



EMPLOYMENT LAND ROAD, MOWBRAY
APPLICATION FOR FULL PLANNING PERMISSION
Planning Statement

On behalf of **Legal & General (Strategic Land North Horsham) Limited**

Project Ref: 333102644 | Date: September 2025

Registered Office: Stantec UK Limited | Stantec House, Kelburn Court, Birchwood, Warrington WA3 6UT |
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	Name	Position	Signature	Date
Prepared by:	James Taylor	Planner	JT	04/09/2025
Reviewed by:	Alex Jones	Director	AJ	18/09/2025
Approved by:				
For and on behalf of Stantec UK Limited				

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1 INTRODUCTION AND OVERVIEW

- 1.1 This Planning Statement has been prepared by Stantec UK Limited (“Stantec”) on behalf of Legal & General (Strategic Land North Horsham) Limited (“L&G”) in support of the accompanying application for full planning permission (“the Application”) for the construction of Primary Road from a left-in, left-out (LI-LO) junction with the A264 (constructed pursuant to Outline Planning Permission DC/16/1677) to Bush Lane (Bridleway 1585), footpaths and cycleways, foul and surface water drainage including a SuDS basin and foul pumping station, landscaping, substations and associated infrastructure (“the Development”).
- 1.2 L&G acquired majority control of the strategic site known as ‘Mowbray’, formerly known as ‘Land North of Horsham’, from Liberty Property Trust UK Limited (‘Liberty’) in December 2018. The Site is allocated within the Horsham District Planning Framework (2015) to provide, inter alia, at least 2,500 new homes alongside a new business park, local centre, sports and recreation facilities and schools (Policy SD1).
- 1.3 An application for outline planning permission was submitted on behalf of Liberty in August 2016 and approved subject to conditions on 1 March 2018 (LPA reference DC/16/1677; ‘the OPP’) for a mixed-use strategic development as follows:
- ‘Outline planning application with all matters reserved except access for a mixed-use strategic development to include housing (up to 2,750 dwellings), a business park (up to 46,450 m²), retail, community centre, leisure facilities, education facilities, public open space, landscaping and related infrastructure.’***
- 1.4 The time limit for the submission of Reserved Matters, pursuant to the OPP, on the Employment Land has passed. This application therefore seeks Full planning permission for the laying of a Primary Road and ancillary development thereto which is to facilitate the delivery of Phase 2 of the OPP and the Employment Land and would enable the provision of significant social and economic benefits.

Content of Submission

- 1.5 The application is accompanied by a comprehensive suite of technical, environmental and design documents, which together confirm that the development proposals are acceptable from a design, highways, landscape, ecology, flood risk, drainage and amenity perspective.
- 1.6 The application is supported by detailed plans, as listed in the accompanying covering letter. Further, the following technical documents are provided to support the proposals:

No.	Report Title	Author
05	Environmental Impact Assessment Scoping Note	Stantec
06	Mowbray, Land North of Horsham Environmental Statement	Stantec

No.	Report Title	Author
07	Environmental Statement Non-Technical Summary	Stantec
09	Commercial Land Biodiversity Net Gain	Derek Finnie Associates
11	Landscape Statement	David Jarvis Associates
12	Landscape and Ecological Management Plan	David Jarvis Associates
13	Landscape Specification	David Jarvis Associates
14	Landscape Establishment Note	David Jarvis Associates
15	BS:5837 Arboricultural Report	David Jarvis Associates
17	Flood Risk Assessment	Glanville
18	Transport Statement	Glanville
20	Detailed Desk Study Report (June 2022)	Geo-Environmental
21	Ground Investigation Report (December 2022)	Geo-Environmental
22	Ground Appraisal Report (September 2022)	Geo-Environmental

- 1.7 This Planning Statement demonstrates that the proposed development would accord with the Development Plan, the NPPF and PPG, and the Parameters of the OPP.
- 1.8 This Planning Statement is written in support of the Planning Application. The purpose of this Planning Statement explains the form and content of the Proposed Development against adopted and emerging policy and guidance, and to assess the planning merits of the application against any other material considerations.

2 SITE DESCRIPTION AND PLANNING HISTORY

Site and Surrounding Area

- 2.1 The Site is situated on the northern side of the A264, on the north-eastern edge of the existing built edge of Horsham and comprises an area of some 6.41 hectares of open agricultural land, separated by field boundaries.
- 2.2 Channels Brook makes an arch over the Site from the eastern boundary, leading up to the northern boundary along which it runs parallel, then leads south-west upon reaching the Site's western extent.
- 2.3 The Site is immediately adjacent to open agricultural fields on the northern, eastern and western sides. The length of the southern boundary runs parallel to the A264, which separates the Site from the existing developed extent of Horsham, which lies immediately beyond.
- 2.4 Further to the west, works have commenced across Phase 1 of the OPP including the drainage and initial highways infrastructure associated with the Sports Hub.

Strategic Allocation

- 2.5 The Site is the subject of a strategic allocation within the Council's adopted local plan: the Horsham District Planning Framework (2015; 'HDPF'). Policy SD1 (Strategic Policy: Land North of Horsham) allocates the Site for a 'mixed use strategic development to accommodate at least 2,500 homes and associated infrastructure'. In addition to new homes, Policy SD1 clarifies that the 'associated infrastructure' would include a business park, local centre, land for new schools, land safeguarded for a new railway station adjacent to the business park and open space, sport and recreation facilities.

Outline Planning Permission – Land North of Horsham, now Mowbray

- 2.6 Following the allocation of the Site through the HDPF, Liberty promoted an application for outline planning permission for the strategic development of the Site having regard to the principles outlined in Policy SD1. The application was submitted to the Council in August 2016 and approved on 1 March 2018 (LPA reference DC/16/1677) for the following:

'Outline planning application with all matters reserved except access for a mixed-use strategic development to include housing (up to 2,750 dwellings), business park (up to 46,450 m²), retail, community centre, leisure facilities, education facilities, public open space, landscaping and related infrastructure.'

Full Planning Application – Employment Land Road

- 2.7 Condition 3 of the OPP specified time-limits for the submission of Reserved Matters pursuant to the OPP consent:

3. *Applications for the approval of all of the Reserved Matters for all Phases of the development shall be made to the Local Planning Authority before the expiration of 12 years from the date of this permission and shall be made in respect of the following phases before the expiration of the following timescales:*

- *The first 400 dwellings within Phase 1 within 2 1/2 years of the date of this permission*
- *The next 400 dwellings within the development within 5 years of the date of this permission*
- *The remainder of Phases 1 and 2 within 9 years from the date of this permission*
- *Phase 3: within 12 years from the date of this permission*

Reason: *To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.*

2.8 The Employment Land was not included within any Phase within the approved Phasing Plan (2153A - 507E) of the OPP, so Condition 3 does not apply to any areas therein. Without the benefit of the time limits set by condition, the time limit granted to these works by virtue of the OPP are subject to the standard time limit set by Section 92(2)(a) of the Town and Country Planning Act 1990. This requires applications for Reserved Matters to be submitted within a period of three years from the date of approval of the outline consent.

2.9 The OPP was granted 1 March 2018. The three-year time limit for the submission of Reserved Matters on the Employment Land has now passed.

2.10 This application therefore seeks standalone full planning permission for the proposed development, though the development would nonetheless physically relate to, and facilitate the delivery of, the development contained within the OPP.

3 THE DEVELOPMENT

- 3.1 Full planning permission is sought for works of the following description:

‘Construction of Primary Road from the Left-In, Left-Out junction with the A264 (constructed pursuant to Outline Planning Permission DC/16/1677) to Bush Lane (Bridleway 1585), footpaths and cycleways, foul and surface water drainage including a SUDS basin and foul pumping station, landscaping, substations and associated infrastructure.’

- 3.2 The principal element of the proposed development is the 6.5-metre-wide Primary Road, which adjoins the A264 with an existing signalled Left-In, Left-Out junction and leads east before reattaching to the existing highway of Bush Lane (Bridleway 1585), beyond which it will provide access to residential Phase 2 of the OPP.
- 3.3 The road is to be intersected by two four-arm compact roundabouts splitting the length of the road into three near-even lengths, which are to provide access to the Employment Land and the rest of Phase 2 approved pursuant to the OPP. Two priority ghost island junctions are proposed, both on the western side of the westernmost roundabout providing access to land within the western side of the Employment Land, to the northern and southern sides of the proposed Primary Road.
- 3.4 Four bellmouth junctions are proposed along the southern stretch of the Primary Road between the two roundabouts, which provide possible additional access points to the future employment parcels (subject to future layouts/ approvals). It should be noted that the car parks sit outside the scope of this application, sitting within the Employment Land which will be the subject of a separate application.
- 3.5 Segregated footpaths and cycleways are to be provided in line with the approved Site-Wide Cycling Strategy July 2022 (LPA ref. DISC/22/0232), and provision for use of public transport, including a bus stop on the northern side of the road between the two roundabouts.
- 3.6 A foul water pumping station is proposed on the western side of the northbound road leading from the westernmost roundabout. Two sub-stations are proposed, one on the southern side of the Primary Road on the eastern side of the site, and the other on the western side of the westernmost roundabout, on the northern side of the road.
- 3.7 Landscaping is proposed across the Site in the form of street trees amenity planting and habitat improvements to provide for biodiversity net gain. A new SUDS basin is proposed in the north-western part of the Site that provides surface water attenuation alongside further opportunities for biodiversity enhancement.

Environmental Statement

- 3.8 The OPP was accompanied by an Environmental Statement (July 2016, with March 2017 Addendum: ‘the ES’).
- 3.9 The development proposed is not a “subsequent application” as defined by Regulation (2(1)) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as

amended) being independent of the OPP. The development would therefore fall within Schedule 2 development. As it was previously assessed as part of the Mowbray strategic development and continues to form part of, and facilitate, continued delivery of that project, an Environmental Statement has been prepared and submitted within this application.

4 PLANNING POLICY

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that where the Development Plan contains relevant policies, applications for development which are in accordance with these policies should be allowed unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) are material considerations.
- 4.2 This section sets out the relevant policy and material considerations, demonstrating how the Proposed Development complies with relevant national, regional and local planning policy.
- 4.3 The Development Plan comprises:
- Horsham District Planning Framework (2015) ('HDPF')
 - Site Specific Allocation of Land Document (2007)
- 4.4 Material considerations include:
- National Planning Policy Framework (2024) (as amended) (NPPF)
 - Planning Practice Guidance (2024) (as updated) (PPG)
 - Local Supplementary Planning Documents

Adopted Planning Policy

- 4.5 Land North of Horsham is identified as a strategic allocation in the HDPF to deliver a mixed use development (Policy S1). The key development principles outlined in Policy SD1 can be summarised as:
1. High quality, sustainable, mixed-use community with its own identity and character but connected to Horsham
 2. Locally distinctive and unique through its architecture, urban and landscape design
 3. Legible layout that facilitates modes of sustainable travel
 4. Minimal impact on existing transport network with new crossings of the A264 Business Park
 5. Safeguarded land adjacent to the business park for a new parkway railway station
 6. Local centre including shops, healthcare and community facilities
 7. Homes of different sizes, types and tenure to meet local needs
 8. Two primary schools and a site for a secondary school together with provision for Special Education Needs

9. Open space, sport and recreation facilities
 10. Strong landscape buffer
 11. Sequential approach to flood risk
- 4.6 Additional policies that specifically relate to the Land North of Horsham are SD2 to SD9. These policies set out more detailed provisions for the Site in respect of, *inter alia*, employment, the local centre, housing, sports, landscape, design, education and transport.
- 4.7 This application for full planning permission seeks to provide transport infrastructure, landscaping, drainage, and foul and surface water pumping stations. The following adopted policies, in addition to Strategic Policy SD1 outlined above, are central to the assessment of the proposal:
- *Policy SD6 – Landscape Buffer, Landscape Character, Biodiversity and Green Infrastructure*

Strategic landscape proposals are to be provided to mitigate the appearance of development along the A264. The landscape proposals are to be delivered in accordance with an agreed phasing plan, and be subject to appropriate long-term management.
 - *Policy SD7 – Design*

Designs are required to demonstrate best practice design and sustainability and construction approaches from the UK and Europe.
 - *Policy SD9 – Transport Infrastructure*

New and safer pedestrian and cycle crossing points of the A264 are required to provide connections from existing residential areas to potential facilities and to give access to the development to / from Horsham and provide the existing communities in North Horsham access to the site and the Public Rights of Way network and the countryside to the north. Appropriate access for buses is also required to ensure deliverability of a link between the Land North of Horsham strategic allocation and existing residential areas of North Horsham.
 - *Policy 24 – Environmental Protection*

The environmental quality of the district is to be protected from development impacts through, *inter alia*, the minimisation of air pollution and greenhouse gas emissions, and the prevention of contaminated run-off to surface water sewers.
 - *Policy 25: The Natural Environment and Landscape Character*

Protects the landscape and natural environment from inappropriate development and seeks to protect, conserve and enhance the landscape, maintain and enhance the Green Infrastructure Network, ensure no net loss of biodiversity, delivering net gains where possible, and maintains and enhances the existing network of geological sites.

- *Policy 31 – Green Infrastructure and Biodiversity*

Requires development proposals to contribute to the enhancement of existing biodiversity and the creation of new habitats where possible. Any trees lost as a result of the development are to be replaced.

- *Policy 32 – The Quality of New Development*

Development is expected to reflect an understanding of local, physical, social, economic, environmental and policy context for development.

- *Policy 33 – Design Principles*

Several principles set out within this policy. Relevant to this application, the appearance of development is required to respond to built surroundings and landscape features, offer a high standard of landscaping, and presume in favour of retaining existing landscape and natural features.

- *Policy 35 – Climate Change*

Supports development which makes a clear contribution in adapting to climate change, including measures which reduce energy use in construction (1), provide appropriate flood storage capacity (1), support the use of sustainable transport methods (4) *inter alia*.

- *Policy 37 – Sustainable Construction*

Requires proposals to seek sustainable improvements by introducing design features to minimise vulnerability to flooding and heatwave events (3), encourage walking, cycling and other forms of sustainable transport (5), and incorporate measures to improve biodiversity value (8).

- *Policy 38 – Flooding*

Sets of how development which could result in increased flood risk should incorporate the use of SuDS features to mitigate that risk (3), and in doing so, should consider the importance of local ecological resources such as water quality and biodiversity (4). Drainage techniques that mimic natural drainage patterns and manage surface water close to source should also be adopted (5).

- *Policy 39 – Infrastructure Provision*

This policy highlights that in the event of need for additional capacity, the infrastructure will need to be provided in time to serve the development (or relevant phase) to ensure the existing environment or amenities are not adversely affected (2).

- *Policy 40 – Sustainable Transport*

Supports developments which maintains and improves existing transport system by road, rail and cycle (2), is integrated into the wider network of routes (3), includes

opportunities for sustainable transport to cut emissions (4), located where there are a range of transport options available (5), minimises conflict between traffic, cyclists and pedestrians (6), and provides safe and suitable access for vehicles, pedestrians, cyclists (9).

Emerging Planning Policy

- 4.8 The Council commenced a review of its local plan in 2018. Regulation 18 consultation took place in February/ March 2020. Regulation 19 consultation took place between 19 January 2024 to 1 March 2024 and the Submission Version Local Plan was submitted to the Secretary of State for Examination in August 2024. The initial hearing sessions were held in December 2024 and the Inspector has subsequently written to HDC to recommend withdrawal of the draft Plan (see letter dated 4 April 2025). As per NPPF (2024) paragraph 49 states increased weight can be attributed to the emerging policies as they progress towards adoption depending on the extent of unresolved objections. Given that the Inspector has indicated that the draft Plan is not sound, very limited weight can currently be attributed to its policies.

Biodiversity Net Gain

- 4.9 This application is made independent of the OPP, and the provisions of Schedule 14 of the Environment Act 2021 apply.

5 PLANNING ANALYSIS

Principle of Development

- 5.1 The proposed development has previously been found acceptable following its approval under the OPP. The decision to grant outline planning consent for the development proposed was made 1 March 2018. The local policy context remains largely the same, and national policy, insofar as it relates to the proposed development, has not changed significantly.
- 5.2 The Site remains allocated for development under Policy SD1 of the HDPF. Specifically, the Site falls within the “Employment Land” area of the allocation. There is therefore provision in the Development Plan for development in this location.
- 5.3 The Proposed Development will facilitate access to residential Phase 2 of the OPP and provide the foot/ cycle connections to deliver wider connectivity improvements as provided for in the Site-Wide Cycling Strategy (approved pursuant to OPP Condition 19). It is necessary for the continued delivery of the OPP at Mowbray and its relationship to the OPP is considered further below before the detailed aspects of the proposals are assessed.

Relationship to OPP

- 5.4 Condition 2 of the OPP requires the development to be carried out in broad accordance with the following parameters:
- Land Use
 - Density
 - Building Height
 - Movement and Access
 - Green Infrastructure
- 5.5 The parameters have been subject to several amendments. The most recent revisions are specified below:
- Parameter Plan: Land Use (2153A - 100Q)
 - Parameter Plan: Density (2153A-101P)
 - Parameter Plan: Building Heights (2153A-102S)
 - Parameter Plan: Movement and Access (2153A-103S)
 - Parameter Plan: Green Infrastructure (2153A - 105R)
- 5.6 This application relates to the Employment Land within the south-eastern area of the OPP site. The Movement and Access Plan demonstrates a Primary Road running horizontally through the site, leading from the A264 connected by a LILO junction in the west of the

- Employment Land to the east, where it intersects with the existing Bridleway of Bush Lane (Bridleway 1585). The junction of Bush Lane is the extent of the Site.
- 5.7 The parameter plan shows the road being intercepted by two roundabouts which provide routes to the north and south of the Employment Land.
- 5.8 An existing Public Right of Way footpath is shown to extend from the south-western boundary of the site, where it adjoins the A264,
- 5.9 The proposed Primary Road follows the route of the Primary Road shown in the approved Movement and Access Parameter Plan, albeit with a minor deviation towards the centre of the length of the road as a result of natural contours. The westernmost roundabout is also further east than shown on the parameter plan, however, maintains broad accordance with it.
- 5.10 As assessed above, the development would maintain near complete accordance with the approved parameters, whilst also necessary to facilitate access to and delivery of the wider phases within the OPP. There are small areas of overlap between the red line of the Proposed Development and the Sports Hub Sub Phase and Phase 2 of the OPP so that the Proposed Development delivers the development objectives of the OPP and accords with its parameters. There would be no material inconsistency between the OPP/ its parameters and the Proposed Development. The Proposed Development would not prevent implementation of the remainder of the OPP; indeed it is required in the form proposed to align with and facilitate on-going delivery of the OPP as approved.

Highways and Transport

Safety

- 5.11 A Stage 1 Safety Audit in relation to the proposed road has been undertaken on review of the submitted drawings and following a site visit in August 2025. This is shown in Appendix D of the submitted Transport Statement. All recommendations have been adopted, save that recommendation 2.2 cannot be fully adopted on part of the Applicant, as the long-term management of trees within visibility splays will be within the long-term management of WSCC.
- 5.12 The proposed layout of the road has been subject to pre-application discussions with West Sussex County Council.
- 5.13 Paragraph 116 of the NPPF states that development should only be prevented or refused on highway grounds where there would be severe impacts, either singular or cumulative, on highway safety following mitigation. By virtue of the above assessments, no such impacts are identified.

Sustainable Transport

- 5.14 Paragraph 117 of the NPPF requires development proposals to create spaces that are safe and minimise the scope for conflicts between users of different transport modes. This is reflected in HDPF Policy 38, which seeks to improve existing transport systems by road, rail and cycle, integrating routes into existing networks, and minimises conflicts between the different modes in the interest of safety.

- 5.15 The development proposed offers ample space for pedestrians and cyclists in segregated and defensible spaces away from vehicular traffic.
- 5.16 The cycle paths across the site offer bi-directional dedicated hardstanding at 2.5 metres in width, thereby segregating cyclists from pedestrians using the 2-metre-wide parallel footpaths, further reducing the potential for conflict.
- 5.17 A site-wide Cycle Route Strategy was approved via discharge of condition pursuant to the OPP (LPA ref. DISC/22/0232). This application is separate to the OPP, however, maintains broad accordance with the strategy so as not to prejudice delivery of the wider OPP.
- 5.18 The approved Cycle Route Strategy provides a dedicated cycle way alongside the length of the Primary Road through the Employment Land. As demonstrated on the submitted Employment Land Pedestrian and Cycle Route Strategy (MOW-RMA2-PH2-SK02 P4), a cycle route would be provided along the entire length of the Primary Road.
- 5.19 The approved site-wide Cycle Route Strategy also allocated cycle routes heading north and south of the westernmost roundabout. The route leading south on the approved strategy was shown to continue east along the south-eastern boundary of the OPP site, rejoining onto the existing cycle network at Wimland Road. The provision of that route is forwarded within this application.
- 5.20 The route leading north is still provided, however crosses Channells Brook further east than shown on the approved strategy. Nonetheless, it adjoins the existing bridleway on the northern side of the brook and therefore maintains broad accordance with the approved strategy.
- 5.21 In light of these provisions, the proposal can be considered to accord with Policy 38 of the HDPF, and Paragraph 117 of the NPPF.

Open Space, Design and Landscape

- 5.22 Policy 32 and 33 of the HDPF promote high quality and inclusive design and the conservation and enhancement of the natural and built environment.
- 5.23 The landscaping scheme proposed within this application complies with, and seeks to exceed, the principles set out within Schedule 4 (Green Infrastructure) and Appendix 8 (Green Infrastructure Standards) of the OPP S.106. Existing landscape features along field boundaries and watercourses within the Site are to be retained and integrated into the wider landscape strategy for the Site. Additional landscape features are also proposed, including attenuation basins, and tree and shrub planting which will create a natural aspect and landscaped setting within the Site.
- 5.24 Landscaping along the road aims to create a landscaped avenue. A combination of large trees including *Tillia cordata*, *Carpinus betulus*, and *Acer platanoides* will be set along the edges of the road to aid wayfinding, biodiversity and climate resilience, backed by mixed native hedging, and timber post and rail fencing creating a consistent boundary along the main corridor. More ornamental trees such as *Prunus avium* and *Liquidambar styraciflua* are to be used on the compact roundabouts.

- 5.25 The attenuation basin is intended to be dry most of the year, filling in only higher order storm events. Consideration has therefore been given for the use of the feature as functional open green space. The maximum slope of the gradient of the basin is proposed to be 1 in 3, allowing for access and egress for amenity use and emergency access.
- 5.26 Additional open space is provided on the northern side of the Primary Road between the two roundabouts which is enclosed by existing hedging.

Trees

- 5.27 The application is supported by an Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS).
- 5.28 The tree survey carried out on the Site identified several mature, high-value trees within the Site and along its boundaries. The scheme was designed around the identified constraints to minimise the potential impact on existing trees.
- 5.29 The majority of existing trees are to be retained. The AIA identifies four individual trees and one group which are to be removed, as well as the partial clearance of other groups within the Site to facilitate the delivery of the development. The trees are generally of low value, and do not contribute significantly to visual amenity, nor are they subject to any TPO's or other constraints preventing their removal.
- 5.30 The submitted AMS details the protection measures that will be adopted to ensure retained trees do not suffer detriment whilst construction works are undertaken and can be retained long-term within the Site. The submitted AMS and Landscape Ecological Management Plan (LEMP) will ensure that the trees are retained long term.
- 5.31 As outlined in the Open Space, Design and Landscape section of this Statement, significant tree planting is proposed across the Site along the highways, PRoWs and drainage infrastructure. The additional planting would provide an overall uplift in the quantum of planting across the Site and contribute to visual amenity. Therefore, the trees to be removed would be replaced as part of the wider landscaping scheme. The development therefore accords with Policy 31 of the HDPF.

Ecology and Biodiversity Net Gain

- 5.32 The application is accompanied by a Biodiversity Net Gain Statement (September 2025) and a statutory metric.
- 5.33 The report details how the Site does not provide any Irreplaceable Habitats as defined by the Biodiversity Gain Requirements (Irreplaceable Habitats) Regulation 2024.
- 5.34 The drainage outfall in the west of the Site is not considered to affect a Habitat of Principal Importance and is exempt by virtue of Section 4(2) and (3)(b) of Biodiversity Gain Requirements (Exemptions) Regulations 2024.

- 5.35 The submitted Biodiversity Net Gain Metric demonstrates an uplift within the Site area of 10.21% in area habitat units, and 17.18% in hedgerow units thus achieving the mandatory 10%.

Contamination

- 5.36 An application to discharge Condition 18 of the OPP, relating to risks associated with contamination as below, was submitted to HDC dated 7 November 2023. The application can be found under LPA ref. DISC/23/0238.

18. Pre-Commencement Condition: *Prior to the commencement of development within each Reserved Matters Area the following components of a scheme to deal with the risks associated with the contamination of the relevant Reserved Matters Area shall be submitted to and approved, in writing, by the Local Planning Authority.*

- a) *A preliminary risk assessment which has identified:*
 - i. *All previous uses*
 - ii. *Potential contaminants associated with those uses*
 - iii. *A conceptual model of the relevant Reserved Matters Area indicating sources, pathways and receptors*
 - iv. *Potentially unacceptable risks arising from contamination within the relevant Reserved Matters Area*
- b) *A site investigation scheme based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected including those off site.*
- c) *An options appraisal and remediation strategy based on the site investigation results and the detailed risk assessment (a and b, above) and giving full details of the remediation measures required and how they are to be undertaken.*
- d) *A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The scheme shall be implemented in accordance with the approved details.*

- 5.37 The discharge application is pending decision. Clarification was sought by HDC Environmental Health and Licensing on several matters in their comments dated 19 December 2023. Stantec's responses to those comments, and the additional associated documents, have been provided within this submission for ease.

- 5.38 The most recent comments received from HDC Environmental Health and Licensing (dated 1 July 2024), made further to the above response, requested information in relation to the Geo-Environmental Ground Investigation Report for the eastern part of the OPP in the area around existing agricultural buildings, and details regarding testing frequencies of imported soils on the Sports Hub Phase of the OPP. There are no other outstanding matters.

- 5.39 The Site subject of this application does not relate to either the Sports Hub phase, or the agricultural buildings in the east of the OPP. As no concerns have been raised regarding contamination on the land forming part of this application, the details submitted within the Condition 18 discharge application have been resubmitted as part of this full application. This comprises a Desk Study Report (June 2022), Ground Appraisal Report (September 2022), and Ground Investigation Report (December 2022).
- 5.40 Paragraph 196 of the NPPF requires planning decisions ensure that sites are suitable for their proposed use taking into account any risks arising from contamination.
- 5.41 The proposed development would not introduce any uses that would be sensitive to contamination. No concerns have previously been raised regarding the submitted documents insofar as they relate to the Site.

Flood Risk and Drainage

Flooding

- 5.42 A Flood Risk Assessment has been carried out and is included within the submission. The assessment demonstrates general accordance with the FRA carried out for the OPP. The details have been amended to reflect the most recent flood mapping produced by the Environment Agency, and modelling undertaken by Glanville.
- 5.43 The majority of the Site is identified as being at very low risk of fluvial flooding, though parts of the site adjacent to Channells Brook to the north and west of the Site are within Flood Zones 2 and 3.
- 5.44 Built development has been removed from areas within the Site that have been identified as being at risk. No built development is therefore proposed in areas at risk of fluvial flooding in accordance with the sequential approach set out in National Policy and Guidance. The only additional built form proposed are sub-stations, which are to be raised above the existing ground levels by a minimum of 300mm above the closest 1 in 100-year (plus climate change) flood event levels. Land raising within at-risk areas will be avoided.
- 5.45 A cycling and pedestrian route will be interrupted by areas at risk of flooding; however, these do not constitute primary access and egress routes for existing or future developments pursuant to the OPP, which is instead provided by primary infrastructure which would not be at risk.
- 5.46 The Environment Agency Surface Water flood mapping similarly identifies the majority of the site as being at very low risk for surface water flooding. Annual probability is identified as less than a 1 in 1,000 Annual Exceedance Probability.
- 5.47 Small pockets in valleys and depressions within the topography are identified as ranging from low to high risk of surface water flooding, though the flood risk is predominantly generated by the site itself and would be mitigated with the inclusion of positive drainage infrastructure.
- 5.48 A sequential approach to the development of the site has been undertaken in tandem with mitigation measures. The measures proposed ensure no development would be located within areas located in areas at risk of flooding, and that safe access and egress can be

maintained. Existing ditches and proposed culverts will be utilised to direct and contain overland flows to ensure the development does not increase flood risk off-site,

- 5.49 Intrusive investigation has found groundwater levels to be between 1.00 and 2.90 metres below ground level. These depths were considered to have potential to combine with fluvial flooding in areas where fluvial flood risk was identified in low-lying areas. However, as a sequential approach has been applied and no sub-terranean development proposed, adequate measures have been undertaken to mitigate these potential risks.

Drainage

- 5.50 Condition 17 of the OPP required the submission of a Surface Water Drainage Strategy to demonstrate safe management of surface water, including critical storm water storage across the site up to the 1 in 100-year storm event (plus 45% climate change allowance).
- 5.51 This condition was discharged pursuant to LPA ref. DISC/19/0214, which included a Site Wide Surface Water Drainage Strategy (25216/DS/01 Rev: A August 2019). This application is functionally separate to the OPP, and a new Surface Water Drainage Strategy has been proposed within the FRA included as part of the submission package. Its detail generally follows the principles of the approved Surface Water Drainage Strategy, albeit updated to reflect modern local drainage standards.
- 5.52 The PPG outlines how SuDS should be designed to control surface water run-off close to where it falls and, in combination with built and nature-based techniques, mimic natural drainage as closely as possible. They can therefore provide benefits to water quantity and quality, biodiversity and amenity. Policy 38 of the HDPF seeks to utilise drainage techniques which mimic natural drainage patterns and manage surface water close to source.
- 5.53 The site has been split into two catchment areas with regards to drainage. One of those areas (Catchment 6) aims to drain surface water run-off into the existing surface water drainage network developed pursuant to planning permission of ref. DC/22/1026 and amended by S.96A ref. DC/24/0917. A verification report confirming that the drainage network has been constructed in accordance with the approved drawings was approved under ref. DISC/25/0091. The proposed Surface Water Drainage Strategy within this submission confirms the catchment area for Catchment 6 complies with the approved catchment area of the network.
- 5.54 The remainder of the site falls within Catchment 7, which is to provide for both the subject site, and future development to the north and south of the road. A SuDS attenuation basin, which will provide effective pollution control for surface water run-off resulting from the proposed development, and flow control device is proposed as part of this application.
- 5.55 The proposed development does not provide any uses which would result in additional foul water, however foul water drainage infrastructure, in the form of a gravity foul water network, pumping station and rising main will be provided as part of this application. The network aims to accommodate subsequent developments which would generate foul water flows which is to be discharged via the Site.

Summary on Flooding and Drainage

- 5.56 Paragraph 170 of the NPPF seeks to direct development away from areas at the highest risk of flooding. Paragraph 173 necessitates sequential tests are undertaken for individual applications which are in areas known to be at risk of flooding presently, or in the future, from any form of flooding. This approach is re-affirmed in the PPG, and Policy 38 and Strategic Policy SD1 of the HDPF.
- 5.57 The development is generally at a low risk of flooding, with small areas of land at an increased risk. A sequential approach has been undertaken to remove built development from areas of higher risk of flooding, and mitigation measures proposed to further mitigate risk where necessary. Existing ditches and proposed culverts would be utilised to ensure flood risk is not increased off-site, and the addition of drainage infrastructure would result in a reduced flood risk regarding surface water flooding. The scheme therefore accords with NPPF Paragraphs 170 and 173, and HDPF Policy 38 and Strategic Policy SD1.

Minerals

- 5.58 The Site falls within a Brick Clay Resource Mineral Safeguarding Area as shown Appendix E of the West Sussex Joint Minerals Local Plan 2018 (reviewed 2021).
- 5.59 Policy M9 of the Minerals Local Plan states non-mineral development within Safeguarded Areas will not be permitted unless (i) mineral sterilisation will not occur, (ii) it is appropriate and practicable to extract the minerals prior to development taking place, or (iii) the overriding need for the development outweighs the safeguarding of the mineral and that prior extraction is not practicable or environmentally feasible.
- 5.60 The proposed development would provide significant public benefits through enabling the delivery of the wider OPP, specifically through its provision of access to Phase 2 of the OPP and the Employment Land. The Site and surrounds are allocated within the HDPF and provide significant contributions to housing supply and economic development.
- 5.61 There are significant constraints precluding the extraction of minerals on the Site. The Site is situated on the immediate edge of Horsham, as defined by the existing settlement pattern, which places the Site within such a range of the residential uses within Horsham proper as to potentially impact residential amenity were extraction to occur, through dust, noise, vibration, etc. The delivery of dwellings within the OPP has commenced to the west of the Site, with some to the west of Bohunt School now occupied, and would likely suffer similar implications on residential amenity.
- 5.62 The Site immediately abuts a railway line, which runs parallel to the entire length of the south-eastern boundary. The presence of the track presents significant implications on the potential for extraction due to the possible geotechnical instability that may arise should minerals be extracted within proximity of the track.
- 5.63 Similarly, the A264 runs parallel to the entire southern boundary of the Site, just beyond the railway track, which would be subject to the same standoff requirements, and would be similarly sensitive to geotechnical instability.

- 5.64 Given the above, it is clear (iii) of M9 applies, as the proposed development facilitates the delivery of the wider OPP, and the benefits that the OPP provides, and that prior extraction of the mineral is not practicable or feasible.

Water Neutrality

- 5.65 There are no buildings proposed which would increase water demand.
- 5.66 The landscaping proposed is low in water demand. The submitted Landscape and Ecological Management Plan sets out measures to be adopted to comply with the water neutrality requirements, which are as follows;
- Planting to occur early in the planting season when the weather is generally wetter to help initial establishment.
 - No permanent irrigation to be installed.
 - If watering is required (for example during droughts/long dry spells) water will be brought in by tanker from outside of the water resource zone or extracted from the on-site SUDS basins if available.
 - Low water demand trees / planting has been proposed where possible in the landscaping scheme.
 - All tree planting would include bark mulch around the stem to retain soil moisture.
 - There will be no new water connections onto the existing network for the purposes of landscape maintenance as a result of this application.

Environmental Statement

- 5.67 The OPP was accompanied by an Environmental Statement ('ES') in 2016 which detailed the findings of an Environmental Impact Assessment ('EIA') in relation to the potential effects of the OPP. An addendum to the ES was submitted in 2017 to reflect amendments to the OPP and in response to comments from consultees.
- 5.68 The proposed application is not a "subsequent application" in the terms set out by Regulation 9 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The proposed development seeks a separate, standalone consent. In isolation, the proposed development would not require an ES, however it forms part of the strategic development and previous EIA associated with the OPP. An ES has therefore been provided.
- 5.69 The facts of the application still materially relate to those assessed in the initial EIA and summarised in the ES and ES Addendum. There have not been any significant changes to the baseline or legislation in the intervening period. The proposed development remains in accordance with the parameters assessed within the OPP and the subsequent addendum. The significant residual effects reported in the 2017 ES Addendum remain valid.

6 CONCLUSIONS

- 6.1 This Planning Statement assesses the proposals in the context of the Development Plan and other material considerations. It takes account of the national planning policies contained within the NPPF and HDPF local planning policies and identifies key considerations material to the determination of the planning application.
- 6.2 Outline planning permission for the development has previously been granted, however has since fallen away in this area. Nonetheless, the proposed development demonstrates broad accordance with the approved parameters and would facilitate the delivery of the Employment Land and the wider Phase 2 of the OPP.
- 6.3 The Site forms part of Strategic allocation SD1 of the Local Plan and, as it forms necessary infrastructure to deliver the development, is in accordance with it. Therefore, the principle of the development is firmly aligned with the planning policy context.
- 6.4 This Planning Statement demonstrates that the development proposals would accord with the relevant policies within the Development Plan, as well as the NPPF and NPPG. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications should be in accordance with the Development Plan unless material consideration indicate otherwise. The development proposals accord with the Development Plan and in accordance with Paragraph 11 of the NPPF, this planning application should be approved without delay.