

From: Planning@horsham.gov.uk <Planning@horsham.gov.uk>
Sent: 02 September 2026 21:44:16 UTC+01:00
To: "Planning" <planning@horsham.gov.uk>
Subject: Comments for Planning Application DC/26/0933
Categories: Comments Received

Comments summary

Dear Sir/Madam,

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

Comments were submitted at 02/09/2026 9:44 PM.

Application Summary

Address:	Land Between Muntham Drive and Smugglers' Lane Chapel Road Barns Green West Sussex
Proposal:	Erection of 31 dwellings with access from Chapel Road including roads, parking and open space.
Case Officer:	Alice Johnson

[Click for further information](#)

Customer Details

Address: 26 Smugglers Way Barns Green Horsham

Comments Details

Commenter Type:	Member of the Public
Stance:	Customer objects to the Planning Application
Reasons for comment:	- Design - Highway Access and Parking - Other - Overdevelopment - Trees and Landscaping
Comments:	I object to application DC/26/0933 for the erection of 31 dwellings on land between Muntham Drive and Smugglers' Lane, Chapel Road, Barns Green. My objection is that this particular scheme fails the balance that

Policy S5(2) requires, and that on six matters it is not supported by an adequate evidence base. Each of the points below is drawn from the applicant's own submitted documents, from the responses of statutory and internal consultees, or from the Council's own recent decision on the adjoining site.

I would ask the Council to have particular regard to its decision of 4 August 2026 to refuse application DC/25/2057 on the adjoining land. Both reasons given for that refusal - design in the historic core of the village, and unproven foul sewerage capacity - apply with equal or greater force to this application. That decision is addressed at sections 3, 4 and 6 below.

1. Safe and suitable access has not been demonstrated

1.1 The proposed visibility splays appear to fall short of the standard the applicant says they have applied.

Paragraph 4.2.2 of the Transport Statement (Magna Transport Planning, ref 26/782/C Rev C) proposes visibility splays of 2.4m x 40m to the southwest and 2.4m x 41m to the northeast. It states these are commensurate with the recorded 85th percentile speeds of 29.6 mph (northeastbound) and 30.2 mph (southwestbound), "when calculated using the Manual for Street parameters of reaction time (2.0 seconds) and deceleration rate (4.41 m/s²)".

Applying those stated parameters to those stated speeds gives:

- 29.6 mph = 13.23 m/s. Stopping sight distance = $(2.0 \times 13.23) + (13.23^2 \div (2 \times 4.41)) = 26.5 + 19.8 = 46.3 \text{ m}$
- 30.2 mph = 13.50 m/s. Stopping sight distance = $(2.0 \times 13.50) + (13.50^2 \div (2 \times 4.41)) = 27.0 + 20.7 = 47.7 \text{ m}$

The splays proposed are 40m and 41m - approximately six to seven metres short of the figures produced by the applicant's own stated method and speed data. To arrive at 40m from a speed of 29.6 mph would require a reaction time of approximately 1.5 seconds, not the 2.0 seconds the document specifies. Manual for Streets Table 7.1 gives a stopping sight distance of 43m at 30 mph, which the proposed splays also fall below.

I ask that West Sussex County Council as Highway Authority be asked to verify the derivation of these splays before the application is determined. If the splays are deficient, the development would fail to provide safe and suitable access for all users and should be refused on that ground alone.

1.2 The Transport Statement does not address flood risk at the access.

In its consultation response dated 28 August 2026, the Lead Local Flood Authority advised the Council that there is notable modelled

flood risk on the public highway at the proposed access point, and that provision for safe access and egress during flood events should be carefully considered.

The Transport Statement contains no assessment of this matter. The word "flood" does not appear anywhere in the document. The junction design, the pedestrian crossing arrangements and the assessment of access safety have all been carried out without regard to a flood risk that the Lead Local Flood Authority considers material.

1.3 The applicant's evidence for safe access during flooding is taken from a different application.

Paragraph 5.3.3 of the Flood Risk Assessment and Drainage Strategy (ref P25-1183 Rev 02) supports its conclusion that conditions at the site access would be suitable for safe access and egress by reference to hazard modelling carried out for the flood risk assessment submitted for the separate residential development on land immediately to the south (DC/25/2057).

That is not an assessment of this access, under this layout, with this scheme's altered surface water regime. Given that the Lead Local Flood Authority has specifically raised safe access and egress at this access point, the applicant should be required to model it directly.

1.4 The drainage strategy runs against current national policy on culverts.

The Lead Local Flood Authority's second ground of objection is that the applicant has provided no evidence of agreement from the asset owner to connect to, and upsize, the existing culvert, the discharge connection point being outside the red line boundary.

Policy F8 of the National Planning Policy Framework published on 17 August 2026 requires a statement demonstrating how national sustainable drainage standards have been met, together with arrangements for long-term maintenance and, where possible, the removal of culverts and the renaturalisation of watercourses. A strategy whose central mechanism is the enlargement of a culvert the applicant does not control, and for which no owner agreement has been produced, requires justification against that policy. None is provided, the Flood Risk Assessment having been prepared before the current Framework was published.

I would add that the Transport Statement is likewise argued against the December 2024 Framework, citing Section 9 and paragraphs 109, 110, 115 and 116. Transport policy now sits at policies TR1 to TR6 and adopts a vision-led approach. As with the heritage assessment, this is a consequence of timing rather than any fault of the applicant, but the decision must be taken against

the Framework now in force.

1.5 Conflict at the new crossroads with the public house access is dismissed without evidence.

Paragraph 4.2.7 of the Transport Statement acknowledges that the proposed access would form a crossroads junction with the access to The Queen's Head public house car park, but concludes there would be no perceptible vehicular conflict because the peak hours of the development would not coincide with the typical peak periods of the public house car park.

No survey of the public house car park is presented, and no data on its usage patterns is provided anywhere in the application. The assessed PM peak hour of 17:00-18:00 plainly overlaps with early evening trade at a village pub. This is an assertion, not an assessment.

1.6 The Transport Statement contains errors indicating it has not been prepared specifically for this site.

Paragraph 2.4.5 reports average speeds "on Church Lane" - a road which does not exist within the survey area and is not the subject of the surveys reported. Paragraph 4.2.4 again refers to a footway "along the southern side of Church Lane". Paragraph 4.2.1 states the access will have a two metre wide footway on both sides, while paragraph 4.2.4 states it will comprise a footway on its northern side. The document is titled "Land West of Chapel Road, Barns Green" rather than the application site address.

Individually these are minor. Together they suggest the access design has not been worked through with the care that a new junction onto a rural road, opposite a Grade II listed public house, requires.

1.7 No daily traffic figure is provided.

The Transport Statement quantifies trip generation only for the AM and PM peak hours (15 two-way vehicle movements in each). It does not state a total daily trip generation figure at any point, despite the TRICS data being available to the author. The Council and the public are therefore unable to assess the full daily traffic effect of the development on Chapel Road, which the same document records as already carrying approximately 2,100 two-way vehicle movements on an average weekday. I ask that the applicant be required to provide the daily figure.

2. Physical risk to a Grade II listed building has not been assessed

The Heritage Impact Assessment (HCUK Group, ref 11650A) assesses the effect of the proposals on the setting of Bennetts,

Blacksmiths Cottage, The Queen's Head and Barns Green Village Store, all Grade II listed. It concludes less than substantial harm at the lowest end of that category.

I note at the outset that the Heritage Impact Assessment is dated May 2026 and is framed throughout against the December 2024 National Planning Policy Framework, citing paragraphs 207 and 212 to 215 and applying the "less than substantial harm" test. The National Planning Policy Framework published on 17 August 2026 no longer uses that term. Effects must now be assessed under Policy HE5 as positive, none, harm, substantial harm or total loss, with Policy HE6 applying to designated heritage assets. The Council's own officers, reassessing the neighbouring application against the new Framework on 26 August 2026, recorded that Policy HE6(4) replaces the previous paragraph 215 'less than substantial harm' test with a more straightforward test of harm to the significance of a designated heritage asset, that harm remaining to be weighed against the public benefits of a proposal. The weight afforded to conservation is now expressed as substantial weight rather than great weight. As this application will be determined after 17 August 2026, it falls to be assessed against the current Framework. I recognise the applicant could not have anticipated this when the assessment was written, but the assessment cannot simply be read across by substituting terminology, and I ask that the applicant be required to update it.

That assessment is confined entirely to setting - to visual and experiential change. The document contains no assessment whatsoever of physical or structural risk to Bennetts arising from the construction of the development immediately adjacent to it. The words "piling", "vibration" and "foundation" do not appear anywhere in the 42-page document.

Bennetts sits immediately adjacent to the site boundary. The applicant's own Heritage Impact Assessment describes it as a building of traditional construction dating from around 300 years ago. Buildings of that age and construction commonly have shallow or minimal foundations by modern standards, and are correspondingly sensitive to ground-borne vibration from piling and heavy plant during construction. Whether that is the case at Bennetts is not something I am able to establish, and that is precisely my point: neither is the Council, on the evidence before it.

No ground investigation addressing this risk, no proposed foundation design for the plots adjoining Bennetts, and no construction methodology addressing vibration transmission has been submitted. The Groundwater Standing Level Monitoring Statement and Preliminary Risk Assessment address contamination and groundwater, not structural risk to the adjacent listed building.

Policy 3 of the Barns Green and Itchingfield Neighbourhood Plan (2025) requires that special regard shall be given to the desirability of preserving any heritage building, or its setting, and/or any features of special architectural interest which the building possesses. The applicant's Planning and Affordable Housing Statement answers that policy solely by reference to the Heritage Impact Assessment's conclusion on setting and character. It does not address the building itself.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving a listed building. The decision maker cannot discharge that duty in respect of a risk that has not been assessed at all. I ask that the applicant be required to submit a construction methodology and structural risk assessment for Bennetts, prepared by a suitably qualified structural engineer, before the application is determined.

I would add two further points on the Heritage Impact Assessment. First, it scopes Little Slaughterford Farmhouse out of further assessment while acknowledging at paragraph 1.5 that the officers' report issued as part of the pre-application process identified that building. Second, its mitigation case rests substantially on the retention and reinforcement of existing boundary hedgerows as screening, while the scheme requires removal of hedgerow at the point of the new access onto Chapel Road. These positions should be reconciled.

3. Design: the scheme is not shown to comply with the policies used to refuse the adjoining site

On 4 August 2026 the Council's Planning Committee resolved to refuse application DC/25/2057 on the adjoining land. The first limb of the reason for refusal was that, given the recently made Barns Green and Itchingfield Neighbourhood Plan (2025), the proposal would by reason of its standardised suburban design and appearance fail to positively respond to the character and appearance of the locality within the historic core of the village, contrary to Policy 32 of the Horsham District Planning Framework (2015) and the Neighbourhood Plan.

The Council's post-committee report of 26 August 2026, reassessing that resolution against the National Planning Policy Framework published on 17 August 2026, concluded that the design ground was if anything strengthened. It records that Policy DP3(3) now requires substantial weight to be given to compliance with relevant development plan policies when assessing design, which officers describe as arguably a greater weighting than the 2024 Framework, and that DP3(3) retains an express requirement to refuse development of a design that conflicts with development plan policies. Officers identified that express refusal requirement as one of the matters capable of substantially outweighing the

benefits under Policy S5(2).

This application must therefore be assessed against the same policies, on a site in the same historic core, opposite the same group of Grade II listed buildings.

The applicant's engagement with those policies is thin. Policy 12 of the Neighbourhood Plan sets out ten design criteria, including that proposals respect the character and scale of the surrounding buildings and landscape, protect the identity and character of Barns Green and Itchingfield, incorporate the use of local materials which are appropriate to the existing housing stock, and positively respond to the local vernacular character of the parish. The Planning and Affordable Housing Statement reproduces those ten criteria and then answers all of them in a single sentence at paragraph 6.11: that the Design and Access Statement and the comments elsewhere in the statement "demonstrate compliance with the Neighbourhood Plan regarding Design Parameters". No criterion is addressed individually. Policy 32 of the Horsham District Planning Framework receives similar treatment, concluding at paragraph 5.45 that the application "would be fully compliant".

Where the Council has just refused an adjoining scheme on these precise policies, and where national policy now attaches substantial weight to compliance with them and expressly requires refusal where a design conflicts, an assertion of compliance is not sufficient. I ask that the Conservation Officer, whose response on the adjoining application is on that file, be consulted and that the Council assess this scheme's design against each of the Policy 12 criteria in turn.

4. The refusal of DC/25/2057 undermines evidence this application relies upon

The applicant's documents were prepared in May and June 2026 and describe DC/25/2057 as an ongoing application. It has since been refused. Three parts of the submission rest on it and require revisiting:

- The Flood Risk Assessment, at paragraph 5.3.3, supports its conclusion that conditions at the site access would be suitable for safe access and egress by reference to hazard modelling carried out for the flood risk assessment submitted for DC/25/2057. That modelling was prepared for a different site and a different layout, in support of a scheme the Council has refused.
 - Southern Water's correspondence with the case officer dated 20 August 2026 concerns capacity testing carried out for DC/25/2057. That is addressed at section 6 below.
 - The Transport Statement, at paragraph 4.2.8, considers the compatibility of the two site accesses on the basis that the neighbouring scheme is proceeding.
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Separately, the quantum proposed remains a concern in its own right. The applicant's own Heritage Impact Assessment is titled "Land South of Muntham Drive, Barns Green", identifying this site as the one allocated in the emerging Horsham District Local Plan 2023-2040 under policy BGR2 (site assessment reference SA510).

Main Modification MM230 to Strategic Policy HA6 (Barns Green Housing Allocations), published for consultation in July 2026, sets the allocations as:

- BGR1: Land South of Smugglers Lane, 3.3 hectares (50 homes)
- BGR2: Land South of Muntham Drive, 1.85 hectares (25 homes)
- BGR3: Land at the Old School Site, Itchingfield, 0.8 hectares (20 homes)
- BGR4: Land at the Rear of Two Mile Ash Road, 1.1 hectares (10 homes)

MM230's only change at Barns Green is the addition of BGR4 for 10 homes, raising the parish total from at least 95 to at least 105 homes. BGR1 and BGR2 are unaltered. This is significant: even after the Inspector required the Council to increase its housing numbers district-wide, and after additional allocations were identified across the district, the Council's July 2026 position on this specific site remains 25 homes.

This application proposes 31 dwellings on the BGR2 site, 24% above the Council's own current figure. The Council's site assessment work, including the Cultural Heritage Assessment Part B which examines the adjacent Grade II listed buildings directly, informed the capacity figure the Council arrived at. The applicant should be required to explain what has changed in the site's constraints to justify exceeding it.

MM230 also sets site-specific criteria for BGR2 which this application does not satisfy. The proposed policy states that development at BGR2 will be supported where proposals:

- a) Shall be carefully sited and include an appropriate buffer from adjacent ancient woodland; and
- b) Ensure that appropriate regard is had to the impact on the adjacent Grade II Listed Buildings (The Queens Head Public House, Blacksmiths Cottage and Bennetts).

Criterion (b) is the Council's own emerging policy requiring, for this precise site, that regard be had to the impact on Bennetts. As set out in section 2 above, the applicant's Heritage Impact Assessment considers only the effect on setting and does not assess physical or structural risk to that building at all. Criterion (a) is addressed in section 5 below.

5. The application's own documents contradict each other on adjacent ancient woodland

Criterion (a) of MM230 requires development at BGR2 to be carefully sited and to include an appropriate buffer from adjacent ancient woodland. The Council's emerging policy therefore proceeds on the basis that there is ancient woodland adjacent to this site.

The applicant's Arboricultural Implications Report (SJA air 25558-01a) states at paragraph 3.2.1: "There are no woodlands within or abutting the site that are classified as 'Ancient'."

The applicant's Preliminary Ecological Assessment Report (11650B) states at paragraph 4.28, describing the tree line habitat on the site: "This habitat adjoins further tree lines to the north and south of the Site, identified as ancient woodland and priority habitat deciduous woodland by MAGIC."

These two statements, in documents submitted together in support of the same application, cannot both be correct. The arboricultural report's conclusion that no ancient woodland abuts the site removes the premise for any buffer, and no buffer from ancient woodland is provided or discussed in the layout. The ecological report, by contrast, records adjacent ancient woodland identified on the Government's own MAGIC mapping - which is consistent with the Council's emerging allocation policy.

I ask that the Council resolve this conflict before determining the application, and that if adjacent ancient woodland is confirmed, the applicant be required to demonstrate an appropriate buffer as MM230 criterion (a) requires. National policy affords ancient woodland protection as an irreplaceable habitat, a point the applicant's own arboricultural report acknowledges at paragraph 3.3.1.

There is a related discrepancy. The Arboricultural Implications Report states at paragraph 3.3.1 that there are no trees within or abutting the site classifiable as ancient or veteran. The Preliminary Ecological Assessment states at paragraph 4.28 that the trees within the boundary habitat were mature, "with potential veteran features and numerous natural ecological niches including deadwood and cavities". Potential veteran features are not the same as veteran status, but where one consultant records them and another rules the category out entirely, the matter warrants proper assessment rather than assertion.

6. Foul drainage capacity and affordable housing deliverability are unresolved

6.1 Foul drainage. This is the matter on which the Council refused the adjoining application four weeks ago. The second limb of the

reason for refusal of DC/25/2057 was that, without proven foul sewerage capacity from Southern Water to service the development, the proposal failed to adequately manage foul drainage.

The position on this application is no better, and arguably worse. Southern Water's email to the case officer dated 20 August 2026 states that there is currently capacity within the local foul sewer network for this development, but that tests are currently being undertaken at Barns Green Wastewater Treatment Works with results not expected until around September. It goes on to say that Southern Water would understand if the Council imposed a condition requiring reinforcement works.

The case officer's own email of 19 August 2026, to which that is a reply, asks Southern Water to confirm how it reached a position of confirming capacity for this application when confirmation of the capacity tests for DC/25/2057 had not been provided. That question appears not to have been answered on the file.

A capacity confirmation given in advance of the capacity testing that would substantiate it is not proven capacity. The Council's post-committee report of 26 August 2026 further records that Policy DM7 of the current Framework expressly states that matters controlled by separate regulatory regimes may, in the context of a particular development proposal, be a material consideration where they have land-use implications, and that the foul sewage capacity refusal reason is therefore not weakened or overridden by the new Framework.

The application should not be determined before the Barns Green WwTW test results are available and have been published for public comment. To grant permission on an unproven capacity position four weeks after refusing an adjoining scheme for precisely that deficiency would be inconsistent.

6.2 Affordable housing. The Council's Housing Officers' consultation response dated 12 August 2026 records a recommendation of "more information needed". It sets out that 163 households with a local connection to Itchingfield/Barns Green are on the Housing Register, of which 44% require a 3-bedroom home and 16% require a 4-bedroom or larger home - 60% requiring three bedrooms or more. It records that households requiring 3- and 4-bedroom accommodation wait on average three times longer than those requiring 1- and 2-bedroom homes.

Housing Officers further state that there is no evidence that a Registered Provider has been identified or engaged, and that in the absence of evidence of Registered Provider interest and support they are unable to fully support the proposed affordable housing offer.

The affordable housing contribution is a principal public benefit relied upon in the planning balance. Where the Council's own Housing Officers cannot endorse it, either as to mix or as to deliverability, it should not be afforded full weight.

Conclusion

I ask the Council to refuse this application, or at minimum to require the applicant to address the following before determination:

1. A criterion-by-criterion assessment of the scheme against Policy 12 of the Barns Green and Itchingfield Neighbourhood Plan (2025) and Policy 32 of the Horsham District Planning Framework, consistent with the approach taken on DC/25/2057, together with the Conservation Officer's comments.
 2. The Barns Green Wastewater Treatment Works capacity test results, before determination.
 3. A structural risk assessment and construction methodology for Bennetts, prepared by a qualified structural engineer.
 4. Verification by the Highway Authority of the visibility splay derivation at the proposed access.
 5. An assessment of flood risk and safe access and egress at the access point specific to this scheme, rather than modelling carried out for DC/25/2057, as sought by the Lead Local Flood Authority.
 6. Resolution of the contradiction between the Arboricultural Implications Report and the Preliminary Ecological Assessment as to whether ancient woodland adjoins the site, and, if it does, an appropriate buffer as required by MM230 criterion (a).
 7. An explanation of what has changed in the site's constraints to justify 31 dwellings against the 25 the Council's own emerging policy continues to allocate.
 8. Confirmation of Registered Provider engagement and a revised affordable housing mix responding to the Council's own Housing Register evidence.
 9. Updated heritage, transport and drainage assessments addressed to the National Planning Policy Framework published on 17 August 2026, rather than the December 2024 Framework against which they were prepared.
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Kind regards

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**Horsham
District
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