policy 33 of the Horsham District Planning Framework (2015), and because the details are required prior to the commencement of development.

15 **Pre- Commencement (Slab level):** Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Ecological Impact Assessment Revision 02 (Lizard Landscape Design and Ecology, June 2026), shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

a) Purpose and conservation objectives for the proposed enhancement measures;
b) Detailed designs or product descriptions to achieve stated objectives;
c) Locations of proposed enhancement measures by appropriate maps and plans (where relevant);
d) Persons responsible for implementing the enhancement measures; and
e) Details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

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

16 **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roofs of the

approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

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

17 **Pre- Occupation Condition:** The development hereby approved shall not be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity.

The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development.

The details of the scheme to be submitted for approval shall include:

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

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

18 **Pre-Occupation Condition**: No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

(a) Details of all existing trees and planting to be removed and retained
(b) Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details including details for sloping ground and position of root barriers if required
(c) Planting of Salix spp. in addition to post and rail fencing within the riparian buffer zone
(d) Details of all hard surfacing materials and finishes, to include footbridge details
(e) Details of all boundary treatments
(f) Details of minor artefacts and structures – such as bin stores, cycle stores, street furniture and play equipment
(g) Details of all External Lighting
(h) Details of existing and proposed levels for all external earthworks associated with the landscape proposals – such as SuDS, play areas, retaining walls, banking etc - including cross sections where necessary.

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site (other than those within private gardens) shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local

Planning Authority until 30 years after completion of the development. Any proposed or retained planting outside of private gardens, which dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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

19 **Pre-Occupation Condition**: No part of the development hereby permitted shall be occupied until a Landscape Management and Maintenance Plan (LMMP) has been submitted to and approved in writing by the Local Planning Authority. The details should apply to all communal hard and soft landscape areas and shall include:

- Long term design objectives
- Management responsibilities
- A description of landscape components
- Management prescriptions
- Maintenance schedules
- Accompanying plan delineating areas of responsibility including areas to be defined as private gardens and other areas to be defined as buffer zones and maintenance areas

The landscape areas shall thereafter be managed and maintained in accordance with the approved LEMP, and the approved buffer and maintenance areas shall be retained as communal management land and managed and maintained in accordance with the approved details for the lifetime of the development, and shall not be incorporated into, enclosed within or form part of any private residential curtilage.

Reason: To safeguard the long-term effectiveness, management and maintenance of the landscape and ecological infrastructure of the development, and to secure the visual and environmental objectives of the development in accordance with Policy 33 of the Horsham District Planning Framework (2015).

20 **Pre-Occupation Condition:** No Air Source Heat Pumps shall be installed until their precise locations on each dwelling have been submitted to and been approved in writing by the Local Planning Authority. The Air Source Heat Pumps shall be implemented and retained in accordance with the approved details.

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

22 **Pre-Occupation Condition:** The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification that the remediation scheme required and approved under the provisions of condition 5(b) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 5(b), unless otherwise agreed in writing by the Local Planning Authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

23 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to

enable superfast broadband speeds of 30 megabytes per second through full fibre broadband connection has been provided to the premises.

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

24 **Pre- Occupation Condition:** No development shall commence until a lighting design scheme for biodiversity has been submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

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

25 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until provision for the storage of refuse and recycling, and bicycles, has been provided within the side or rear garden or garage for that dwelling. The facilities shall thereafter be retained for use at all times.

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

26 **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the access and car parking spaces necessary to serve it have been constructed and made available for use in accordance with approved 'Parking Strategy FL25-2301-062 Rev D'. The access and car parking spaces permitted shall thereafter be retained as such for their designated use.

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

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

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

28 **Post Completion Condition**: Upon completion of the surface water drainage system, including any SuDS features, and prior to the first occupation of the development; a survey and report from an independent surveyor shall be submitted to and approved in writing by

the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to Condition 7 Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

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

29 **Regulatory Condition**: All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment Revision 02 (Lizard Landscape Design and Ecology, June 2026) as already submitted with the planning application and agreed in principle with the local planning authority.

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

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

30 **Regulatory Condition:** All works of demolition, construction and ancillary activities, including deliveries and dispatch, shall be restricted to 08:00-18:00 hours on Monday to Friday, from 08:00 to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays.

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

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

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

Biodiversity Net Gain Condition

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

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

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

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

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

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

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

INFORMATIVE
It is noted that another permission (DC/24/0622) covers land partially within the red line boundary of this permission. As part of the other permission, habitat enhancements are proposed within this overlapping land area to achieve its biodiversity net gain requirement. As such, both permissions shall need to accord and align with each other, to ensure consistency and deliverability of the habitat enhancements to fulfil the biodiversity net gain requirements for both permissions. Any Biodiversity Gain Plan submitted to discharge the deemed biodiversity net gain condition shall not be approved in the case that the proposals and/or layout undermines the already approved biodiversity gain plan of the other permission.

INFORMATIVE
It is recommended that the NatureSpace Best Practice Principles are considered and implemented where possible and appropriate.
It is recommended that the NatureSpace certificate is submitted to this planning authority at least 6 months prior to the intended commencement of any works on site.
It is essential to note that any works or activities whatsoever undertaken on site (including ground investigations, site preparatory works or ground clearance) prior to receipt of the written authorisation from the planning authority which permits the development to proceed under the District Licence (WML-OR177, or a 'Further Licence') are not licensed under the great crested newt District Licence. Any such works or activities have no legal protection under the great crested newt District Licence and if offences against great crested newts are thereby committed then criminal investigation and prosecution by the police may follow.

INFORMATIVE
The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Highway Agreements Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

INFORMATIVE
If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

INFORMATIVE
The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.

INFORMATIVE
The applicant is advised to contact the WSCC Fire and Rescue Service to agree the need for, and location of, any fire hydrants that may be required to service the site under the Building Regulations.

8. USE OF AI

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