



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

S106/26/0033

Mowbray Development Site, Old Holbrook, Rusper Road, Horsham, West Sussex,

DESCRIPTION:

Application for discharge of S106 obligations sch.2 Clauses 3.1 and 3.2 (Biodiversity Gain Plan and HMMP) for Mowbray Employment Road to approved application DC/25/1543

RELEVANT PLANNING HISTORY:

DC/25/1543	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.	Application Permitted on 02.07.2026
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RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF):

Horsham District Planning Framework (HDPF 2015)

Policy 1 - Strategic Policy: Sustainable Development

Policy SD1: Strategic Policy: Land North of Horsham

Policy SD6: Landscape Buffer, Landscape Character, Biodiversity and Green Infrastructure

Policy 31: Green Infrastructure and Biodiversity

Neighbourhood Plan:

The Mowbray site covers the parishes of North Horsham and Rusper. North Horsham Parish has withdrawn its neighbourhood plan designation.

Rusper Parish Neighbourhood Plan has been through examination and has been approved through a referendum. The relevant policies are as follows:

- Policy RUS5: Green Infrastructure and Biodiversity

REPRESENTATIONS AND CONSULTATIONS RESPONSES

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

Consultations:

HDC BNG Officer: No objection (summary).

Parish Comments:

North Horsham Parish: No observation made.

Representations:

None received

HUMAN RIGHTS

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of

the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

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

PLANNING ASSESSMENT

Consent is sought to approve the details required by Schedule 2, paragraphs 3.1 & 3.2 of the legal agreement under approved application DC/25/1543.

Schedule 2, paragraphs 3.1 & 3.2 state the following:

3.1 To submit the Biodiversity Gain Plan and the HMMP to the District Council for its approval in writing prior to the Commencement of Development;

3.2 Not to Commence Development until the Biodiversity Gain Plan and the HMMP have been approved in writing by the District Council (such approval not to be unreasonably delayed or withheld);

The definitions of an appropriate HMMP and Biodiversity Net Gain Plan are set out in the legal agreement. To comply with the requirements of the condition, the applicant has submitted an HMMP, BNG Metric and Biodiversity Net Gain Plan. As amended, the Council's BNG Officer has commented that the details are acceptable and the requirement of the paragraphs 3.1 & 3.2 have been complied with.

Recommendation: Application Permitted

POSITIVE AND PROACTIVE STATEMENT

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

Plans list for: S106/26/0033

(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved:**

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Habitat Management and Monitoring Plan	n/a	14.09.2026
Supporting Docs	BNG Metric	n/a	14.09.2026
Supporting Docs	Biodiversity Net Gain Plan	n/a	24.09.2026

DELEGATED

Case Officer sign/initial Jason Hawkes Date: 28.09.2026

Authorising Officer sign/initial Adrian Smith Date: 28/09/2026