

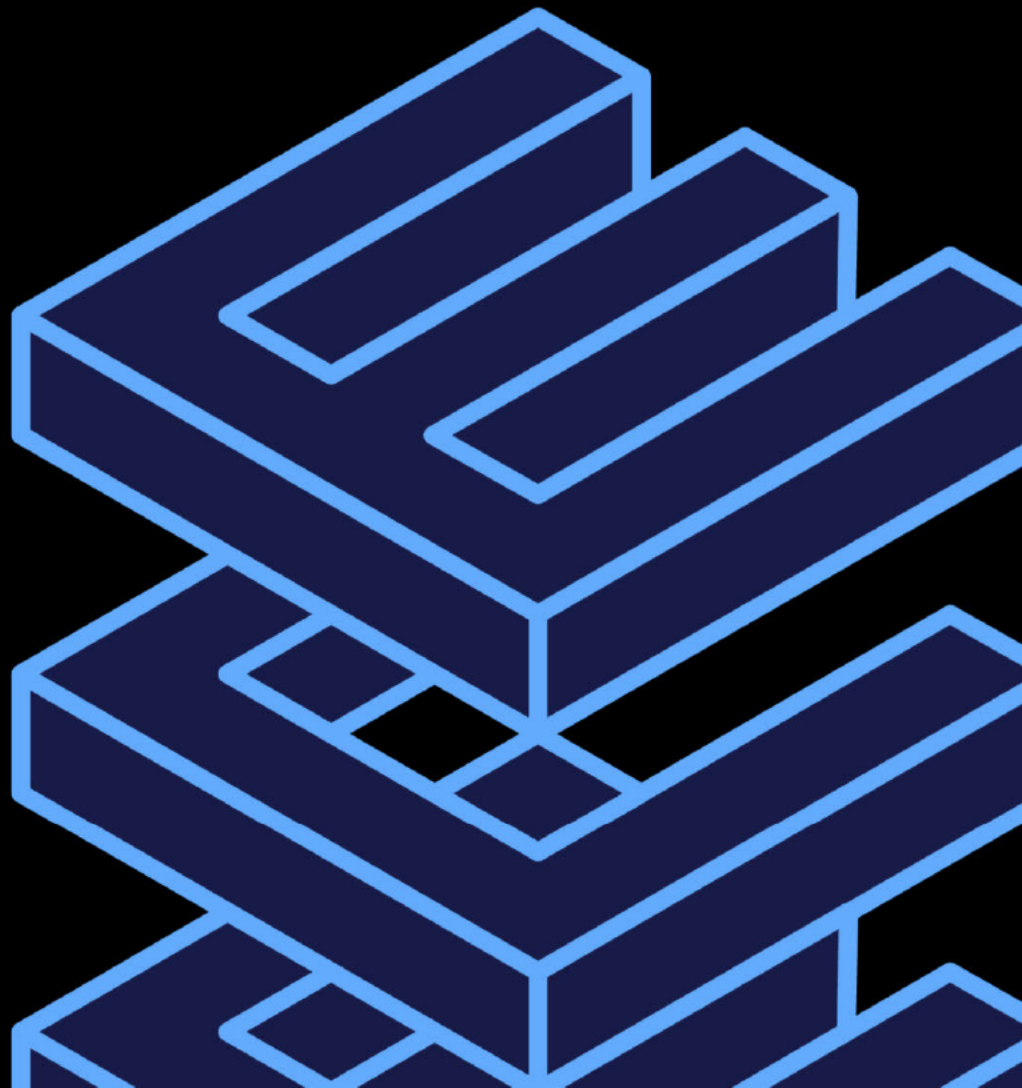


ECE

Statement of Case

Eastlands Lane, Cowfold

June 2026



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Project Name: Eastlands Lane, Cowfold

Location Land to the North of Eastlands Lane, Cowfold

Client: Eastlands Farm Ltd & Hunter Developments
Ltd

File Reference: P2305i

Issue	Date	Author	Checked	Notes
PL1	04.06.2026	S Lower	C Barker	Initial Draft
PL2	05.06.2026	C Barker	C Barker	Client Initial Draft
PL3	15.06.2026	C Barker	C Barker	Planning Issue

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1. Introduction

- 1.1. This Appeal Statement of Case has been prepared by ECE Planning on behalf of Eastlands Farm Ltd & Hunter Developments Ltd ("the Appellant") in support of this Section 78 Appeal against the refusal of Planning Permission by Horsham District Council ("the Council") under reference DC/26/0472 ("the Decision") on the 18 May 2026 in relation to the Land to the North of Eastlands Lane, Cowfold.
- 1.2. The Appellant sought full planning permission for the following development ("the Proposed Development"):
- Erection of 9no. dwellings with associated car parking spaces, detached carports, garages and landscaping.*
- 1.3. The application was subsequently **refused by the Council for the following reasons:**
1. The development would be located beyond a defined built-up area on a site not allocated within the Development Plan and would not be essential to this countryside location. The development would therefore be contrary to the overarching spatial strategy and hierarchy approach of concentrating development within defined settlements and advocating a planned approach to settlement expansion, contrary to policies 1, 2, 3 and 26 of the Horsham District Planning Framework (2015) and policies 9 and 10 of the Cowfold Neighbourhood Plan 2019-2031. Notwithstanding the absence of a five-year land housing supply, and the provisions of the National Planning Policy Framework (2024) at paragraph 11(d), it is not considered that there are any material considerations which would outweigh harm arising from conflict with the above policies.
 2. The development entails a quantum of built form that would formalise and suburbanise the site, resulting in the dilution and erosion of the informal character of the landscape and countryside setting. The proposal would result in a prominent form of development that would fail to preserve and/or enhance the landscape characteristics of the area. The proposed development would therefore be contrary to Policies 25, 32, and 33 of the Horsham District Planning Framework (2015) and Policy 9 of the Cowfold Neighbourhood Plan 2019-2031.
- 1.4. The Council's reasons for refusal are confined to matters of spatial strategy, the location of the site beyond the defined built-up area boundary, and the alleged landscape and character effects of the Proposed Development.
- 1.5. A copy of the Decision Notice (P2305 Decision Notice 260518) together with the documents that made up the planning application are submitted with this Statement as part of this appeal submission. Please refer to the accompanying Document List ("Documents List") for further information.
- 1.6. The requested mode of **appeal is by way of an Informal Hearing**. The Appellant considers that this is the most appropriate and proportionate procedure given the interrelated matters of planning policy, housing land supply, neighbourhood plan weight, settlement sustainability and site-specific landscape judgement. These matters would be materially assisted by structured discussion and an accompanied site visit.
- 1.7. The Mode of Appeal and subsequent reasons to request an Informal Hearing can be found at **Appendix A** of this Statement.

- 1.8. In accordance with the Government's Updated Guidance in relation to 'Use of artificial intelligence in casework evidence' dated 20 February 2026, it is confirmed that this Statement has used AI (ChatGPT) to review language structure. The Statement has been checked prior to submission, to ensure that the content is accurate and has not been amended by AI.

2. The Appeal Site

- 2.1. Please refer to the Planning Statement and Statement of Common Ground for full details of the site's location and surrounding context.
- 2.2. For clarity, the Appeal Site is visually demonstrated in Figure 1 below.



Figure 1 - The Appeal Site (Outlined in Red)

3. Relevant Planning History

3.1. Introduction

- 3.1.1. There is no relevant planning history relating to the Appeal Site, other than the planning application that is the subject of this appeal, as set out below.

3.2. Planning Application DC/26/0472

- 3.2.1. Reference **DC/26/0472**. Erection of 9no. dwellings with associated car parking spaces, detached carports, garages and landscaping at Land North of Eastlands Lane Cowfold West Sussex. Refused 18 May 2026.

4. The Appeal Scheme

- 4.1. The Appeal Scheme comprises the erection of nine dwellings with associated car parking spaces, detached carports, garages and landscaping on land to the north of Eastlands Lane, Cowfold.
- 4.2. The Appeal Site extends to approximately 0.49 hectares and is accessed via an existing private road from Eastlands Lane. Vehicular access is taken from Eastlands Lane to the A281 via the existing private access road, (owned by the applicant) which currently serves a number of neighbouring residential properties. The Appeal Scheme utilises this established access arrangement.
- 4.3. The internal road provides access to each plot and includes turning space to allow vehicles, including refuse and emergency vehicles, to manoeuvre within the site and exit in forward gear. Pedestrian access to individual dwellings is taken from the internal road and from on-plot driveways.
- 4.4. The Appeal Scheme provides nine dwellings, comprising three 3-bedroom homes and six 4-bedroom homes. The dwellings include a mix of detached, semi-detached, single-storey, one-and-a-half-storey and two-storey homes.
- 4.5. The dwellings are arranged in a broadly linear form along the existing private access road, reflecting the established pattern of development in this location. Development is concentrated within the eastern and central parts of the site, with built form set back from site boundaries and contained within individual plots.
- 4.6. The Appeal Scheme results in an overall density of approximately 18 dwellings per hectare. Plot sizes vary across the site, allowing for a mix of dwelling types, scales and forms. Surrounding land to the north, south, East and west is controlled by the applicant, as demonstrated in the submitted location plan. (edged in blue)
- 4.7. A minimum 15 metre undeveloped buffer is retained along the western boundary adjacent to the woodland. This area contains no built form, private gardens or hardstanding and retains the routing of the PROW.
- 4.8. The dwellings are designed as a series of individual buildings rather than a single uniform house type. Building heights vary across the site and include single-storey, one-and-a-half-storey and two-storey forms. Roofs are predominantly pitched, with varied ridge heights and roof spans reflecting the differing dwelling types.
- 4.9. External materials comprise a traditional and locally informed palette, including facing brick, areas of timber cladding, and clay or slate roof tiles. The dwellings incorporate simple, well-proportioned openings and detailing.
- 4.10. Parking is provided through a combination of on-plot parking spaces, detached garages and carports. Garages and carports are positioned within individual plots and accessed directly from the internal road.
- 4.11. Driveways and parking areas are proposed as gravel resin surfaces. Visitor parking can be accommodated within the site without obstruction to access or turning areas.
- 4.12. Each dwelling is provided with private garden space, located to the rear or side of plots and enclosed by a combination of fencing and planting. Garden sizes vary according to plot size and dwelling type.

- 4.13. Existing boundary vegetation will be retained wherever possible. New planting is proposed throughout the site, including trees, hedgerows and shrubs. Boundary treatments will comprise estate rail fencing and timber panel fencing, with planting used to reinforce parts of the site boundary. The landscape buffer can be further enhanced, as this land is under the control of the applicant and has been edged blue within this submission.
- 4.14. Further details of the Appeal Scheme are provided within the Planning Statement.

5. Policy Overview

5.1. Introduction

5.1.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, where the development plan contains relevant policies, an application for planning permission shall be determined in accordance with the development plan unless material considerations indicate otherwise.

- Horsham District Planning Framework (2015)

5.1.2. The National Planning Policy Framework (The Framework), the Planning Practice Guidance (PPG) and Supplementary Planning Guidance are material considerations, together with local guidance documents.

5.2. National Planning Policy Framework (the Framework)

5.2.1. The Framework, amended in December 2024, sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced.

5.2.2. The following extracts of the Framework are considered most relevant in the determination of this Appeal. The below are not explored in detail within this Statement but have been fully reviewed in preparation of the application.

- **Chapter 2 (Achieving Sustainable Development)**
- **Chapter 5 (Delivering a Sufficient Supply of Homes)**
- **Chapter 9 (Promoting Sustainable Transport)**
- **Chapter 11 (Making Effective use of Land)**
- **Chapter 12 (Achieving well-designed places)**
- **Chapter 14 (Meeting the challenge of climate change, flooding and coastal change)**
- **Chapter 15 (Conserving and enhancing the natural environment)**

5.3. National Planning Practice Guidance (NPPG)

5.3.1. The PPG supplements the overarching objectives of the National Planning Policy Framework. The guidance provided by the PPG has been fully considered in the creation of the application and the proposed plans are seen to be fully compliant with it.

5.4. Horsham District Planning Framework (HDPF)

5.4.1. The Horsham District Planning Framework (HDPF) was adopted in November 2015 and is the overarching planning document for Horsham District outside the South Downs National Park (SDNP) and replaces the Core Strategy and General Development Control Policies documents which were adopted in 2007.

5.4.2. Although the HDPF is out of date by reason of it being over 5 years old, the following policies are considered to be relevant to the application and have been given full consideration in the preparation of this application.

- **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 17 – Green Infrastructure and Biodiversity
- Strategic Policy 19 – Development Quality
- Strategic Policy 20 – Development Principles
- Strategic Policy 24 – Sustainable Transport
- Strategic Policy 25 – Parking
- Strategic Policy 37 – Housing Provision
- Strategic Policy 38 – Meeting Local Housing Needs
- Strategic Policy 40 – Improving Housing Standards in the District

5.5. Cowfold Neighbourhood Plan (CNP)

5.5.1. Key policies of relevance are as follows:

- Policy 1 – Groundwater and Surface Water Flood Risk
- Policy 2 – Green Infrastructure
- Policy 4 – Conservation Area
- Policy 5 – Open Space
- Policy 8 – Potters Allotments
- Policy 9 – Residential Development Principles
- Policy 12 – CNP03, Potters
- Policy 13 – Housing Mix
- Policy 15 – Communications
- Policy 16 – Car Parking Provision

5.5.2. While the Cowfold Neighbourhood Plan forms part of the development plan, the relevant policies relating to housing supply are considered to carry no material weight for the reasons set out in detail in section 6.

5.6. Other Relevant Guidance and Policies

5.6.1. The following summarises the relevant guidance for this application:

- Revised County Parking Standards and Transport Contributions Methodology (2020)
- Planning Obligations and Affordable Housing Supplementary Planning Document (2017)
- Community Infrastructure Levy (CIL) Charging Schedule (2017)
- WSCC Guidance on Parking at New Developments (September 2020)
- Air Quality and Emissions Mitigation Guidance for Sussex (2021)
- Biodiversity and Green Infrastructure Planning Advice Note (2022)
- Shaping Development in Horsham District document SDPAN

5.7. Submission Horsham District Local Plan 2023-2040 (HDLP)

5.7.1. Key policies of relevance are as follows:

- **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 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 37 – Housing Provision Strategic**
- **Policy 38 – Meeting Local Housing Needs**
- **Policy 40 – Improving Housing Standards in the District**

6. Response to Reason for Refusal

6.1. Introduction

6.1.1. This Appeal has been submitted following the Council's refusal of planning permission on 18 May 2026 for the full planning permission for the erection of 9no. dwellings with associated car parking spaces, detached carports, garages and landscaping.

6.1.2. The wording of the reasons for refusal is as follows:

1. The development would be located beyond a defined built-up area on a site not allocated within the Development Plan and would not be essential to this countryside location. The development would therefore be contrary to the overarching spatial strategy and hierarchy approach of concentrating development within defined settlements and advocating a planned approach to settlement expansion, contrary to policies 1, 2, 3 and 26 of the Horsham District Planning Framework (2015) and policies 9 and 10 of the Cowfold Neighbourhood Plan 2019-2031. Notwithstanding the absence of a five-year land housing supply, and the provisions of the National Planning Policy Framework (2024) at paragraph 11(d), it is not considered that there are any material considerations which would outweigh harm arising from conflict with the above policies.
2. The development entails a quantum of built form that would formalise and suburbanise the site, resulting in the dilution and erosion of the informal character of the landscape and countryside setting. The proposal would result in a prominent form of development that would fail to preserve and/or enhance the landscape characteristics of the area. The proposed development would therefore be contrary to Policies 25, 32, and 33 of the Horsham District Planning Framework (2015) and Policy 9 of the Cowfold Neighbourhood Plan 2019-2031.

6.1.3. In forthcoming sections, the Appellant will present the case against the Council's decision by addressing the reasons for refusal in its constituent parts.

6.2. Reason for Refusal 1: Principle of Development, Spatial Strategy and the Cowfold Neighbourhood Plan

6.2.1. The first reason for refusal concerns the principle of development. The Council's case is that the appeal site lies outside the defined built-up area, is not allocated for housing, and is not essential to a countryside location. It therefore alleges conflict with Policies 1, 2, 3 and 26 of the Horsham District Planning Framework and Policies 9 and 10 of the Cowfold Neighbourhood Plan.

6.2.2. The Appellant accepts that the site lies outside the defined built-up area boundary and is not allocated for housing. However, that does not determine the appeal. The decision must be made in accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, having regard to the development plan as a whole and to all relevant material considerations.

6.2.3. The relevant material considerations include the Council's acute housing land supply shortfall, the engagement of paragraph 11(d) of the Framework, the age and reduced effectiveness of the adopted strategic housing policies, the limited weight to be given to neighbourhood plan restraint policies where they are based on outdated housing evidence, and the site's relationship with Cowfold.

- 6.2.4. These matters are addressed in further detail below and are central to the Appellant's response to the first reason for refusal.

6.3. Site Location

- 6.3.1. The appeal site is not an isolated countryside location. It lies immediately adjacent to the settlement edge of Cowfold, is accessed from Eastlands Lane, and is experienced in the context of existing residential properties and built form. It is therefore not a freestanding development remote from services, facilities or other dwellings.
- 6.3.2. Cowfold is identified as a Medium Village in the settlement hierarchy and contains a range of day-to-day services and facilities. It is recognised in policy terms as a settlement capable of accommodating growth appropriate to its scale and function. Please refer to Figure below which details HDC Settlement Suitability Assessment.

Cowfold	
Summary	The village has a good range of services and facilities, including a doctor surgery, pre-school, primary school, sports facilities and a convenience store. The village also has a good bus service, including weekends. Cowfold has limited local employment, with main work destinations outside of the settlement being Crawley, Horsham, London and Mid Sussex. 23.5% households are with residents aged 65+ and 29.5% households have dependent children. There is a good range of clubs and societies for all interests and ages. There is a Regulation 17 Cowfold Neighbourhood Plan.
Key Sustainability Issues	Air pollution is a concern around the A272 junction, with an Air Quality Management Area (AQMA) declared. Development would help support local services and facilities but the impacts on the AQMA would need to be assessed and be mitigated.
Recommendation	Medium Village

Figure 2 - HDC Settlement Suitability Assessment

- 6.3.3. The proposal is for nine dwellings and is therefore modest and proportionate to Cowfold's role within the hierarchy.
- 6.3.4. The Appellant does not accept the Officer's conclusion that the site does not adjoin the settlement edge. That assessment overstates the site's separation from Cowfold and understates its physical and functional relationship with the village. The site lies immediately adjacent to the defined built-up area boundary, which follows the established residential edge to the north and west.
- 6.3.5. The Officer Report appears to apply an unduly narrow interpretation of "adjoins". The relevant planning judgement is not whether every part of the red line boundary directly abuts the built-up area boundary, but whether the site is sufficiently related to the existing settlement edge to represent a logical and proportionate extension. The appeal site meets that test: it is accessed from Eastlands Lane, lies close to existing residential properties, and is not separated from Cowfold by any substantial physical feature or meaningful gap.
- 6.3.6. This interpretation is also consistent with the Council's own recent approach in application DC/25/1922 at Land West of Bines Road, Bines Road, Partridge Green, which was reported to Planning Committee on 17 February 2026. In that case, the Officer accepted that the

relationship with the settlement edge should not be assessed by a rigid or overly literal reading of the Built-Up Area Boundary. The Officer stated:

“Whilst the BUAB to Partridge Green sits on the opposite side of Bines Road, this is a matter of drafting as it is clear that the site is otherwise contiguous with this boundary.”

- 6.3.7. The same report also noted that *“the site lay within clearly defensible field boundaries”* and would retain and enhance landscape features through perimeter open spaces, drainage ditches and tree belts.
- 6.3.8. This demonstrates that, in the Council's own recent decision-making, a site does not need to physically abut the BUAB along every boundary, or be treated as unrelated simply because of the precise drafting of the settlement boundary. The correct planning judgement is whether the site is functionally and physically related to the settlement edge.
- 6.3.9. The full Committee Report can be found at **Appendix B** of this Statement.

6.4. The Shaping Development in Horsham District guidance

- 6.4.1. The Council's Shaping Development in Horsham District guidance is a material consideration in this appeal. It recognises that, in the context of the Council's housing land supply position, unallocated sites outside built-up area boundaries may come forward and should be assessed having regard to their relationship with existing settlements, their scale, and their wider planning effects.
- 6.4.2. The guidance states that, as the Council is unable to demonstrate a five-year housing land supply, it is likely to receive applications outside defined Built-Up Area Boundaries and on unallocated sites. In this context, and having regard to the principles of HDPF Policy 4, the Council has indicated that it will consider positively proposals which meet the following criteria:
 - The site adjoins the existing settlement edge as defined by the BUAB;
 - The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;
 - The proposal demonstrates that it meets local housing needs or will assist the retention and enhancement of community facilities and services;
 - The impact of the development individually or cumulatively does not prejudice comprehensive long-term development; and
 - The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced.
- 6.4.3. The Appellant disagrees with the Council's assessment that the proposal fails to accord with the guidance. The appeal site adjoins the Built-Up Area Boundary of Cowfold and is well related to the existing settlement. It is well placed for access to village facilities, including local shops, community services, public transport connections and recreational spaces within walking distance.
- 6.4.4. The scale of the proposal is also appropriate. The scheme comprises nine dwellings, which represents a modest and proportionate form of growth having regard to Cowfold's role as a Medium Village within the settlement hierarchy. The proposal would make an immediate and meaningful contribution to local housing delivery without resulting in an excessive or disproportionate expansion of the settlement.

- 6.4.5. The site is contained by established and defensible boundaries, including existing field edges and vegetation, which provide strong physical limits to the development. Existing boundary vegetation would be retained wherever possible and supplemented by new landscape planting, including trees, hedgerows and shrubs.
- 6.4.6. The Appellant has also considered the Bines Road appeal decision, as explored in Section 6.3, which confirms that the relationship between a site and the settlement boundary should be assessed as a matter of planning judgement, rather than through a rigid or overly literal reading of the Built-Up Area Boundary. In this case, the appeal site is functionally and physically related to Cowfold and should not be treated as unacceptable simply because of a technical interpretation of the settlement boundary.
- 6.4.7. The proposal therefore satisfies the relevant criteria of the Shaping Development in Horsham District Planning Advice Note.

6.5. The Cowfold Neighbourhood Plan and paragraph 14 of the Framework

- 6.5.1. The Council places substantial reliance on the Cowfold Neighbourhood Plan ("CNP") and paragraph 14 of the Framework. The Appellant accepts that the CNP forms part of the development plan and was made less than five years before this appeal. It is also accepted that paragraph 14 of the Framework is a relevant material consideration. However, neither the CNP nor paragraph 14 should be treated as determinative in the circumstances of this case.

- 6.5.2. Paragraph 14 of the Framework states;

"In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and

b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70)."

- 6.5.3. Paragraphs 69 and 70 move on to define how to calculate housing need.

"69. Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. The requirement may be higher than the identified housing need if, for example, it includes provision for neighbouring areas, or reflects growth ambitions linked to economic development or infrastructure investment. Within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations³². Once the strategic policies have been adopted, these figures should not need re-testing at the neighbourhood plan examination, unless there has been a significant change in circumstances that affects the requirement.

70. Where it is not possible to provide a requirement figure for a neighbourhood area (footnote 33), the local planning authority should provide an indicative figure, if

requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority."

- 6.5.4. Paragraph 14 does not impose an automatic refusal where a proposal conflicts with a recently made neighbourhood plan. It requires a planning judgement as to whether, in the particular circumstances of the case, the adverse impacts of allowing the development would significantly and demonstrably outweigh the benefits.
- 6.5.5. That assessment must be informed by the evidence base underpinning the neighbourhood plan, the extent to which it reflects current housing needs, and the Council's present housing land supply position.

6.6. The evidence base underpinning the Cowfold Neighbourhood Plan

- 6.6.1. The key issue is not simply the date on which the CNP was made, but whether the housing requirement and spatial strategy within it are based on up-to-date evidence of housing need. In this case, they are not. Although the CNP was made in November 2025, its housing strategy was examined in April 2021 and was underpinned by a Housing Needs Consideration prepared in May 2019. That 2019 evidence relied on the adopted Horsham District Planning Framework ("HDPF"), which was adopted in 2015 and based on substantially older housing evidence.

- 6.6.2. The Cowfold Neighbourhood Plan Examiner's Report Section 7.48 is explicit on this point. It states:

"The overall work and approach of the Plan on this matter is underpinned by the Housing Needs Consideration (May 2019) which was commissioned by the Parish Council. That study looked at the baseline data and the policy requirements of the adopted HDPF. It looked at seven methodologies for assessing housing needs and compared their requirements with existing completions and commitments in the parish."

- 6.6.3. This confirms that the CNP's housing strategy was not derived from a current assessment of housing need at the point the plan was made in 2025. Rather, it was underpinned by a 2019 study, which itself relied on the policy requirements of the adopted HDPF. The HDPF was already several years old at the time of that assessment and was already out of date for the purposes of housing supply and housing need. It must be noted that on adoption of the HDPF in 2015 the examiner required that;

'The Plan should be subject to an early review, to commence within three years'

Geoff Salter – Inspector - Report to HDC 8 October 2015.

- 6.6.4. It should be noted that whilst the Horsham District Local Plan review is underway, this was put on hold from December 2024 to April 2026 due to procedural concerns, reinforcing the need for review of the CNP evidence and status.
- 6.6.5. Paragraph 7.50 of the CNP Examiner's Report further records that the Housing Needs Consideration concluded:

"the minimum number of houses that should be allocated in the Plan is 29 - 44 homes. This would comply with the minimum requirements of Policy 15 of the HDPF. In the

interests of being robust it is considered prudent to plan for the upper end of this range, (i.e., 44 homes). However, other methodologies, that should also carry significant weight, indicate that residual housing need is up to 70 dwellings. This can be met by a mix of allocations and policy support for certain windfall development. On this basis, it is recommended that the housing need for Cowfold Parish, to be facilitated in the Cowfold Neighbourhood Plan should be 44 - 70 dwellings. Given that no allowance has been made for market signals or the standard methodology, noting the first has been superseded, and the latter is not yet available, it is considered prudent to seek to plan for the upper end of the range."

- 6.6.6. The final sentence of that passage is particularly significant. It confirms that no allowance was made for the standard methodology despite being available prior to adoption.
- 6.6.7. The housing figure of 44 to 70 dwellings was therefore not a standard method-based figure, nor was it derived from the current scale of housing need in Horsham District. It was a figure produced within the earlier policy and evidence context that existed at the time of the 2019 Housing Needs Consideration and the 2021 examination.
- 6.6.8. The relevant chronology is summarised below.

Date	Document / Event	Relevance
2013 / 2014	Housing evidence informing the HDPF	Forms part of the historic evidence base for the adopted District housing requirement
November 2015	HDPF adopted	Provides the strategic housing policy context relied upon by the CNP evidence base
May 2019	Cowfold Housing Needs Consideration prepared	Underpins the CNP housing strategy and relies on the adopted HDPF
19 May 2021	Examiner's Report issued	Confirms that the CNP housing approach was based on the May 2019 study and did not include the standard methodology
September 2021	Water Neutrality	Pause on CNP progress (and HDLP review)
November 2025	CNP made	The plan became part of the development plan, but its housing evidence was not updated to reflect current housing need

Figure 3 - Evidence Base

- 6.6.9. It is therefore clear from the evidence presented and timeline above, that the level of housing need established through the Neighbourhood Plan did not meet an evidenced need at the time of adoption and therefore the restraint on housing numbers and opportunities for further sustainable growth should not be limited by the CNP as it is considered out of date and unsupported by appropriate evidence.
- 6.6.10. The limited scale and nature of the CNP allocations reinforces this point. The CNP identifies approximately 70 dwellings across two sites, Potters and Brook Hill.
- 6.6.11. One of those sites already had planning permission in 2025 prior to adoption, while the other was already identified through the emerging Local Plan process. The CNP therefore

largely reflects supply already known or accounted for elsewhere, rather than identifying a materially additional level of growth to respond to current District-wide housing needs.

- 6.6.12. It should also be noted that the Neighbourhood Plan is dated from 2019-2031 and therefore upon adoption only provided 5 years of strategic policies to address housing needs, when compared to the emerging plan that extends from 2023-2040.

6.7. Housing Need

- 6.7.1. There is no official parish-level standard method housing requirement for Cowfold. The standard method is calculated at local planning authority level. It identifies the minimum annual housing need for Horsham District as a whole. It does not, by itself, set a final housing requirement for Cowfold or for any other individual parish or neighbourhood plan area.
- 6.7.2. However, a simple pro-rata calculation is a useful sense-check. It helps to show whether the level of growth planned for Cowfold is proportionate to the scale of housing need now facing Horsham District.
- 6.7.3. The Inspectors' letter dated 5 May 2026 (see **Appendix D**) concludes that Horsham must significantly increase its housing allocations.

"It is agreed that the plan will seek to accommodate half of Crawley's unmet housing need to 2040, as identified in the Crawley Local Plan. The other half will be accommodated by Mid Sussex. Half of Crawley's unmet need amounts to some 3,757 dwellings. The total figure for Horsham, adding the two together, is 17,828 dwellings.

On top of the figure of 17,828 dwellings, the plan's housing requirement will accommodate a realistic and reasonable evidence-based allowance for the south coast's unmet housing need. The Council are liaising with Mid Sussex who are developing a methodology for assessing what an appropriate allowance might be. This work will enable a final figure for the housing requirement to be produced"

- 6.7.4. This is to meet both its own housing need and unmet housing requirements from neighbouring authorities. The figure identified could be approximately 1,300 dwellings per year.
- 6.7.5. The figure of 1,300 dwellings per year may be conservative, but is based around both the Standard Methodology ((Dec 25) figure of 1,338 dpa) and a realistic allowance for other unmet housing needs.
- 6.7.6. This is supported by the currently suggested figures by Jonathan Bore, which provides for only 17,828 homes, without allowance for unmet need arising from the south coast (Brighton, Worthing, Adur, Arun). A further 4,272 homes over the plan period (total 22,100) would equate to 1,300 Dpa.
- 6.7.7. If that estimated District-wide figure is shared out according to existing dwelling stock, Cowfold's indicative share would be around 14.5 dwellings per year. The calculation uses:
- Horsham District 2024 dwelling stock: **66,392 dwellings;**
 - Cowfold baseline: around **739 occupied dwellings**, from the Cowfold Neighbourhood Plan evidence; and
 - Horsham housing need: **1,300 dwellings per year.**

6.7.8. The calculation follows logically as follows

$$739 \div 66,392 \times 1,300 = \text{approximately 14.5 dwellings per year.}$$

6.7.9. This does not create an adopted housing requirement for Cowfold. The Appellant does not suggest that it does. However, it is a relevant and proportionate cross-check. It shows that, on a simple stock-based pro-rata basis, Cowfold's indicative share of current District housing need would be around 14–15 dwellings per year. (Even if a figure of 17, 828 or 1048 Dpa were to be applied this would still require 12 dwellings per year)

6.7.10. Over a 12-year Neighbourhood Plan period, that would equate to approximately 174 dwellings. By contrast, the emerging Horsham District Local Plan 2023–2040 identifies at least 70 dwellings at Cowfold, across two sites of approximately 35 dwellings each. Across the 17-year Local Plan period, this equates to **only around four dwellings per year**.

6.7.11. There is therefore a clear difference between:

- Cowfold's indicative pro-rata share of current District housing need: around 14–15 dwellings per year, or approximately 174 dwellings over 12 years; and
- the emerging Local Plan position: around four dwellings per year, or 70 dwellings over 17 years.

6.7.12. This point is not advanced as a substitute for plan-making. Rather, it shows that the housing requirement underpinning the Cowfold Neighbourhood Plan, and the current level of growth identified for Cowfold is not evidence based and places an unreasonably low level target, which will artificially restrict growth of a sustainable settlement.

6.7.13. It also supports the Appellant's wider case that the Neighbourhood Plan does not provide a reliable or up-to-date basis for resisting modest, deliverable housing proposals adjacent to the settlement.

6.7.14. The appeal proposal would provide nine dwellings. The scale of development is therefore modest and proportionate when viewed against the wider housing requirement now facing Horsham District.

6.8. Medium Villages

6.8.1. In seeking to compare how restrictive the housing numbers are for Cowfold, we have reviewed other 'Medium Villages' in the District and how they are performing in housing delivery terms.

Medium Villages	These settlements have a moderate level of services, facilities and community networks, together with some access to public transport. These settlements provide some day-to-day needs for residents, but rely on small market towns and larger settlements to meet a number of their requirements.	• Partridge Green • Rudgwick, Cox Green and Bucks Green • Cowfold • Ashington • West Chiltington and West Chiltington Common • Slinfold • Barns Green • Warnham
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Figure 4 - Medium Villages

- 6.8.2. Whilst not exhaustive, the following table indicates approximate household number in each settlement, with a number of homes allocated by either a live Neighbourhood Plan.

Settlement	Household No (approx. existing)	Neighbourhood Plan allocation/permissions granted	% increase in scale
Ashington	1000	225	22.5%
Barns Green	600	62	10%
Cowfold	850	70	8%
Partridge Green	1000	300 + since 2024)	30%+
Slinfold	600	77	13%

Figure 5 - Housing Figures by settlement

- 6.8.3. The table above demonstrates clearly that Cowfold is delivering substantially lower housing numbers than other 'medium villages' in the District. It should be noted that significant increases in housing numbers for Partridge Green result from officer support for new development where the Neighbourhood Plan did not seek to allocate housing numbers.
- 6.8.4. Such numbers clearly reflect the requirements to meet identified housing need, aligned with the Standard Methodology and a more reasonable approach to growth, which should be related to settlement size and available services and infrastructure aligned with the figures presented at section 6.7 above.

6.9. Paragraph 14 and Recent Appeal Decision

- 6.9.1. Paragraph 14 of the Framework does not require the CNP to be applied mechanistically. It requires a planning judgement as to whether, in the particular circumstances of the case, the adverse impacts of allowing the development would significantly and demonstrably outweigh the benefits. That judgement must be informed by the reliability and currency of the CNP housing evidence.
- 6.9.2. In this case, the CNP's housing strategy is tied to a significantly outdated strategic (2019) and does not provide a robust or up-to-date response to current housing need. Conflict with the CNP and its settlement boundary policies should therefore be weighed in the planning balance, but should not be treated as determinative.

- 6.9.3. This approach is supported by the recent appeal decision at Land east of Charlwood Drive, Henfield, reference DC/24/1932 and APP/Z3825/W/25/3376143, which related to up to 191 dwellings with open space, landscaping and associated infrastructure. The appeal was allowed on 22 May 2026.
- 6.9.4. Although that decision relates to Henfield rather than Cowfold, it is directly relevant to the present appeal. It addresses the same wider Horsham District housing land supply context, the same adopted Horsham District Planning Framework, and the same issue of the weight to be afforded to a recently made neighbourhood plan where its housing requirement is derived from an outdated strategic housing position.
- 6.9.5. In that case, despite the neighbourhood plan being less than five years old and paragraph 14 of the Framework being engaged, the Inspector found that the neighbourhood plan housing requirement was “intrinsically linked” to an outdated housing requirement for the District and had therefore been “suppressed” in the 2017 Housing Need Assessment for the neighbourhood plan area.
- 6.9.6. In the Planning Balance section, the Inspector stated:
- “To estimate the housing requirement, the HNA took an average of its data sources but, to ensure consistency with the HDPF’s dwelling target for neighbourhood plans, a higher figure derived from the district minimum requirement was excluded and a nil rate predicated on an assumption that projected growth for the area had been met was retained. This suppressed the housing requirement below other objective data sources.”*
- 6.9.7. The Inspector further stated:
- “the Council’s annual housing need has significantly increased from the figure set out by HDPF Policy 15, and this target can no longer be relied upon. Within the context of this significant uplift, I cannot consider the HNP’s housing requirement to remain a credible indicator of current housing need.”*
- 6.9.8. The Inspector concluded:
- “In summary, the HNP is less than five years old and contains policies and allocations to meet its housing requirement. However, significant material changes in circumstances since the HNP was made suggest its identified housing requirement is no longer reliable. Furthermore, the shortfall in housing land supply across the Council’s area is not likely to be remedied in the short term, and I anticipate will persist until the emerging Local Plan reaches adoption. Therefore, the weight to be afforded to the proposal’s conflict with HNP Policy 1 is diminished.”*
- 6.9.9. The Appellant relies on this decision because it follows the same essential narrative advanced in this appeal in respect of the Cowfold Neighbourhood Plan. The CNP is recently made in formal terms, but its housing requirement and spatial strategy are derived from an outdated strategic housing context and must be considered in light of the Council’s acute housing land supply shortfall. The Henfield decision demonstrates that paragraph 14 should not be applied mechanistically where the neighbourhood plan’s identified housing requirement is no longer a credible reflection of current housing need.
- 6.9.10. The Appellant therefore considers that the reasoning in APP/Z3825/W/25/3376143 is a highly material consideration in this appeal. It supports the Appellant’s case that conflict with the CNP should attract reduced weight, and that the proposal should be assessed through the tilted balance under paragraph 11(d) of the Framework.

6.9.11. The Appeal Decision can be found at **Appendix E** of this Statement.

6.10. Error of Local Green Space Designation

6.10.1. The Council's assessment appears to proceed on an incorrect understanding of the Local Green Space designation. The Officer Report refers to the western portion of the application site as Eastlands Wood and states that it is designated as Local Green Space LGS12. That is not correct.

6.10.2. The development is not within Eastlands Wood and the proposed developable area is not within Local Green Space LGS12. The designation relates to the woodland to the west, not to the land proposed for residential development. As shown on Figure 3, the proposed development sits outside the designated Local Green Space (shown shaded in green and outlined in white).

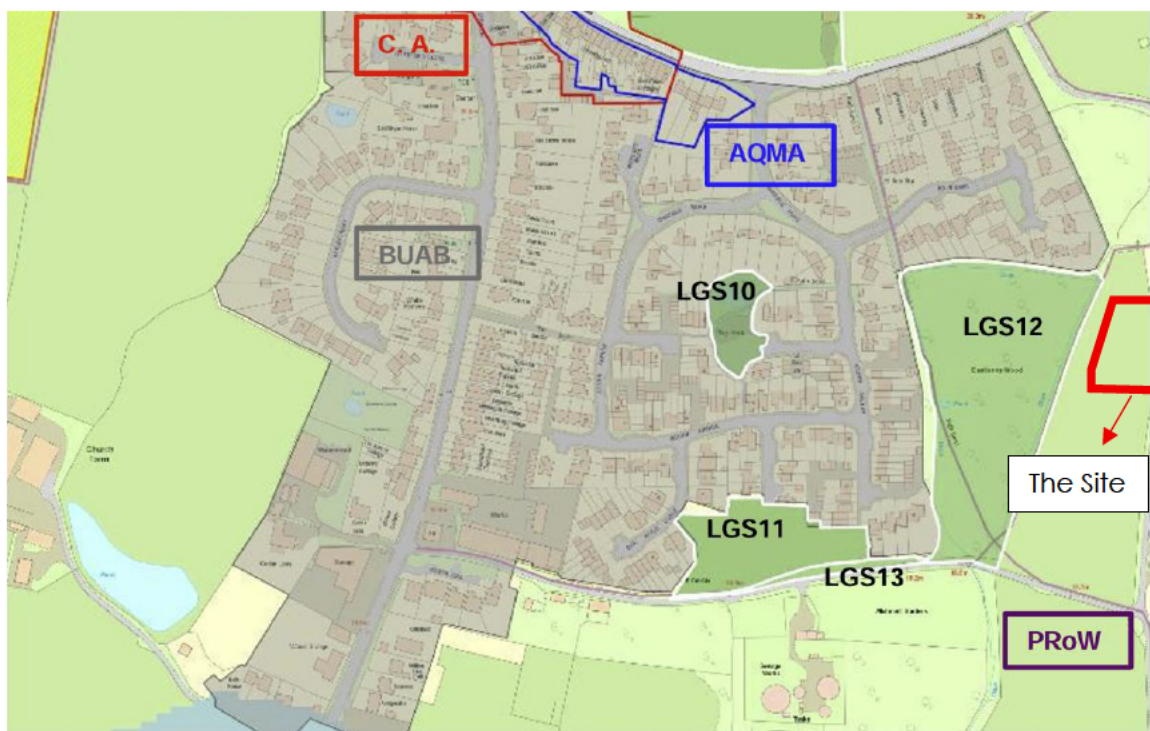


Figure 6 – Local Green Space – South Map (Cowfold Neighbourhood Plan)

6.10.3. No built development, private gardens or hardstanding are proposed within Eastlands Wood or within LGS12. The scheme also retains an undeveloped buffer of approximately 15m adjacent to the woodland, including the PROW. The proposal would therefore not result in the loss of, or built development within, the designated Local Green Space.

6.10.4. This is a material error in the Council's assessment. The Local Green Space designation applies to a defined area and should not be relied upon to resist development on land outside that designation. Any alleged conflict with the CNP on this basis is therefore absent.

6.10.5. The Inspector is invited to give no material weight to the Council's assessment insofar as it relies on alleged harm to Local Green Space. The appeal should be determined on the correct factual basis, the proposal is outside LGS12, retains a buffer to Eastlands Wood, and does not result in the loss of any designated Local Green Space.

6.11. Reason for Refusal 2: Landscape

- 6.11.1. The second reason for refusal alleges that the proposal would formalise and suburbanise the site, erode its informal landscape character, and result in a prominent form of development harmful to the countryside setting. The Appellant does not accept that assessment.
- 6.11.2. The Council's conclusion materially overstates the landscape and visual effects of the proposal. The site is not an isolated or highly sensitive parcel of open countryside. It is a small, semi-enclosed settlement-edge site, influenced by existing residential development, the private access track, boundary vegetation and the established edge of Cowfold.
- 6.11.3. The Appellant's position is supported by the Landscape Statement prepared by John-Paul Friend CML of LVIA Ltd, included at **Appendix F**. That evidence concludes that the Council's landscape and visual reasoning is not substantiated and does not provide a sound basis for resisting the appeal proposal.
- 6.11.4. The site is visually contained by Eastlands Wood, hedgerows and mature trees. Views from nearby public rights of way are filtered or screened by existing vegetation. The site does not form part of a valued landscape, is not subject to any national, regional or local landscape designation, and does not perform any strategic landscape function. Indeed, as set out in the LVIA in support of this appeal, the site was not included as local green space through the Neighbourhood Plan and therefore its significance in this regard is overstated in our view.
- 6.11.5. The Council's reliance on Eastlands Wood and Local Green Space is also misplaced. The appeal site itself is not within the Local Green Space designation. The proposal would not result in the loss of Eastlands Wood, would not involve built development within the designated Local Green Space, and retains an undeveloped buffer to the woodland.
- 6.11.6. The proposal is modest in scale, comprising nine dwellings are arranged along the existing private access road, in a manner that responds fully to the established pattern of rural development in this location. The varied house types, building heights, detached and semi-detached forms, garages, carports and proposed planting all assist in avoiding a uniform or suburban estate character.
- 6.11.7. The Appellant accepts that the proposal would introduce built form and alter the character of the site itself. However, the relevant question is whether that change would amount to unacceptable landscape harm. The Landscape Statement concludes that landscape effects would be moderate adverse initially, reducing to minor overall once mitigation planting establishes. That does not support the Council's allegation of unacceptable formalisation, suburbanisation or erosion of wider landscape character.
- 6.11.8. The visual effects would also be very localised. The Landscape Statement identifies that perceptible change would be confined principally to the site and its immediate surroundings. Where the development is visible, it would be seen in the context of infilling existing residential development and would not appear as a prominent or isolated incursion into open countryside.
- 6.11.9. The officers delegated report supports our position that the eastern parcel would represent an infilling of the existing pattern of development, stating;

'It is recognised that the proposed development within the eastern portion of the site would infill the space between the established dwellings to the north and south, with the proposal following the build line established with these dwellings.'

- 6.11.10. However, we dispute the suggestion that the western portion would be isolated, as it follows a similar pattern of development to the existing dwellings to the north, which are located west of the lane, with a mature hedgerow providing visual separation.
- 6.11.11. The infilling nature of our proposals and natural extension of built form to the west of the road, whilst maintaining the vast majority of the open field is shown clearly in the aerial image below.
- 6.11.12. The landscaping suggested, which can be controlled by condition/legal obligation is not to screen the dwellings, but to provide an attractive landscape feature to delineate the extent of built form from the retained field to the south. This is very similar to the existing situation to the east and west of the lane as existing.



Figure 7 - Aerial Image showing visual context of the proposals

- 6.11.13. The Council has not provided substantive visual evidence to demonstrate major or unacceptable effects. No photographs, wireframes, photomontages or Zone of Theoretical Visibility analysis has been relied upon to substantiate the alleged prominence or landscape harm. By contrast, the Appellant has provided a structured landscape assessment addressing sensitivity, magnitude of change and significance of effect.



Figure 8 - The Site showing Existing Built Form

- 6.11.14. It is also material that no formal landscape consultation response was received before the application was determined. The second reason for refusal therefore appears to have been based on the case officer's planning judgement rather than a specialist landscape objection. Given the strength of the allegation, the weight attached to the Council's landscape conclusions should be moderated.

- 6.11.15. Overall, the landscape and visual evidence demonstrates that the alleged harm is overstated. The appeal site is a contained, undesignated settlement-edge parcel, and the proposal is modest infill proposal, designed to be low-density and landscape-led. Any adverse effects would be localised, limited and capable of mitigation. The second reason for refusal should therefore attract limited weight.

6.12. Other Matters

- 6.12.1. A number of other technical matters were raised during the course of the application. These matters did not form reasons for refusal; however, they are addressed below for completeness.
- 6.12.2. Each of these matters were capable of being resolved through further information, an appropriate licensing route, or suitably worded planning conditions. The Appellant proactively engaged with the Council and relevant consultees, and submitted further information before determination. However, the application was refused before those matters were fully resolved.

6.13. Ecology and Great Crested Newts

- 6.13.1. The submitted ecological information identified potential opportunities for Great Crested Newts, due to the presence of a pond adjacent to the site, further ponds within the wider area, and sub-optimal but potentially suitable terrestrial habitat within the site. The Officer Report noted that further survey work and/or a licence would be required.
- 6.13.2. The Appellant sought to engage with the Council on the appropriate way forward, including use of the District Licensing Scheme. However, the Council confirmed that, given its in-principle objections to the scheme, it did not consider it necessary or reasonable to delay determination further.
- 6.13.3. The Appellant considers that this approach prevented the Great Crested Newt matter from being resolved prior to determination, despite the Appellant's active efforts to do so. The matter was capable of being addressed through the District Licensing Scheme or another appropriate licensing mechanism.
- 6.13.4. Despite the Council's decision, the Appellant has now joined the District Licensing Scheme and progressed the necessary application. A final Licence Report has been issued, confirming that the proposed mitigation is acceptable and can be secured by condition.
- 6.13.5. The NatureSpace District Licence Report for Land North of Eastlands Lane, Cowfold confirms that the proposed development, under planning reference DC/26/0472, can be dealt with through Horsham District Council's Great Crested Newt District Licence. Its key findings are as follows:
- 6.13.6. The assessment was undertaken by NatureSpace Partnership on 4 June 2026, based on the Impact Plan dated 3 June 2026 and habitat survey information from November 2025. The scheme can be covered by District Licence WML-OR177, subject to the required planning conditions and licence procedures. No in-situ Great Crested Newt compensation is required.
- 6.13.7. A second-stage financial contribution is required towards strategic Great Crested Newt conservation. Working restrictions will apply, including best-practice working methods, reasonable avoidance measures, and restrictions on the removal or disturbance of newt hibernacula, which may only take place during the active season, generally mid-February to mid-October, subject to seasonal and weather conditions.

6.13.8. Planning permission must include the precise NatureSpace conditions set out below:

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 North of Eastlands Lane: Impact plan for great crested newt District Licensing (Version 1)", dated 3 June 2026.

Reason: To ensure that adverse impacts on Great Crested Newts are adequately mitigated and that site works are delivered in full compliance with the Organisational Licence (WML-OR177, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

No development hereby permitted shall take place unless and until a certificate from the Delivery Partner, as set out in 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 the planning authority for approval prior to commencement of the development hereby approved.

Reason: To ensure adequate compensation for negative impacts on Great Crested Newts, in accordance with section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

No development hereby permitted shall take place except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in District Licence WML-OR177 or a 'Further Licence', and in compliance with the following additional requirement: works affecting likely newt hibernacula may only be undertaken during the active period for amphibians.

Reason: To ensure that adverse impacts on Great Crested Newts are adequately mitigated and that site works are delivered in full compliance with the Organisational Licence (WML-OR177, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006.

- 6.13.9. A NatureSpace Certificate must be submitted by way of condition discharge and approved before development may proceed under the District Licence. Any works undertaken before written authorisation is in place, including ground investigations, clearance or preparatory works, would not be licensed and could give rise to legal risk if offences against Great Crested Newts were to occur.
- 6.13.10. The Licence Report confirms that the development is capable of being authorised under Horsham District Council's Great Crested Newt District Licence, provided that the appeal is allowed and the required NatureSpace conditions are imposed.
- 6.13.11. No works affecting the site should commence until planning permission, the necessary conditions, the NatureSpace Certificate and formal written authorisation are all in place.
- 6.13.12. There is therefore a clear and established route for addressing Great Crested Newt matters, which are presented through this appeal process and can be secured by the suggested conditions above.

6.14. Public Rights of Way

- 6.14.1. West Sussex County Council Rights of Way raised comments in relation to Footpath COW-1779, including the suggestion that part of the legal line may fall within the red line boundary and that a diversion may be required.
- 6.14.2. The Appellant does not accept that the legal alignment of Footpath COW-1779 is affected by the proposed development. Following review of the application drawings, the Appellant's position is that the legal route lies outside the red line application boundary. Whilst the wider landownership boundary includes land through which the footpath passes, the development itself would not obstruct, encroach upon, or prevent public use of the route.

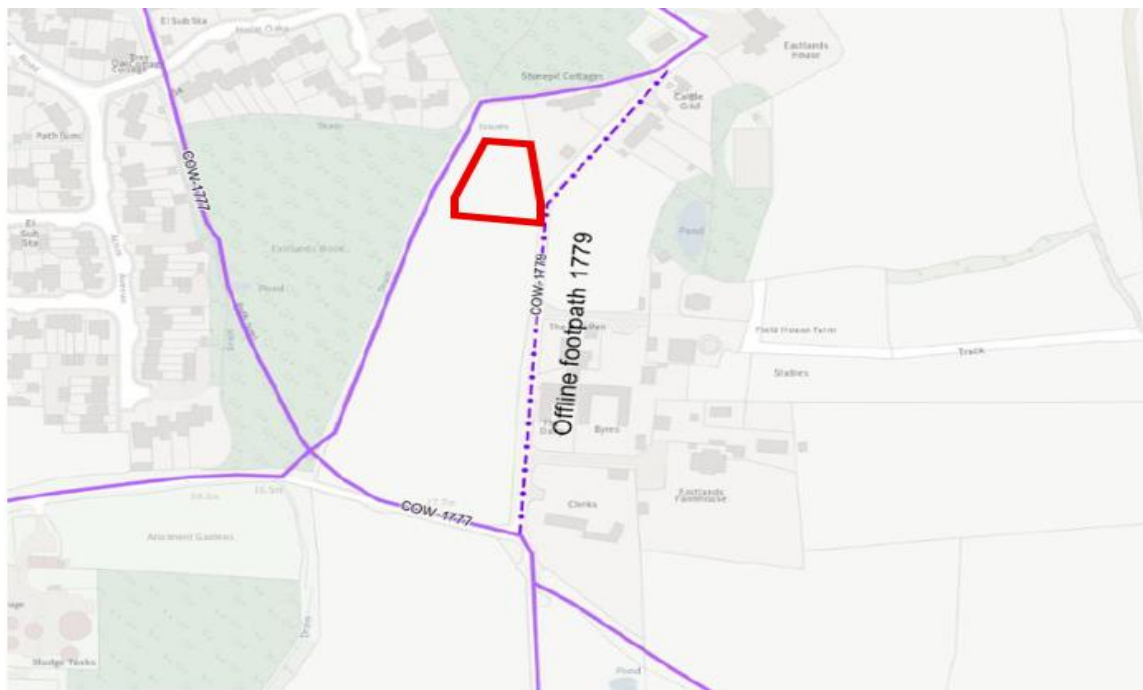


Figure 9 – PRoW Map from Response (Site Boundary in Red)

- 6.14.3. The Appellant wrote to the Local Planning Authority on 16 April 2026 to clarify this position and requested that the Council liaise with West Sussex County Council Rights of Way to review the consultee response. The matter was therefore capable of resolution through clarification during the application process.
- 6.14.4. Public Rights of Way did not form a reason for refusal and should not weigh against the proposal. In any event, if the Inspector considers any further action necessary, there is an established statutory mechanism for addressing any required diversion.
- 6.14.5. The appellant has clearly demonstrated its willingness to work with both the District Council and County Council to reach a resolution on this matter.

6.15. Drainage

- 6.15.1. The Council's Drainage Engineer requested further information to determine that the proposed drainage arrangements met the requirements of the Framework, Planning Practice Guidance, the National Standards for Sustainable Drainage Systems, and relevant policies of the Horsham District Planning Framework.

- 6.15.2. The Appellant's position is that the necessary drainage information had already been provided as part of the submitted application material. However, in response to the consultation comments, the Appellant submitted a further drainage note on 7 May 2026 (submitted as part of this appeal) to assist the Local Planning Authority and the Drainage Engineer in identifying where each of the matters raised in the consultation response had already been addressed within the submitted drainage information.
- 6.15.3. The further note therefore acted as a wayfinding document, cross-referencing the consultation comments against the relevant sections of the submitted drainage report and supporting material. Despite the Appellant investing considerable time and effort in providing this further clarification no substantive further response was received from the Drainage Engineer prior to determination.
- 6.15.4. Drainage did not form a reason for refusal. In the absence of a substantive technical objection, and given that the further note identified where the relevant drainage matters had already been addressed, the Appellant considers that drainage should not weigh against the proposal.
- 6.15.5. In any event, and without prejudice to the Appellant's position that the submitted information was sufficient, any remaining detailed drainage matters are capable of being appropriately secured by planning condition or obligation as agreed in the officers delegated report.

6.16. Pedestrian Access and Lighting

- 6.16.1. The Council also raised concerns during the application process regarding pedestrian access and the absence of existing lighting along Eastlands Lane. The Appellant does not consider that the absence of lighting amounts to an in-principle reason for refusal. West Sussex County Council, as Local Highway Authority, raised no objection to the proposed access arrangements, either through the formal application consultation process or at pre-application stage.
- 6.16.2. Eastlands Lane is an established access route, already used by existing residential properties in the immediate vicinity of the appeal site. It is not a newly created or isolated route serving only the proposed development.
- 6.16.3. The relevant section between the appeal site access and the wider pedestrian network is approximately 500m in length, equating to around a 6-minute walk. Any concern regarding lighting or pedestrian movement is therefore limited in extent and relates to a short section of an existing access lane and limited times of the day and year more generally. The proposals include for improvements for pedestrians using Eastlands Lane, including the provision of refuge points as shown on drawing 14034_110 P1 at **Appendix I**. Such improvements will be secured by Legal Obligation enhancing the lane for existing and future residents, improving the safety for users.
- 6.16.4. The proposal is for a modest development of nine dwellings. The relevant question is not whether Eastlands Lane provides an urban-standard lit footway, but whether the pedestrian access arrangements are acceptable in the context of the site, the existing use of the lane and the scale of the proposal.
- 6.16.5. Given the limited length of the route, the existing residential use of Eastlands Lane and the absence of any objection from the Local Highway Authority, the Appellant considers that the pedestrian access arrangements are acceptable.

- 6.16.6. Notwithstanding the above, the Appellant controls Eastlands Lane and could provide appropriate low-level lighting alongside the other proportionate pedestrian access improvements if considered necessary by the Inspector.
- 6.16.7. Any such works could be secured by condition or planning obligation, subject to agreement of the detailed specification, location and ecological considerations. This matter is therefore capable of resolution and should not weigh against the principle of development.

7. Conclusions

- 7.1. This appeal concerns a modest scheme of nine dwellings on a site immediately adjacent to Cowfold. The proposal is small in scale, well related to the existing settlement edge, and capable of contributing quickly to housing delivery in a District where the Council accepts there is a severe housing land supply shortfall.
- 7.2. The Council's housing land supply position is acute. The Officer Report identifies a supply of approximately 1.7 years. Paragraph 11(d) of the Framework is therefore engaged and the tilted balance applies. In that context, the appeal site's availability, suitability and deliverability are substantial benefits. Subject to planning permission, the site can come forward without the long lead-in times associated with larger strategic allocations.
- 7.3. The Appellant accepts that the site lies outside the defined built-up area boundary and is not allocated for housing. However, that conflict must be assessed in context. The relevant settlement boundary and spatial strategy policies are not delivering the housing required and should not be treated as determinative where a proposal is sustainable, deliverable and well related to an existing settlement.
- 7.4. The Cowfold Neighbourhood Plan should also attract reduced weight in this case. Although recently made, its housing strategy is based on an outdated strategic context and does not reflect the current scale of housing need in Horsham District. Its allocations make only a limited contribution to housing supply and do not provide a credible response to the Council's acute shortfall. Paragraph 14 of the Framework does not alter that conclusion where the housing requirement underpinning the Neighbourhood Plan is no longer robust or up to date.
- 7.5. The appeal site is not isolated countryside. It lies adjacent to Cowfold, a sustainable Medium Village, and is experienced in the context of Eastlands Lane, nearby residential development and the existing settlement edge. The proposal represents a logical, contained and proportionate infill, as part of the settlement-edge and accords with the substance of the Shaping Development in Horsham District guidance.
- 7.6. The Council's assessment is further weakened by an apparent factual error concerning Local Green Space. The developable part of the appeal site is not Eastlands Wood and is not within the Local Green Space designation. No built development is proposed within Eastlands Wood, and an undeveloped buffer is retained to the woodland. The appeal should therefore be determined on the correct factual basis.
- 7.7. The Council's landscape objection is overstated. The scheme is low density, varied in form, landscape-led and locally contained. It would result in localised change, but not unacceptable harm to the wider landscape character or countryside setting.
- 7.8. The benefits of the proposal are clear and should attract significant weight: nine additional homes on a deliverable settlement-edge site, in a sustainable village, in a District with an acute housing land supply shortfall, together with landscape and biodiversity enhancements.
- 7.9. The Appellant has taken a positive, creative and proactive approach to addressing and resolving genuine concerns raised by the Council and consultees where possible.
- 7.10. The scheme is modest in scale and capable of being brought forward in the short term, without the lengthy lead-in times associated with larger strategic allocations. It would therefore make an early and meaningful contribution to housing supply at a time when the Council is unable to demonstrate a five-year supply of deliverable housing sites. Any

adverse impacts would not significantly and demonstrably outweigh those benefits when assessed against the Framework as a whole.

- 7.11. The planning balance therefore falls firmly in favour of the proposal, and the appeal should be allowed.

Appendix A – Mode of Appeal

15 June 2026

The Planning Inspectorate
Temple Quay House,
2 The Square,
Temple Quay,
Bristol,
BS1 6PN

SL/Let/P2305

Dear Sir, Madam

**Request for Appeal to Proceed by way of Informal Hearing at Land North of Eastlands Lane,
Cowfold, West Sussex, Horsham District Council Application Ref: DC/26/0472**

We write on behalf of the Appellant in relation to the forthcoming appeal against Horsham District Council's refusal of planning permission for the erection of 9 no. dwellings with associated car parking spaces, detached carports, garages and landscaping at Land North of Eastlands Lane, Cowfold.

The Appellant respectfully requests that the appeal proceeds by way of Informal Hearing.

This request is made having regard to the nature of the Council's reasons for refusal and the matters identified in the Officer Report. In particular, the appeal will require detailed consideration of housing need, the status and weight to be afforded to the relevant development plan policies, the role of the Cowfold Neighbourhood Plan, and site-specific planning judgements relating to landscape character, settlement form and accessibility.

The Appellant considers that these matters are not suited to determination by written representations alone. They would be most appropriately addressed through a structured round-table discussion, supported by an accompanied site visit.

Housing land supply and paragraph 11(d) of the NPPF

The Officer Report confirms that Horsham District Council is unable to demonstrate a five-year supply of deliverable housing sites, with the current supply calculated as approximately one year. The Council also accepts that the presumption in favour of sustainable development under paragraph 11(d) of the NPPF is engaged.

The appeal will therefore require careful consideration of the consequences of this acute housing land supply shortfall, the weight to be given to the provision of new homes, and whether any alleged adverse impacts would significantly and demonstrably outweigh the benefits of the scheme when assessed against the NPPF as a whole.

These are central planning balance matters which would be materially assisted by discussion at a Hearing.

Status of the development plan, emerging Local Plan and Shaping Development in Horsham District guidance

The Council's refusal relies heavily on the adopted spatial strategy and policies relating to development outside defined built-up area boundaries. However, the Officer Report acknowledges that the Horsham District Planning Framework is more than five years old and that the most important policies for determining housing applications must be considered in the context of paragraph 11(d) and the Council's housing land supply position.

The Appellant's case will be that the relevant policies concerned with the distribution of housing and settlement expansion are out of date, and that their restrictive application should attract reduced weight in the planning balance.

There is also a live issue regarding the role and weight of the emerging Horsham District Local Plan. A Hearing would enable the Inspector to explore the current policy position, the extent of the housing need shortfall, and the appropriate weight to be given to both adopted and emerging policies.

The appeal will also require specific consideration of the Council's Shaping Development in Horsham District guidance. The Appellant's position is that the proposed development complies with the substance and purpose of that guidance. The scheme represents a modest development of nine dwellings, is well related to Cowfold, uses an existing access arrangement, is contained by existing and proposed landscape boundaries, and would not prejudice the comprehensive long-term planning of the settlement.

The Officer Report appears to apply the guidance too narrowly, particularly in relation to whether the site adjoins the settlement edge. The Appellant's position is that the appeal site is immediately adjacent to the defined built-up area boundary of Cowfold and is physically and functionally related to the settlement.

Cowfold Neighbourhood Plan and housing need

The Council places significant reliance on the Cowfold Neighbourhood Plan, including its settlement boundary, housing allocations and policies concerning residential development. The Appellant's position is that the Neighbourhood Plan must be considered in the context of the wider and acute housing need across Horsham District.

The Appellant will contend that the housing requirement and allocations in the Neighbourhood Plan were based on earlier figures and do not properly reflect the scale of housing need now arising under the Standard Methodology.

The Appellant will also contend that Cowfold is a sustainable settlement capable of accommodating proportionate additional growth beyond that identified in the Neighbourhood Plan.

The interpretation and weight to be afforded to the Neighbourhood Plan, including its housing strategy, will be a central matter in dispute and would benefit from direct engagement between the parties.

Sustainability of Cowfold and relationship to services

Although the Council has raised concerns in the Officer Report regarding accessibility and potential reliance on the private car, this does not form a separate reason for refusal. Furthermore, West Sussex County Council, as Local Highway Authority, has raised no objection to the proposed development.

The Appellant considers that the site occupies a sustainable location adjacent to Cowfold, with access to local services and infrastructure. The Appellant will also address the ability to provide appropriate mitigation and enhancement measures, including low-level lighting to Eastlands Lane where necessary and appropriate, secured by condition or legal obligation.

A Hearing would assist in considering the sustainability of the site and the extent to which Cowfold can accommodate further growth.

Landscape character, settlement form and site visit

The second reason for refusal concerns the alleged formalisation and suburbanisation of the site, and the asserted impact on the informal character of the landscape and countryside setting.

These are inherently judgement-based matters. The Appellant's position is that the proposed development has been designed as a modest form of infill development which responds to the existing pattern of dwellings along Eastlands Lane and the rural fringe character of this part of Cowfold. The Appellant will also rely on landscape evidence in support of the appeal.

It is also material that no objection or substantive landscape response was received from the Council's landscape officer prior to the determination of the application. The Appellant understands that a landscape objection was only received after the refusal of planning permission. This raises important procedural and evidential matters as to the extent to which the Appellant was afforded a proper opportunity to consider and respond to those landscape concerns during the application process.

An accompanied site visit would be particularly important in this case, allowing the Inspector to consider the relationship between the appeal site, Eastlands Lane, existing dwellings, nearby footpaths, landscape features and the settlement edge in situ.

Local Green Space and Eastlands Wood

The Appellant also intends to address what appears to be an important factual issue in the Council's assessment concerning the relationship between the application site, Eastlands Wood, the Tree Preservation Order and the Local Green Space designation.

The Officer Report refers to the western portion of the application site as Eastlands Wood and as being designated Local Green Space. The Appellant's position is that this is incorrect and requires clear clarification. The developable part of the appeal site is not Local Green Space and should not have been categorised as such by the Officer. The Local Green Space designation relates to Eastlands Wood to the west, not to the proposed residential development area.

This is a material factual error because the Officer's assessment appears to have treated the appeal site, or part of it, as falling within the Local Green Space designation. That has the potential to have materially influenced the Council's judgement on the principle of development, landscape character and alleged harm to the countryside setting. The proposed dwellings are outside the Local Green Space designation, no built development is proposed within Eastlands Wood, and the scheme retains an undeveloped buffer to the woodland.

This is a further matter which would benefit from direct discussion at a Hearing and consideration during the site visit.

Other technical matters

The Officer Report confirms that there are no objections from the Council's Arboricultural Officer, the Council's Environmental Health Team, or West Sussex County Council Highways. Drainage matters are capable of being addressed by condition. Ecology and Great Crested Newt matters are also capable of being addressed through the District Licensing route or other appropriate licensing mechanism.

The appeal is therefore not expected to require formal cross-examination. However, the number of interrelated policy, planning balance and site-specific judgement matters means that written representations alone would not provide the most effective or proportionate procedure.

Conclusion

For the reasons set out above, the Appellant respectfully submits that an Informal Hearing is the most appropriate appeal procedure.

The appeal raises important matters concerning housing need, the application of the tilted balance, the weight to be afforded to adopted and emerging planning policies, the role of the Cowfold Neighbourhood Plan, the sustainability of Cowfold as a settlement, and the site-specific assessment of landscape and settlement character.

The Appellant does not consider that a Public Inquiry is necessary, as the matters in dispute can be appropriately explored without formal cross-examination. However, a written representations procedure would be insufficient given the nature, complexity and importance of the issues in dispute.

We therefore respectfully request that the Planning Inspectorate confirms the appeal should proceed by way of a Hearing.

If you have any further queries or require further information, please contact me on 01903 248777.

Yours sincerely
ECE Planning



Chris Barker MATP MRTPI
Managing Director

Appendix B – DC/25/1922 at Land West of Bines Road, Bines Road, Partridge Green Committee Report



PLANNING COMMITTEE REPORT

TO: Planning Committee

BY: Head of Development and Building Control

DATE: 17th February 2026

DEVELOPMENT: Development of 101 dwellings (including 45% affordable), creation of new access, public open space, creation of a cycle path, allotments, and associated landscaping.

SITE: Land West of Bines Road, Bines Road, Partridge Green, West Sussex, RH13 8EQ

WARD: Cowfold, Shermanbury and West Grinstead

APPLICATION: DC/25/1922

APPLICANT: **Name:** Mr Sam Oliver **Address:** C/O ECE Planning, 64-68 Brighton Road, Worthing, West Sussex, BN11 2EN

REASON FOR INCLUSION ON THE AGENDA: More than eight persons in different households 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 West Grinstead Parish Council

The application represents a departure from the development plan

RECOMMENDATION: To approve full planning permission subject to no objection from the Council's ecologist, appropriate conditions and subject to 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

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 Full planning permission is sought for the erection of 101 dwellings with access taken off the western side of Bines Road. The proposal would include the provision of 46 affordable dwellings (at 45% of the overall total).
- 1.2 The Site Plan shows broadly two parcels of development within the site, split by a north-south belt of open space and retained trees. The estate roads would follow a curvilinear

layout. A high pressure gas main crosses the eastern section of the site, so the proposed plan retains this area clear of development.

- 1.3 The street-scenes show traditionally proportioned houses following the site's gradual topography, using a cohesive palette of materials and roof-forms. The plans indicate a mix of brick faced detached, semi-detached and terraced housing of varying design, including some attached and detached garaging, areas of tile-hanging, and the use of architectural features such as dormers, chimneys, roof finials, porches and half-hipped roofs.

Access.

- 1.4 Vehicular site access would be taken off Bines Road along the eastern side of the site, by way of a new bell-mouth junction. In addition to this access, there would be three pedestrian / cycle routes to / from of the site:
- A new footway / cycle route through form the south-eastern corner where a connection with the Downs Link can be provided.
 - A second footway / cycle route would be formed in the northern boundary onto Local Lane and PRow (Bridleway)_1864.
 - A pedestrian access would also be formed alongside the new vehicular access into the site off Bines Road, onto the existing pavement that runs along the western side of the public highway and which connects the cluster of dwellings to the south-east corner of the site with the settlement of Partridge Green.

Affordable Housing / Housing Mix:

- 1.5 The proposal would provide 101 dwellings, of which 45% would be affordable housing. The following affordable and market housing mix is proposed:

Open Market (55 units):

	No. Units
1-bed	2 (4%)
2-bed	11 (20%)
3-bed	24 (43%)
4-bed	16 (29%)
5-bed	2 (4%)

Affordable housing (46 units):

	No. Affordable Rent	No. Shared Ownership	Total Units
1-bed	6	-	6 (13%)
2-bed	13	3	16 (35%)
3-bed	13	7	20 (43%)
4-bed	-	4	4 (9%)
5-bed	-	-	-

Landscape and Open Space

- 1.6 The site includes a central north-south belt of open space and retained trees, where a play area would be located (LAP – Local Area of Play). The northern boundary includes attenuation basis and swales, whilst the western boundary would include a deep belt of public open space, attenuation basin, a smaller play area and fitness equipment, as well as a new hedgerow to address the transition to the wider rural area beyond.
- 1.7 A new cycle link is proposed to connect the site with the Downs Link to the south, and a small provision of two additional allotments is located in this section of the site.

- 1.8 The proposals include a play area and public access paths within the landscaped buffer zone each side of the High Pressure gas main alongside the eastern boundary.

Changes within the application

- 1.9 This application represents a resubmission of application DC/24/1699 which was refused by the Council on 29.08.2025 on the grounds of water neutrality and the associated potential impact on the internationally designated Arun Valley Special Area of Conservation, Special Protection Area. The proposal was additionally refused in the absence of a Section 106 legal agreement to secure necessary obligations.
- 1.10 Whilst the application is a resubmission of DC/24/1699, and is therefore substantially similar, some minor amendments have been made as follows:

Housing Mix

- 1no of the proposed 3-bed open market dwellings is now proposed as a 4-bed dwelling, increasing the overall number of 4-bed dwellings from 15 to 16.
- 2no 2-bed affordable rent dwellings are now proposed as 3-bed affordable rent dwellings, increasing the overall number of affordable rental 3-bed dwellings from 11 to 13.
- Minor changes have been made to the tenure in response to a request from the registered provider Saxon Weald.

Landscaping

- The applicant has agreed to the removal of mown footpaths and tree planting within veteran tree buffers zones.

- 1.11 This report seeks to identify throughout where material changes exist between the consideration of DC/24/1699 and the current submission.

DESCRIPTION OF THE SITE

- 1.12 The application site comprises two field parcels southwest of Partridge Green with an area of around 6.3ha, situated opposite the Star Trading Estate. The land adjoins Lock Lane to the northern side, and Bines Road (B2135) along the eastern side, where there are also a number of residential properties situated between Bines Road and the application site. The application site includes a spur of land that extends south, to the western side of the existing allotments that front Bines Road, connecting with Bines Road at the access for Priors Byne Farm.
- 1.13 The application site does not directly adjoin the built-up area boundary of Partridge Green (BUAB), as this line has been drawn to the eastern side of Bines Road to include the Star Trading Estate. However, the developed part of the application site would extend no further south than the existing BUAB extent, which encompasses the listed building at The Sheiling on the eastern side of Bines Road.
- 1.14 The site includes an overhead line of cables (identified as 11kV electric cables in the Planning Statement) which runs diagonally through the site, and there is a further line of cables running along the southern side of Lock Lane.
- 1.15 The site is predominantly flat with open views across the field. The site runs into a 3rd field segment, which is loosely defined by the remaining Oak trees of a historic former field boundary. The site lies within Area J3 (Cowfold & Shermanbury Farmlands Landscape) Character Area (LCA) as shown on the Horsham District Landscape Character Assessment, exhibiting the following characteristics:

“..mostly small-scale intricate landscape, scattered small woodlands, localised areas with more open character where hedgerow has been lost, field ponds, gently undulating low ridges and valleys, small farmsteads and cottages dispersed along lanes and tracks. Key issues identified include loss of hedgerows and shaws, and visual intrusion from pylons, suburban development which reflects the key sensitivities of suburbanisation on main road routes”

- 1.16 There is a network of PRow / bridleways which adjoin or run close to the application site. Footpath 2372 runs to the west of the site, Bridleway 1864 runs along Lock Lane the north and Footpath 2373, the Downs Link and Bridleway 2372 run to the east of the site.
- 1.17 The site does not fall within the setting of a Conservation Area, however, there are a number of listed buildings close or adjoining the site, including Crouchers (Grade II) set immediately to the east of the site, The Forge (Grade II) and The Sheiling (Grade II) located on the eastern side of Bines Road, Lloyds Farmhouse (Grade II) some 235m to the north-west, and Moat Farmhouse (grade II), some 180m to the south and Yew Tree Cottage (Grade II) some 39m to the east.. Moat Farmhouse to the south is also the site of an Archaeological Notification Area.
- 1.18 Although there are no trees subject to Tree Preservation Notices within the site, or designated as ‘Ancient’ the site has been assessed as being within the red impact zone for high potential Great Crested Newt habitat. The site also includes 8 individual oak trees identified as ‘Veteran’ trees. Furthermore, the site has been identified as a potential connection within the Nature Recovery Network.
- 1.19 In addition to the overhead (11kV) lines running diagonally across the site as identified above, there is a Major Hazard Site located to the east within the Star Trading Estate, comprising an aerosol manufacturing site. The application site lies outside of the identified consultation zone for this. A high pressure gas pipeline also runs within the eastern part of the site (SGN), with its 150m consultation zone encompassing the eastern half of the site. This gas pipeline is located some 31m west of the public highway at Bines Road.
- 1.20 To land to the north of the site, along Lock Lane, falls within flood zones 2 and 3. This is however, outside of the site boundary. Minor areas of medium surface water flood risk are located in isolated parts on the site peripheries, none of which interfere with accesses or areas of proposed built development.

2 INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

- 2.2 The following Policies are considered to be relevant to the assessment of this application:

The National Planning Policy Framework (NPPF) (Dec 2024)

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 3 - Strategic Policy: Development Hierarchy

Policy 4 - Strategic Policy: Settlement Expansion

Policy 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 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 39 - Strategic Policy: Infrastructure Provision
Policy 40 - Sustainable Transport
Policy 41 - Parking

West Grinstead Parish Neighbourhood Plan (June 2021)

Policy 2: Open Space
Policy 4: Green Infrastructure: Existing Trees, Hedgerows, Habitats and Wildlife
Policy 6: Broadband
Policy 9: Car Parking

West Sussex Joint Minerals Local Plan (2018)

Policy M9 - Safeguarding Minerals

Horsham District Local Plan (2023-40) (Regulation 19):

Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 10: Flooding
Strategic Policy 11: Environmental Protection
Strategic Policy 12: Air Quality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 17: Green Infrastructure and Biodiversity
Policy 18: Local Green Space
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 23: Infrastructure Provision
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Strategic Policy 27: Inclusive Communities, Health and Wellbeing
Policy 28: Community Facilities, Leisure and Recreation
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 39: Affordable Housing
Policy 40: Improving Housing Standards in the District
Strategic Policy HA12- Partridge Green Allocations

Supplementary Planning Guidance:

Planning Obligations and Affordable Housing SPD (2017)
Community Infrastructure Levy (CIL) Charging Schedule (2017)
WSCC Parking Guidance (2003 as amended Sep 2020)
Open Space, Sport & Recreation Review (June 2021)

Planning Advice Notes:

Shaping Development in Horsham (Sept 2025)

Biodiversity and Green Infrastructure (Oct 2022)

Design Statements:

Partridge Green and Dial Post Design Statement 2001

PLANNING HISTORY AND RELEVANT APPLICATIONS

DC/24/1699	Development of 101 dwellings (including 45% affordable), creation of new access, public open space, creation of a cycle path, allotments and associated landscaping.	Application Refused on 29.08.2025
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3 OUTCOME OF CONSULTATIONS

- 3.1 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

INTERNAL CONSULTATIONS

- 3.2 **HDC Strategic Team:** Advice / More Information

A comment was received from HDC's Strategic Planning Team on 10/12/2025. The officer notes that a previous application was refused on the site in August 2025. Since this time Natural England issued a Withdrawal Statement confirming that their Water Neutrality Position Statement of September 2021 has been withdrawn.

It is advised that the Council have produced a Shaping Development in Horsham District (SDPAN) whereby proposals which accord with Paragraph 5.12 of the SDPAN should be considered positively.

The officers also provide contextual policy background, and an update regarding the current position of the Horsham District Local Plan (HDLP) 2023-2040 which remains the emerging Local Plan (eLP) in the context of NPPF para 49.

A previous comment provided within application DC/24/1699 additionally provided comparative analysis on an appeal decision on a scheme in Thakeham, in which an inspector found that a disproportionate amount of development in or adjacent to a settlement would override the "tilted balance". This comment concludes that this decision is considered to have limited bearing on this application because of the relative sustainability of, and access to services and facilities in, Partridge Green.

- 3.3 **HDC Environmental Health (Air Quality)** Further information required

A number of discrepancies have been identified within the submitted Air Quality Assessment. Further information required.

- 3.4 **HDC Environmental Health (Noise and Contamination):** - Further information required
Noise

The officer notes that the Acoustic South East acoustic report, dated 13.10.25 has now been submitted and that with windows open internal noise levels in the habitable rooms on the eastern façade of plots 1, 13 to 19 and 38 to 45 i.e. those nearest the B2135 are likely to be above the internal noise criteria as detailed in BS 8233 for both daytime and nighttime hours. The need for mitigation is therefore outlined, including the recommendation the properties are adjusted to avoid noise impacts.

Land Contamination

Environmental Health have reviewed the Land Science Phase 1 Contamination Assessment, dated 28.08.24, and have the following comments to make.

1. We are satisfied with the preliminary assessment of the risk from contamination to future site users, as presented in the above-mentioned report.
2. We agree with conclusions in the report in that in order to fully quantify the risks from contamination to future site users some ground investigation works, including testing of soils, is required on the site.
3. We are however happy to request these additional assessment works through conditions. Suitably worded planning conditions will therefore be recommended once we are satisfied that sufficient information has been provided in relation to the potential noise impacts.

Construction Phase

A CEMP is recommended.

3.5 **HDC Housing Officer** - Further information needed

The officer has provided 4 comments during the course of the application. The most recent comment (dated 15/12/2025) confirmed their position. The officer has outlined that current data from the Partridge Green/ West Grinstead Housing Register identifies 151 households in need of accommodation, broken down as follows:

48 households (32%) require a 1-bedroom property
21 households (14%) require a 2-bedroom property
58 households (38%) require a 3-bedroom property
24 households (16%) require a 4-bedroom property

No objection is raised to the proposed housing mix, however, the officer advised early engagement with a Registered Provider and requested reassurance that there are sufficient Registered Providers willing to take on this site and affordable delivery as it is currently presented.

3.6 **HDC Arboricultural Officer:** Advice

Initial comment (02/01/2026) noted that the site layout is broadly favourable in arboricultural terms, however, reiterated previous concerns of the potential impact to veteran tree T23 resulting in an objection from the officer.

A second comment (01/02/2026) notes that the primary concerns relate to the post-development impacts on the veteran tree buffer zones if certain safeguards are not put in place to manage these impacts. If the cycle path cannot be rerouted, it would need to be constructed using an above-ground, no-dig construction method as advised in the AIA, coupled with additional permanent fencing running parallel to the path where it falls within the veteran tree buffer.

Therefore, it is recommended that, if permitted, a bespoke Veteran Tree Management and Protection Plan is secured by condition. The officer has therefore removed their objection subject recommended conditions.

3.7 **HDC Landscape Architect:** Advice

The officer notes that previous comments provided under DC/24/1699 remain relevant and has re-iterated outstanding concerns / comments as follows:

- The close proximity of the SuDS features to the existing boundary vegetation and space available to allow for the north-western boundary to be enhanced.
- The change of plots 84 and 66 to a chalet bungalow typology is welcomed although it is regretful, the reduction in ridge height wasn't carried over to the remaining plots identified to the south and north of the western parcel.

- Pre-commencement condition wording is advised to secure planting in advance on construction works.
- There remains some incursion within RPAs.
- Some matters remain outstanding within the open space and arrangement and the absence of a land budget plan. These matters are likely resolvable at detailed design.
- An off-site contribution to sports pitches is recommended.
- It is advised that lighting is revised to warmer colour (500 lumens or less).
- A suggested list of conditions have also been provided including:
 - Underground Services
 - External Lighting
 - Advanced Planting
 - Hard and Soft Landscaping Scheme
 - Landscape Management and Maintenance Plan

Previous comments submitted within DC/24/1699 as follows:

[Summary – second comments 26.03.2025]

There are still a number of outstanding comments which have not been addressed. Conditions advised in the event of approval being recommended.

[Summary – Initial comments 15.01.2025]

The site's immediate setting is largely influenced by the open countryside character to the southwest also predominantly rural with some scattered built form found to the north, west and south of the site interspersed by the small and medium sized field mosaic defined by mature trees and hedgerows. The development pattern here is defined as larger dwellings standing in large grounds and farmhouses and include the grade II Listed Building Moat Farmhouse. To the east, the site is subject to some suburban detractors of premises on Star Road Trading Estate lying immediately the other side of Bines Road and by a ribbon of development along Bines Road, southeast of the site and which includes the Grade II listed building 'Crouchers'.

A number of public rights of way (PRoW) are present within the wider area although the site is generally well contained from the north and east due to the intervening vegetation and urban development.

In close proximity views, Lock Lane, also a bridleway 1864 (LVA, viewpoint 16), sits adjacent to the site's northern boundary and allows short distance views into the site including of the mature trees within and long-distance views towards the South Downs escarpment beyond. However, due to distance, it is considered that this development proposal would not have an adverse effect on the special qualities of the South Downs National Park. Other PRoWs within close proximity include PRoW 2372 (Viewpoints 1 and 2) to the west of the site which has direct open views into the site and PRoW 2373 (LVA, viewpoint 17) to the east, also with views into the site although these are filtered in places due to existing boundary vegetation. The Downs Link, a long-distance path is located to the southeast of the site but from here there are no or very filtered views towards the site's southern boundary vegetation.

Along the site's eastern boundary lies Bines Road, where the vehicular access is being proposed from, and includes a pedestrian footpath. Views of the site are available from this path to varying degrees as due to existing boundary vegetation. Views are short distance and filtered in places.

Overall, the above is generally consistent with the LVIA's site description and visibility assessment. A number of suggestions are made to ensure appropriate integration can be achieved.

3.8 **HDC Heritage Officer:** No Objection

The HDC Heritage Officer has outlined that given the proposal remains unchanged between DC/24/1699 and the current submission, their previous comments remain relevant as below:

[summary – 28.11.2024] – The comprehensive heritage statement clearly describes the significance of the nearby heritage assets and the impact on their special interest. The content of this assessment correctly identifies the impact to each of these heritage assets and officers concur that only Crouchers would be negatively affected. The harm is less than substantial and moderately so. In this case, the public benefits arising from the development may outweigh this harm. Conditions advised.

3.9 **HDC Ecology (BNG):** No Objection

The HDC BNG Officer has outlined that given the proposed delivery of BNG remained unchanged between DC/24/1699 and the current submission, their previous comments remain relevant as below:

[Summary – 3rd set of comments 22.05.2025] Following amendments to the Metric, the proposal now demonstrates a 21.07% Net Gain in habitat and a 22.95% Net Gain in hedgerows. Concerns regarding private gardens and hedgerows can be resolved prior to the legal agreement.

OUTSIDE AGENCIES

3.10 **Health and Safety Executive (HSE):** Does not Advise Against.

Provided a comment during consideration of DC/24/1699 which remains relevant. HSE Do not advise against the granting of planning permission on safety grounds.

3.11 **Ecology Consultant:** Updated comments awaited

[Summary – first comment 16.01.2026]

The submitted documents are the same as those previously submitted within DC/24/1699. It is requested that the Ecological Impact Assessment (EclA) (The Ecology Partnership, October 2024) is resubmitted in addition to an ecological addendum or an updated ecological report outlining, the validity of the initial report; which, if any, of the surveys need to be updated; and the appropriate scope, timing and methods for the update survey(s).

It is additionally noted that the veteran tree buffer should not be encroached.

3.12 **NatureSpace:** Advice

The eDNA report submitted suggests undertaking Precautionary Working Methods to minimise risk to great crested newts. It is considered that this is an appropriate approach for the site and the scale of works. These should be secured via condition.

3.13 **Southern Water:** Advice

Southern Water have confirmed that there is sufficient capacity within the sewer network to accommodate the development. Conditions have been requested to secure the following:

- Final details of the proposed pumping station and exclusion zone
- Asset protection and tree planting / landscaping conditions
- SUDs details

3.14 **WSCC Highways:** Advice

The proposal is identical previous planning application DC/24/1699 from a highways perspective, WSCC Highways request officers reflect to previous comments dated: 3 December 2024, 1 May 2025; and 26 June 2025:

[Summary – third comments 26.06.2025]

Additional information received and reviewed. Comments as follows:

- The applicant was previously asked whether an informal connection to the Downs Link off Lock Lane can be formalised. The applicant responded that the land in question is in third party ownership and that they are unlikely to agree to this connection. WSCC responded that this response is accepted.
- The updated Travel Plan is accepted.
- WSCC requested amendments to the internal road layout. As amended, WSCC have commented that the plans do not fully meet LTN1/20 standards. However, these details can be secured through the detailed design stage under a S38 application or planning conditions.
- To further encourage walking and cycling, the Highway Authority still recommends that the internal hoggin path be widened to 3m. It is recommended that this is secured by condition.
- The applicant has confirmed that there is no vehicular access to the allotments. This follows an existing arrangement. WSCC have noted the comments.
- Further junction modelling assessments have been submitted as requested by WSCC Highways. These are accepted.

Conclusion: Should the Local Planning Authority be minded to approve, the Highway Authority recommends conditions to form part of any permission.

[Summary – second comments 01.05.2025]

Additional information has been received and reviewed. A number of comments remain outstanding

[Summary – initial comments 24.11.2024]

More Information is required to address the following:

- Demonstration that visibility splays at access point where it meets Bines Road can be achieved using highway land, land in the applicant's control or combination of (mathematical equation/s to be provided).
- Provision of widened footway alongside western side of Bines Road plus Stage 1 Road Safety Audit and Road Safety Audit Decision Log provided.
- Confirmation that uncontrolled crossing points (to High Street and Star Lane Industrial Estate across Bines Road) have been Safety Audited (and if not, that they be Safety Audited).
- Foot/cycle connection to Bines Road found south of the site (opposite Downs Link PRoW) – Applicant to confirm how this route would remain open (and suitably maintained) in perpetuity. Applicant should also confirm if this connection, where it is shown emerging to Bines Road, has been Safety Audited. If not, it should be Safety Audited.
- Applicant to investigate whether an informal connection to Downs Link off Locks Lane can be formalised. If so, it too should be Safety Audited.
- Updated Travel Plan to be provided.
- Internal layout changes – e.g. foot and cycle path alterations, widening of path around the internal boundaries of the site, priority arrangement across spine road and side roads to be considered (plus Road Safety Audit updates) and interfaces with spine road.
- Clarification about where access to allotments is to be provided from.
- Reply required to why 2011 Census data was used for trip distribution and route assignment, and not data from the 2021 census?
- Further junction modelling assessments for B2135/A24 and B2135 J/W A283 to be provided (to include end of Local Plan scenarios for both junctions and additional traffic from DC/21/2233 – the latter for the B2135/A283 junction only).

- Provision of original Stage 1 Road Safety Audit and associated Road Safety Audit Decision Log.
- Updated PIA data for B2135/A24 and B2135/A283 junctions.

3.15 WSCC Lead Local Flood Authority: No Objection

WSCC LLFA provided a comment raising no objection subject to requested conditions.

3.16 WSCC Rights of Way:

The proposed off road Downs Link route is welcomed as is the uncontrolled crossing point across Bines Road (with tactile paving and dropped kerbs). In order to officially re-route the Downs Link along the route however we would need to:

- a. have it constructed to our 3m wide bridleway specification, and
- b. secure it in perpetuity by adopting it as Public Right of Way.

Additional guidance is provided regarding words too and around the PRow network.

3.17 WSCC Education: Advice

West Sussex Education Services do not have any concerns with the proposed development. Should the application be approved, it will be CIL liable. CIL will be sought by the County Council as local education authority from the charging authority to provide the necessary education mitigation for the proposed development. (For the avoidance of doubt, Education covers all children from 0-18 and up to 25 for SEND pupils)

3.18 WSCC Minerals and Waste: No Objection

The MWPA note the relative abundance of the Brick Clay resource across the county, and would agree in this instance that the priority of the extraction of this resource is considered to be 'low'. No objection is raised subject to the LPA being satisfied the proposal meets the requirements of Policy M9 (b) (iii) of the Joint Minerals Local Plan (2018, partial review 2021).

3.19 Archaeology: Advice

The application is supported by a desk based archaeological assessment produced by RPS that concludes that the site has a low/uncertain archaeological potential and that further archaeological investigations are required to clarify the nature, extent and significance of any archaeological deposits. In this case it would be reasonable to secure the work with an archaeological condition.

3.20 WSCC Fire and Rescue Service: No Objection

Requests for Fire hydrant conditions.

3.21 Sussex Police Designing Out Crime Officer: Comments

Good active frontage provided with street and public areas overlooked. Parking should be designed to ensure good natural surveillance and ideally within view of an active room (kitchens and living rooms). Play areas should be provided with natural surveillance from nearby dwellings, with public / private spaces clearly defined to prevent unauthorised access by vehicles, and ideally dog-free.

3.22 Sussex Police & Crime Commissioner: Objection

Requests for £17,000 developer contribution towards 2no ANPR Cameras.

PUBLIC CONSULTATIONS

3.23 Representations:

31 letters of Objection have been received from 25 addresses, objecting to the application on the following grounds:

Planning Policy / Plan Allocations

- Site is not agreed within the local plan.
- NPPF prioritises brownfield sites and underutilised land.
- Proposal is outside of the Built up Area Boundary.
- Alternative sites are available.
- The proposal is speculative .

Overdevelopment

- Cumulative impact of development should be taken into consideration.
- Proposal would increase villa be nearly 50% (cumulatively)
- The village is too small for the development and is not able to cope with the addition of another 300 houses, especially with 100 of these being outside of an easy walk to the village amenities

Design

- Development / design of housing is not in keeping with the character and appearance of the surrounding area.
- Solar panels are not proposed.

Housing Supply

- Large houses are not needed / we need smaller, cheaper properties for those downsizing (cost of living etc) and buying for the first time. Including bungalows flats and starter homes.
- The definition of 'affordable' houses means that most still can't them.

Landscape and Visual Impact

- Landscape Harm / Proposal would fail to maintain and enhance landscape character.
- Land is too isolated from the rest of the village and would not relate well to the settlement boundary of the village.
- Density and scale of the development are disproportionate and would harm rural / village landscape character.
- The site is an area of outstanding beauty
- Proposal would add to sprawl from the village.
- There are alternative infill sites.

Amenity Impacts

- Loss of privacy / overlooking for existing dwellings.
- Impacts of noise and increased light.
- Lock lane (bridleway) is an important amenity shared by the local community and would be impacted by light and noise.
- Impact during construction.

Highway, Access and Parking

- Increased traffic posing a highway safety risk
- People speed along Bines Road.
- Rural location increases reliance on cars.
- Buses have been reduced and there is no train station.
- The access is at a busy point in the road opposite the trading estate with existing issues pulling out.
- Footpath and road crossings into the village are dangerous with no street lighting.
- The quickest route is via the Blind Summit of the Bridge, not the trading estate.
- There are existing traffic issues on the high street which is used as a 'rat run'.
- Travel plan travel times are inaccurate.
- Traffic would be in addition to commercial traffic from Star industrial Estate and Hufwood industrial estate.
- Cycle route would still require crossing the road.

Environment and Trees

- Loss of green space / the land is grade B/C agricultural land / farming land.
- The land maintains biodiversity and there is an abundance of reptiles and wildlife and some rare. Including owls, rare species of bats, water voles, newts and dormice
- Impact of construction on wildlife.
- Loss of trees and hedges and impact to mature oak trees on site.
- Emissions for increased cars with no facility for EV charging.
- The Lock Estate is a wildlife habitat for species spilling over from the Knepp Estate.
- Proposal would breach the *Hedgerow Regulations 1997*.

Flooding and drainage

- Insufficient capacity in the sewer which floods and overflows into the Adur.
- Village and neighbouring gardens suffer from flooding.
- Development may increase risk of flooding.
- Flood mitigation is not in place.

Infrastructure / community facilities

- Local infrastructure, including schools, healthcare facilities / GP, and public services, is not equipped to handle the influx of new residents. This will lead to overburdened services and a decline in the quality of life for existing residents.
- The proposed development has an insufficient water supply.
- Proposal does not include plans to upgrade infrastructure.
- The bus service to the village has been considerably reduced with fewer buses and intermittent service
- 2 mile walk to the primary school.
- No senior schools
- Limited shops in the village.
- The village has regular power cuts.
- Increased demand on public rights of way.

Heritage

- A listed building directly abuts the site.

Other Matters

- Impact of future pets on livestock and wildlife.
- Application is a re-application of DC/24/1699 which was refused
- Application was submitted /consultation within the run up to Christmas.
- Water Neutrality is an issue.
- The developer also has a site in Henfield.
- Jobs created would be temporary.

3.21 Parish Comments:

West Grinstead Parish Council: Objection

WGPC's recommendation is that HDC should REFUSE this application.

- Sustainability: Partridge Green is a small rural village, isolated with little in the way of services
- This planning application is premature and not currently sustainable.
- The village has recently lost all its surgeries and had its local bus service reduced.
- The local village shop is too small for its current population and there are no options for a new location.
- The local secondary school for the village is Steyning Grammar which is also at capacity.
- The challenges of wastewater and contaminated surface water entering the River Adur from the higher site adds to the current lack of infrastructure, and the failure of the local treatment plant where in 2023 there were 109 sewage discharges with 1,639 hours of untreated effluent entering the river.
- Further exasperating the problems there are currently 3 new planning permissions for 120 houses DC/24/0428, 55 houses DC/22/0301 and 81 houses DC/23/2279 a total of 256 new

households having to be accommodated in a village with limited facilities. The premature additional 101 households would overwhelm the current village. It will also distort the local housing market for private homes and housing associations, as highlighted by the Horsham District Council housing officer in her report.

- The Parish Council acknowledge the helpful improvement suggestions of the footpath to the High Street, footpath and cycle path to Downs Link, the 45% affordable housing and accepts that the village needs some new housing. But the housing needs to better reflect the needs of the village, be sustainable and balanced so that it can be integrated into the community.

3.22 Member Comments:

Cllr Knowles:

Partridge Green currently has population of around 2,000 people, 922 houses according to the 2021 census. Permission has already been granted in the past couple of years for 255 houses, a 28% increase. The community cannot cope with another 101 which would take us to a 39% increase in houses. With no new infrastructure this must be considered as over-development.

This site is separate from the village, outside the built-up area NOT adjoining it, and if we grant this permission, we will be creating a precedent that will allow further development across the district.

There is no longer a GP surgery, the primary school will be full once the existing approved homes have been built in Partridge Green. The limited bus service has been halved with no direct buses during the day to Cowfold, where the GP's surgery is, and onto Horsham.

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 A previous application for 101 homes on this site (DC/24/1699) was refused in August 2025 for the following reasons:

- 1 *Insufficient information has been provided to demonstrate with a sufficient degree of certainty that the development would not contribute to an existing adverse effect upon the integrity of the internationally designated Arun Valley Special Area of Conservation, Special Protection Area and Ramsar sites by way of increased water abstraction,*

contrary to Policy 31 of the Horsham District Planning Framework (2015) and the National Planning Policy Framework (2024), thus the Local Planning Authority is unable to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

- 2 *The proposed development has not been accompanied by a completed s106 Legal Agreement, thereby does not secure the 45% of units required to be provided as affordable housing units or other obligations required to make the development acceptable. The proposal is therefore contrary to Policies 16 and 39 of the Horsham District Planning Framework (2015), as it has not been demonstrated how the infrastructure needs of the development would be met.*

- 6.2 An appeal against the refusal of this decision is currently on hold pending the outcome of this re-submission. This current application is broadly identical to the previously refused scheme, other than in respect of the matters referred to in paragraph 1.10.

Principle of Development:

Current Development Plan Policy:

- 6.3 As it stands, the development plan relevant to the proposed development comprises the Horsham District Planning Framework (HDPF, 2015) and the 'made' West Grinstead Neighbourhood Plan (WGNP, 2021). The West Sussex Joint Minerals Local Plan (2018). is also relevant to this proposal. In accordance with planning law, these documents form the statutory development plan and the starting point for the assessment of the development proposals. The National Planning Policy Framework and accompanying Planning Practice Guidance are material considerations relevant to the development proposals.
- 6.4 HDPF Policies 1 (Sustainable Development), 2 (Strategic Development), 3 (Development Hierarchy), and 4 (Settlement Expansion) set out the settlement hierarchy of the District and establishes the Council's main strategy for the location of development across the district, in accordance with the NPPF's sustainable development approach. 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).
- 6.5 HDPF Policy 26 (Countryside Protection) provides support for development outside of BUABs where there is an essential need for a countryside location and one of the following criteria are met:
1. Support the needs of agriculture or forestry;
 2. Enable the extraction of minerals or the disposal of waste;
 3. Provide for quiet informal recreational use; or
 4. Enable the sustainable development of rural areas.
- 6.6 The site is located outside of a defined built-up area boundary (BUAB) and does not form part of Horsham's adopted development plan comprising the Horsham District Planning Framework 2015 (HDPF) and the 'made' West Grinstead Neighbourhood Plan. As a result, development here would conflict with the requirements of Policy 2 'Strategic Development' and Policy 4 'Settlement Expansion', of the HDPF. In addition, the development would conflict with HDPF Policy 26 owing to its siting outside the BUAB and as the proposed residential development is not considered to be essential to this countryside location.
- 6.7 As a result, development in this location would conflict with the requirements of HDPF Policies 2, 4 and 26. The proposed proposal is therefore not considered in accordance with the spatial strategy set within the adopted development plan. This carries weight against the proposal.

5-Year Housing Supply and presumption in favour

- 6.8 In December 2025, the Council published the latest Authority Monitoring Report (AMR) which revealed that the Council currently has a housing land supply of 1.7 years against current targets. It is noted that the housing land supply has increased since the consideration of previous application DC/24/1699, from 1 year to 1.7 years. Notwithstanding this, it remains that the Council is unable to demonstrate a full 5-year housing land supply, and it is recognised that this forms a material consideration in decision making which triggers the application of the 'tilted balance' at Paragraph 11d of the NPPF.

Shaping Development in Horsham Planning Advice Note (SDPAN)

- 6.9 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 (2025) advice note which now forms a material planning consideration in decision making. The advice contained in the advice note is guidance only and does not form policy and does not alter the statutory decision-making framework, therefore it carries only limited weight.

- 6.10 The note sets out the weight that can be given to current and emerging local policy and has been produced to enable the Council to act proactively to continue to deliver housing in a sustainable manner. For development proposals located outside the defined BUAB, the SDPAN (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:

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

- 6.11 Whilst the BUAB to Partridge Green sits on the opposite side of Bines Road, this is a matter of drafting as it is clear that the site is otherwise contiguous with this boundary. The proposed site lies within clearly defensible field boundaries and seeks to retain and enhance landscape features by way of the deep perimeter open spaces, drainage ditches and tree belts that are part of the overall localised landscape character. As set out under the heading 'Housing Mix and Affordable Housing' the site would help meet local housing need and through the additional population would help to assist in the retention of local services. The development would also not prejudice comprehensive long-term development.

- 6.12 The SDPAN also requires that the level of expansion is appropriate to the scale and function of Partridge Green. A number of representations, including from the Parish Council, have raised concern at the impact of proposal both individually and cumulatively with recent housing applications and permissions around the village. The cumulative level of expansion within Partridge Green is therefore considered below.

Local Plan Review:

- 6.13 As the HDPF is over 5 years old, the Council has undertaken a review of existing Local Plan, which progressed to examination in December 2024 (the Reg 19 Horsham District Local Plan, or HDLP). As drafted and consulted upon, the HDLP set out the emerging development strategy for the district to deliver housing and wider development needs in the period 2023 to 2040, with an annualised target of 777 dwellings across the plan period. The delivery of these homes was envisaged to be via the identified larger and smaller strategic housing allocation sites (such as a strategic development to the west of Southwater for at least 275

dwelling under draft policy 37), the intensification of existing sites, as well as the delivery from windfall units within defined settlement boundaries.

6.14 Whilst the Examining Inspector's Interim Findings letter dated 4 April 2025 recommended that the Regulation 19 Horsham District Local Plan 2023-2040 be withdrawn, the Council did not withdraw the draft Local Plan and has since written to the Inspector with a request to re-open the hearings given a number of material changes which are relevant to the examination. At the current time therefore, the draft remains a 'post-submission' document, with 'emerging' status. The policies within the emerging Local Plan (eLP) are therefore deemed to carry limited weight. Further, the background evidence base to support the eLP also carries some limited weight given the Examining Inspector's comments at paragraph 95 of his Interim Findings letter. This background evidence base includes the site assessments that informed the proposed site allocations within the eLP.

6.15 The application site, along with the adjacent field parcel to the west, is noted to have been promoted by the land agent / owner for a housing site allocation for some 207 homes, but was not taken forward for inclusion in the draft HDLP Policy HA12 as a site allocation (site SA891). The reasons for not including this site in the HDLP are stated as follows, in a document entitled 'Sites not identified for potential allocation for housing development', part of the background HDLP evidence base:

"Partridge Green is recognised as a medium village in the Council's settlement hierarchy and as such is not seen as able to accommodate large amounts of development. Collectively the sites with potential for allocation in Partridge Green could, if all were identified as allocations in the Local Plan, deliver a total that is seen as too great for the village to accommodate at this time, in respect of the capacity of infrastructure to absorb the new development and the impact on the character of the village. There are a number of sites being promoted in Partridge Green which relate better to the built-up area boundary of Partridge Green and its facilities and have fewer constraints including landscape and heritage. Furthermore, the proposal would result in an unusual extension of the village form as it increases the village footprint west of Bines Road and the Downslink in a somewhat detached extension of the settlement and against the prevailing historic pattern of the village. Therefore, it is the Council's view that development at this location and at the quantum proposed is less preferential to some other sites in the village. Therefore, the site is not recommended for allocation."

6.16 It should be noted that this site assessment was based on a wider land promotion incorporating land to the west and south of the current site, for a total of circa 207 dwellings, double the number of homes now being proposed. The assessment also refers to the presence of a health facility in the village, which has since closed.

6.17 It should also be noted that the above extract concludes by saying that the site is 'less preferential' than others that were being promoted, rather than due to its location or other characteristics being unacceptable. Further, the draft local plan strategy which this site assessment was based on is to deliver an average of 777 homes per year, however following the resolution to the constraining issue of water neutrality (see below), the local plan inspector has requested that the Council revisit its strategy to increase the number of homes that can be delivered over the plan period. This means that further sites will need to be found to address housing need in the district. As such, officers advise that the comments in the above extract referring to the capacity of Partridge Green to accommodate further growth require further consideration as part of this application.

Cumulative level of expansion

6.18 Policy 3 of the HDPF (2015) states that Partridge Green is a tier 2 'Medium Village' which are those classed as settlements that have a moderate level of services and community networks together with some access to public transport. These settlements provide some

day-to-day needs for residents, but rely on small market towns and larger settlements to meet a number of their requirements.

- 6.19 At the time of writing, outline planning applications for a total of 256 dwellings have recently been granted planning permission around Partridge Green:

120 dwellings - Land North of Shermanbury Road (DC/24/0428)

55 dwellings - Land North of The Rise (DC/22/0301)

81 dwellings - Land North Of The Rosary (DC/23/2279)

- 6.20 These three sites correlate with the draft local plan allocations within Partridge Green (eLP Policy HA12) and make for a pipeline of 256 committed dwellings. These 256 dwellings equate to an increase of around 32% in the number of dwellings in Partridge Green. The addition of the application site (for 101 homes) would increase this growth to around 45% in the number of dwellings. This calculation is based on an existing 792 dwellings within Partridge Green as extrapolated from 2021 census data. This calculation therefore does not include any dwellings outside of the immediate BUAB. Notwithstanding this, and noting the alternative figures in the Member Comments section above, this would be a significant level of growth for a medium village.

- 6.21 It is noted that since the determination of DC/24/1699, permission of the Land North Of The Rosary the northwest of the village has been granted following completion of a s106 legal agreement, notwithstanding this, the cumulative impact of DC/23/2279 (Land North Of The Rosary) was fully considered by officer under DC/24/1699. This is therefore not considered to be a substantive or material change since the determination of DC/24/1699.

- 6.22 As previously commented by the HDC Strategic Policy Team during application DC/24/1699, in a recent appeal decision in Thakeham (DC/24/0021 / APP/Z3825/W/24/3350094) the Inspector considered, among other things, whether the appeal site for some 257 dwellings (an approximate 42% increase in the number of dwellings) would be appropriate to the scale and function of Thakeham. Thakeham is identified as a tier 4 'small village' in the settlement hierarchy, and contains no employment areas and does not have a primary school. Whilst it has sports pitches and a small café/shop, it otherwise is heavily reliant on higher order settlements, which can only be meaningfully reached by car (Nb the bus service is poor). Factoring these matters together, the inspector concluded that *'the proposal would not be appropriate by virtue of being grossly out of scale with the settlement of Thakeham and its limited existing functionality'*, and the appeal was duly dismissed under the 'tilted balance'.

- 6.23 Whilst the proportion of expansion is broadly similar, it is important to note that as a 'medium village' Partridge Green includes many more services and facilities than the 'small village' of Thakeham.

- 6.24 Partridge Green's facilities and services can be summarised as follows:

- The Partridge Public House (400m / 5 min walk)
- Green Man Public House (1.1km / 14 min walk)
- Prettys Garage (300m / 4 min walk)
- Fish & Chip Shop (600m / 8 mins)
- A Bakery (600m / 8 mins)
- Hair Salon (600m / 8 mins)
- Hawthorn Vets (600m / 8 mins)
- A small Co-op store and post office (600m / 8 min walk)
- Jolesfield Primary School (1.1km / 14 min walk)
- No.17 bus service (albeit a reduced service)
- Village Hall / Pre-school (600m / 8 mins)
- Methodist Church (700m / 9 min walk)
- St Michaels & All Angels Church (800m / 10 min walk)

- Playing Fields (1km / 13 min walk)
- Star Industrial / Trading Estate

- 6.25 It is also noted that the Oakleigh Medical Centre / Partridge Green Surgery closed in August 2025, with the next closest GP practice being Henfield Medical Centre. It is additionally noted that the No.17 bus service which connects the village to Horsham is now operating under a reduced service which will terminate at Partridge green and no longer offer a direct service to Horsham. Both of these matters were considered in the most recent grant of outline planning permission for 81 dwellings at The Rosary.
- 6.26 Comparatively, Thakeham is classified as a 'smaller' village with fewer services and facilities. Within the village itself there is a café/shop, open spaces and village hall, and a pub and church are located a short walk outside of the village. It is noted that Thakeham has no school, health facilities or employment facilities. In addition, notwithstanding the above noted changes to the No.17 bus service, Partridge Green remains served by existing bus routes with connections to Horsham and Brighton, albeit with the need to make connecting changes at certain times of day. Comparatively, Thakeham is has a very limited bus provision, and is heavily on private vehicles to make journeys out of the village for work or other day-to-day reasons.
- 6.27 There are therefore clear differences between Partridge Green and Thakeham village in relation to the level and quality of services, facilities and employment provision when considering development proposals and whether the cumulative level of expansion can be considered appropriate.
- 6.28 Overall, whilst acknowledging the undoubtedly significant cumulative increase in the size of Partridge Green that would result, and the comments made in the Council's site assessment work referred to above, it is considered that Partridge Green has the services and facilities to sustainably accommodate this level of expansion (which is some 106 homes fewer than considered in the site assessment) with the new residents able to benefit from, and support, these facilities into the future. Whilst it is noted that the doctors surgery at Partridge Green has now closed, this does not in itself render Partridge Green unable to accommodate the proposed development, and would not prove sufficient to justify the withholding of permission given the number and quality of other services and facilities in the village.
- 6.29 Accordingly, the cumulative impact of the proposed development in tandem with the committed development of the other three sites on the edge of Partridge Green is considered appropriate to the scale and function of this village. It is therefore also considered that the proposal accords with paragraph 5.12 of the criteria of SDPAN and should be considered favourably.

Conclusion on principle

- 6.30 The principle of the development of this site conflicts with the current development plan as the site lies outside of the defined BUAB and has not been allocated for development in either a made neighbourhood plan or the current Local Plan. The principle of development is contrary to Policies 2, 4, and 26 of the HDPF on this basis. Notwithstanding this, the Council is unable to demonstrate a 5-year housing land supply and a 'tilted balance' in favour of sustainable development is therefore in place, this is further discussed in the overall planning balance at the end of this report. The proposal is additionally considered compliant with the SDPAN when considered in isolation and cumulatively. These are material considerations which weigh in favour of the principle of development on this site.

Housing Mix and Affordable Housing:

- 6.31 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. In this instance the proposal is seeking 45% affordable housing (46 dwellings) and

55% Open Market housing (55 dwellings). The proposal therefore provides an overprovision of affordable dwellings, whilst achieving a policy compliant tenure split of 70% affordable rented and 30% intermediate tenure.

- 6.32 HDPF Policy 16 additional 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), as set out in the table below. The submitted Planning Statement sets out the following housing mix, compared with the recommended mix set out in the Council's current Strategic Housing Market Assessment (SHMA, 2019):

Affordable Rented	SHMA 2019 (32 units)	Proposal (32 units)	Over / under supply
1-bed	35% (11 dwellings)	6 dwellings	-5
2-bed	30% (10 dwellings)	13 dwellings	+3
3-bed	25% (8 dwellings)	13 dwellings	+5
4+ bed	10% (3 dwellings)	0 dwellings	-3

Shared Ownership	SHMA 2019 (14 units)	Proposal (14 units)	Over / under supply
1-bed	25% (4 dwellings)	0 dwellings	- 4
2-bed	40% (6 dwellings)	3 dwellings	-3
3-bed	25% (4 dwellings)	7 dwellings	+3
4+ bed	10% (1 dwellings)	4 dwellings	+3

Open Market	SHMA 2019 (55 units)	Proposal (55 units)	Over / under supply
1-bed	5% (3 dwellings)	2 dwellings	-1
2-bed	30% (17 dwellings)	11 dwellings	- 6
3-bed	40% (22 dwellings)	24 dwellings	+2
4+ bed	25% (14 dwellings)	18 dwellings	+4

- 6.33 The Council's Housing Team has commented that the Housing Register in West Grinstead currently has 151 households waiting for housing, of which 48 households (32%) are in need of a 1-bedroom unit, 21 households (14%) in need of a 2-bedroom unit, 58 households (38%) in need of a 3-bedroom unit and 24 households (16%) in need of 4 or more bedrooms. Housing waiting list figures are varied marginally since the determination of DC/24/1699, with an increased demand for 1-bed dwellings
- 6.34 The Council's Housing Officer has raised no objection to the proposed tenure. Whilst it is noted that the proposed affordable rent housing mix provides an undersupply of 1-bed dwellings, an oversupply of 2 and 3 bed dwellings are provided. Similarly, whilst the shared ownership housing mix provides an undersupply of 1 and 2 bed dwellings, an oversupply of 3 and 4 bed dwellings is proposed.
- 6.35 Therefore, whilst the overall affordable mix is not strictly proportionate to the SHMA, the oversupply of the much needed larger 3-bed affordable rent homes would go some way to address local housing need. It is further noted that the proposal achieves a higher rate of affordable units (45%) on the site over and above the policy requirements currently set out under HDPF policy 16 (35%).
- 6.36 The housing officer has additionally requested the applicant to engage with a Registered Provider (RP). The applicant has outlined that Saxon Weald has made an offer for the available units. A letter to confirming this has been provided by the applicant. It is noted that minor changes to the tenure plan have been made, this does not, however, significantly impact the overall provision of affordable housing, housing mix or tenure mix.

- 6.37 In the event that planning permission is granted, a Section 106 legal agreement would need to be provided to secure this on-site affordable provision and tenure, and a registered provider who will take on the units, as per the requirements of HDPF Policy 16 and the accompanying Planning Obligations and Affordable Housing SPD.

Character, Design and Appearance:

- 6.38 Policy 25 of the HDPF seeks to protect the townscape 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.
- 6.39 Policies 32 and 33 of the HDPF 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.
- 6.40 It is noted that no changes to the design or layout are proposed between DC/24/1699 and the current submission. The Masterplan includes two distinct residential parcels divided by a green central area. The proposed layout sets the residential parcels away from the boundaries of the site with substantial landscape buffers to the east and west of the site. The dwellings are appropriately spaced out within the site so as not to appear cramped.
- 6.41 The submitted street-views and dwelling type elevations provide for finer details of the scale, design and appearance of the development which show a good mix of architectural detailing and vernacular elements that seek to provide a development that has visual interest and quality. Final details elements such as boundaries and materials being secured by way of suitable planning conditions.

Landscaping and Open Space:

- 6.42 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.
- 6.43 WGNP Policy 4 seeks to promote the use of traditional native species in landscaping and hedges ensure proposals, promote landscape buffers to complement green infrastructure, and the Conserve and enhance habitats and biodiversity.
- 6.44 As has already been established, the application site lies within an open and undeveloped rural area. It is separated from the recently extended BUAB by around 8m along its eastern edge (the width of the road corridor of Bines Road). The field parcels to the south-west, south and east are all open, rural in character and unallocated insofar as current and emerging local planning policies. The site has more recently been located within Local Landscape Character Area ('LLCA') PG4 as shown on the Horsham Landscape Capacity Assessment (2021), with landscape sensitivities identified as:

“Gently undulating landform; Variable field pattern; Small copses and woodland; Some historic cottages and scattered suburban houses; Some attractive views to the wider countryside to the west; Mostly rural character.”

- 6.45 The Council's Landscape Architect notes that the capacity assessment indicates the area has high landscape sensitivity, moderate visual sensitivity and moderate landscape value, for medium scale development, and, as a result, the officer considers that development in the west of the area would create the appearance of incursion into the countryside and that the larger fields to the south would be more visually sensitive. It concludes that the area has No-low capacity for medium scale (60-250 dwellings) housing development.
- 6.46 The proposal seeks to address this by retaining the existing boundary hedgerows aside from a section along the eastern boundary to facilitate vehicular access to the site, two short sections in the south-eastern corner to enable the new cycle / pedestrian route to be formed and a small section along the northern boundary to facilitate a pedestrian / cycle access onto Lock Lane. The existing natural features would otherwise be incorporated into the wider landscape strategy / landscape infrastructure and areas of public open space, which officers are satisfied would ensure the long-term maintenance potential. The landscaped buffer zones, advance planting in particularly sensitive areas and additional layers of planting can be secured by way of suitable conditions.
- 6.47 Overall, the site would include some 2.76ha of open space, calculated as some 43% of the overall site area, which results in a development which is capable of accommodating generous and cohesive swathes of open space and landscaping which sweeps through the proposed site with a view of retaining the rural connections. Accordingly, the Council's Landscape Architect has assessed the proposal as responding in a way that retains and enhances the local landscape character features and the guidelines of the landscape character area in which it sits, despite acknowledging that the proposal would result in an inevitable urban pattern of development which is at odds with the existing open rural landscape of the site.
- 6.48 The Landscape Officer has provided a further comment requested the planning conditions are secure details of underground service, to address outstanding concerns regarding external lighting, advanced planting at an early stage on construction and final details of hard and soft landscaping.
- Open Space:*
- 6.49 In terms of open space, the latest Open Space, Sport and Recreation Review (2021), identifies that West Grinstead has deficiencies in natural and semi-natural open space, amenity greenspaces and multi-functional green space, along with a slight deficiency in the provision for children and young people (NB the Open Space, Sport and Recreation Review (2021) sets out a threshold of 46 dwellings to provide on-site play provision).
- 6.50 The Horsham District Council's Open Space, Sport and Recreation Review (June 2021), advises that new dwellings should be within a 400m walking distance to a LAP (Local Area of Play) or a LEAP (Local Equipped Area of Play). Given that the closest existing play area lies some 626m to the north-east of the application site within the Partridge Green Recreation Ground / King George V playing fields, there should be the of provision for children's play space provided on site.
- 6.51 The layout details space for three play areas (LAPs) within and west and north east of the site, with an additional larger equipped play area (LEAP) located within the central belt. In addition, approximately 250sqm of allotments is proposed to the south, and a network of paths and open space is proposed throughout the site. Final details and management of play space, allotments and general open space can be secured within a section 106 agreement.

- 6.52 The Landscape Officer has additionally noted that there remain shortfalls within the provision of youth areas and parks and gardens which could not be delivered on site. As a result, the Landscape Officer has referenced the need for financial contributions towards this provision (amounting to some £100,000). A further unspecified contribution towards offsite sports pitches is also recommended. Officers advise that the development in itself does not generate the need for pitches and youth facilities onsite. In accordance with the Council's Community Infrastructure Levy (CIL) Charging Schedule (Reg 123 list), these facilities are capable of being funded via the CIL receipts that the development would generate (circa £1m), of which the Parish Council would receive 25%. A site-specific s106 contribution is not therefore required.
- 6.53 Accordingly, officers consider that the proposed development would accord with the expectations of HDPF policies 32, 33 and 43, WGNP Policy 4 and would provide suitable areas of green public open space and play area, the details of which would be secured by way of planning conditions/obligations.

Arboriculture:

- 6.54 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. WGNP Policy 4 seeks to promote the use of traditional native species in landscaping and hedges ensure proposals, promote landscape buffers to complement green infrastructure, and the Conserve and enhance habitats and biodiversity.
- 6.55 Paragraph 193(c) of the NPPF states that 'development resulting in the loss of deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.'
- 6.56 The Arboricultural Officer has note that no individual trees or tree groups are proposed for removal and the site layout is broadly favourable in arboricultural terms with materially reducing the risk of post-development pressures such as requests for pruning or removal arising from shading, leaf fall, or perceived nuisance. In addition, whilst it is noted that the proposal seeks to remove 35m of native hedgerow to facilitate access, this loss can be adequately compensated for by way of new planting within the site. The Arboricultural Officer has requested that an Arboricultural Method Statement is secured setting out detailed, site-specific measures for tree protection, including working methods within sensitive areas, sequencing, and site supervision. This can be secured via a planning condition.
- 6.57 Notwithstanding this, 8 veteran (Oak) trees have been identified within or adjoining the site (T3, T20, T21, T23, T25 and 3 trees within G10). These trees are a valuable ecological resource, with a recommended buffer zone of 15 times the stem diameter. The site layout includes a section of cycle path which would fall within the buffer zone of T23. Whilst this cycle path is proposed with a Cellular 'no dig' construction, the Council's Arboricultural Officer has raised concerns that encroachment within the buffer has the potential to result in increased disturbance and soil compaction, and other harmful tree related impacts over time. The officer has further noted that these concerns are primarily around the post-development impacts of the scheme, including future pressures from trampling within the buffer zones. The officer has therefore requested that where the cycle path cannot be relocated, a bespoke 'Veteran Tree Management Plan' should be secured containing the following:
- Veteran Tree Buffer Zones to permanently establish buffers with post-and-rail fencing or other approved means to restrict access;
 - Restrict recreational / amenity use within the buffer zones.
 - Interpretive Signage providing education information on the buffer zones and the ecological and arboricultural importance of veteran trees.

- A Long-Term Management and Maintenance Plan for the health, and ecological value of veteran trees.

6.58 The landscape officer has additionally noted that some proposed tree-pits would encroach upon the veteran tree buffers. Final planting details can be secured via a suitably worded planning condition which should demonstrate no new trees within these veteran tree buffers. As such, it is considered that with the above conditions in place post-development security of the veteran tree could be controlled, and the proposal would not result in the loss or deterioration of the veteran trees in accordance with paragraph 193(c) of the NPPF.

Heritage and Archaeology:

6.59 HDPF Policy 34 relates to Cultural and Heritage Assets and states that applications should make a positive contribution to the character and distinctiveness of the area and ensure that development in Conservation Areas is consistent with special character of the area.

Heritage Impacts:

6.60 The site does not adjoin any conservation areas, but a number of listed buildings are located around the site, with Crouchers (Grade II) situated within the immediate context of the site, as it adjoins the eastern site boundary. Furthermore, there is an area south of the application site which is identified both as an archaeological notification area and an archaeological site (Medieval Moated Site and 17th Century Moat Farm Historic Farmstead). The submitted comprehensive Heritage Statement clearly describes the significance of the nearby heritage assets and the potential impact arising from the development on their special interest. Accordingly, the Council's Heritage Officer is satisfied that this assessment correctly identifies the impact on each of the identified heritage assets, and furthermore, concurs that only 'Crouchers' would be negatively affected by the proposal.

6.61 The Council's Heritage Officer therefore considers that the proposal would result in "less than substantial harm (to Crouchers) and only moderately so". Paragraph 215 of the NPPF requires less than substantial harm to the significance of a designated heritage asset be weighed against the public benefits of the proposal. Officers recognise that in this instance, the public benefit concerns the provision of a significant contribution towards the provision of market and affordable housing, and the creation of an off-road cycle path away from Bines Road linking two part of the Downs Link. These are considered to outweigh the less than substantial harm (noted to be only moderate) to the setting of the identified heritage asset.

Archaeology

6.62 The Council's Archaeological Consultant acknowledges the supporting desk-based archaeological assessment (by RPS), which has used a range of appropriate sources, including the West Sussex HER, determining that the site has a 'seemingly low potential for archaeological remains'. However, given that this conclusion might have been influenced by a lack of previous investigations in the area, it would be more appropriate to classify the potential as 'uncertain', and that further investigations may be required to clarify the nature, extent and significance of any archaeological deposits which may be present within the application site, which would then direct whether any further investigations would be required.

6.63 Accordingly, officers are satisfied that this can appropriately be dealt with by way of a suitable archaeological program of works condition to satisfy the requirements of HDPF policy 34.

Residential Amenity:

6.64 Policy 33 of the HDPF requires development is designed to avoid unacceptable harm to the amenity of occupiers / users of nearby property and land.

- 6.65 Paragraph 135(f) of the NPPF seeks to ensure that development 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'. Policy 32 of the HDPF, further, seeks to ensure that development provides an attractive, functional, accessible and adaptable environment.

Noise

- 6.66 The site layout plan demonstrates the development could be accommodated within the developable area whilst providing for a good standard of amenity for all future occupants of land and buildings of the proposed development (including distance between nearest dwelling from locally equipped play area). A landscape buffer has been provided alongside the site boundaries. A central buffer has also been provided between the eastern parcel and the western development parcel, which is to include public open space and play area.
- 6.67 The application is accompanied by an acoustic report (dated 13.10.25) which is welcomed. This has been reviewed by the Council's Environmental Health Officer who has outlined that with windows open, the internal noise within plots 1, 13 to 19 and 38 to 45 are likely to be above British standards (BS 8233). The submitted Acoustic Report recommends mitigations including Acoustic Glazing, Ventilation and an acoustic fence. It is therefore considered appropriate to secure a scheme of noise mitigation, so as to ensure acceptable internal noise is achieved. With this condition in place Officers are satisfied that acceptable levels of noise would be achievable.

Neighbouring Amenity

- 6.68 The relationship between the proposal and existing neighbours raise no appreciable concerns. It is noted that a landscape buffer and rear gardens are proposed along the south eastern site boundary with no concerns of overlooking, overshadowing or overbearing. This includes consideration of the amenity impacts of the new pedestrian and cycle link through the site alongside the retained dwellings to the south-east of the application site, noting the proposed line of the new pedestrian / cycle access which runs to the rear of the houses.
- 6.69 The Council's Environmental Health officer has additionally outlined that a construction environmental management (CEMP) should be secured to mitigate against potentially harmful impacts of noise, dust and construction traffic. This can be secured via a suitably worded planning condition.
- 6.70 It is, therefore, considered that, with the above conditions in place, future occupiers would benefit from a sufficient standard of amenity and the proposal would not result in unacceptable harm to the amenity of neighbouring dwellings in accordance with NPPF paragraph 135(f) and HDPF policy 32.

Highways Impacts:

- 6.71 It is noted that, with the exception of changes to the No.17 bus route and the closure of the GP practice, highways impact considerations remain unchanged between consideration of DC/24/1699, where they were found to be acceptable, and the current submission.
- 6.72 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. HDPF Policies 40 and 41 promote development that provides safe and adequate access, suitable for all users.
- 6.73 HDPF Policy 41 states that adequate parking and facilities must be provided within developments to meet the needs of anticipated users. HDPF Policy 33(8) further requires, where appropriate, the incorporation of convenient, safe, and visually attractive areas for the parking of vehicles and cycles without dominating the development or its surroundings.

- 6.74 Nationally, paragraph 114 of the NPPF seeks to ensure that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location, and that safe and suitable access to the site can be achieved for all users.
- 6.75 Furthermore, paragraph 117 of the NPPF requires applications to:
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
 - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
 - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.

Site Access / Visibility

- 6.76 Sole vehicle access to the site is proposed via a priority junction onto Bines Road (B2135) which would be located approximately 65m south of the existing access to Star Trading Estate. The access would be 6m wide junction with 7.5m bellmouth radii. Swept path analysis has been provided to demonstrate the access would be suitable for refuse vehicles.
- 6.77 The marked speed limit along this part of Bines Road is 30mph, however, speed surveys demonstrate actual speeds of 46mph (northbound) and 40mph (southbound). Given this, visibility spays are proposed in accordance with these higher recorded speeds, achieving acceptable visibility splays of 4m x 127m northbound and 4m x 103m.

Traffic / Network Capacity

- 6.78 Trip Rate Information Computer System (TRICS) has been undertaken demonstrating that the proposal would generate 70 two-way vehicle trips in the AM peak and 55 two-way vehicle trips in the PM peak with 574 vehicle trips generated over a 12-hour period equating to approximately 1-2 vehicle movements per minute. The impact of these trips has been assessed within the wider transport networking at the Horsham Road (B2135) / Washington Road (A283) junction to the south, and Steyning Road (B2135) / Worthing Road (A24) junction to the north. This modelling has been undertaken at a 2040 scenario, including committed development and draft allocations with the eLP, and demonstrates that traffic flows at these junctions would increase by less than 1%. This has been reviewed and accepted by WSCC.

Internal Layout

- 6.79 The site's internal layout would be formed of a central spine / avenue providing access to a series of secondary cul-de-sacs and loops. The central spine would measure 5.5m wide with a 3m wide footway on the northern side of the spine road and a 2m wide footway along the southern side. Secondary roads would be 4.8m and shared surface. Swept-path analysis has been provided to demonstrate refuse vehicles and fire tenders could manoeuvre within the site.
- 6.80 It is noted that some discrepancies remain with the arrangement to the internal road whereby the Submitted plans do not fully accord with the guidance contained in LTN 1/20 (pedestrian / cycle priority crossings, and give-way markings on the roadways). It is considered these matters could be dealt with by way of detailed designs of internal access road junctions, marking details and surfacing of the crossing / junctions to be secured via planning condition.
- 6.81 WSCC Highways have additionally outlined that the internal pedestrian paths, which run around the site's boundary, should be widened from 2m to 3m. This can be secured via a suitably worded planning condition requiring final details of all hard and soft landscaping. It

is also noted that the proposed two allotments would not be accessible by vehicle, notwithstanding this, the existing adjacent allotments also have no direct vehicle access. This is accepted by WSCC Highways.

Parking

- 6.82 The submitted parking plan indicates the proposal would provide 186 allocated spaces, 7 unallocated spaces for flats, 18 garages (which count for 0.3 spaces) and 45 visitor spaces. This amounts to a total of 243 spaces. WSCC Highways Authority have noted that whilst this provision would be below West Sussex Parking Guidance (264 parking spaces), this shortfall would be less than 10% is therefore permissible under this Guidance. Each dwelling would have onsite space for two vehicles, with one space per flat and suitable visitors spaces scattered around the development. The submitted Design and Access statement additionally outlines that all dwellings would be fitted with Electric Vehicle charge points. This can be secured prior to occupation of dwellings via a suitably worded planning condition.
- 6.83 Cycle storage is proposed to be delivered within either garages or purpose-built cycle stores. Final details of this, where necessary, can be secured via a suitably worded condition.

Connectivity and sustainable transport

- 6.84 As previously outlined, Partridge Green is defined as a 'medium village' with a moderate level of services and facilities and community networks, together with some access to public transport. The local facilities within proximity to the site are outlined within paragraphs 6.24 The closest bus stop is located along the High Street approximately 400m (5 min). It has been highlighted that the No17 bus is operating under a reduced service with more limited direct connection between Partridge Green and Horsham. Notwithstanding this, Partridge Green remains served by existing bus routes with connections to Horsham and Brighton, albeit with the need to make connecting changes at certain times of day.
- 6.85 The proposed includes improvements to the footpath along the western side of Bines Road, between the site access and Partridge Green High Street. The footpath is proposed to be widened to a 2m width, with a short section widened to 1.5m -1.79m where space is restricted. An uncontrolled pedestrian crossing with dropped kerbs and tactile paving are additionally proposed, across the access to the site, across Lock Lane, across Bines Road adjacent to the Star Trading estate and across Bines Road adjacent to the High Street. These improvements would prove improve pedestrian connectivity into the village and the services outlined above. WSCC Highways have additionally outlined that street lighting should be secured to extend from existing lighting near the railway bridge to the sites access. It is noted that these works would not impact the width of the carriageway.
- 6.86 The application includes an internal footpath and cycle connection between the south east and north east of the site. This would provide an alternative off road route connecting the Downs Link for a 423m stretch which currently runs along the public highway. This link would additionally provide connection to bridleway 1864 and PRow network to the west of the site. WSCC's PRow officer welcomed this route, in addition to the provision of the above crossings. It is noted that whilst this connection is not proposed to be formally adopted, should the applicant wish to officially re-route the Downs Link in the future, the path would need to be constructed to 3m wide bridleway specification and a formal application for this made. In addition, it is proposed to introduce real-time passenger information to the bus stops along the 'High Street'.
- 6.87 The above enhancements are considered necessary and reasonable, and can be secured alongside the submitted Travel Plan by way of a S106 agreement.

Summary

- 6.88 In conclusion, WSCC Highways commented that should the Local Planning Authority be minded to approved, the Highway Authority recommends conditions to form part of any permission. The application site would be sustainable sited in relation to facilitates and

services within Partridge Green and would have access to public transport providing connections further afield. The proposal is therefore considered appropriate in relation to its highway impacts in accordance with the above policies. Officers have no reason to disagree with this conclusion.

6.89 Education Provision:

The proposal has been reviewed by West Sussex Education Services who have raised no objection and confirmed that, as the proposal is CIL liable, CIL can be sought by the County Council for any necessary education mitigation resulting from the proposal. This would include any increased demand for local school places. It is noted that this covers all children from 0-18 and up to 25 for SEND pupils.

Ecology:

- 6.90 The Council's Ecologist has reviewed the submitted documents, comprising the Technical Response (The Ecology Partnership, January 2024), Ecological Impact Assessment (The Ecology Partnership, October 2024), Bat Activity Survey (The Ecology Partnership, October 2024), Breeding Bird Survey (The Ecology Partnership, October 2024), Reptile Survey Report (The Ecology Partnership, October 2024), Horizontal Illuminance (Lux) Revision P01 (DFL Lighting Design, October 2024) and Lighting Strategy V3.5 (DFL Lighting Design, August 2024).
- 6.91 These documents are the same as considered under the previous application DC/24/1699, where the Council's ecologist raised no objection in February 2025, subject to conditions to secure the recommended mitigation and enhancement measures.
- 6.92 In respect of the current application, the Council's ecologist has raised a holding objection as the previous Ecological Impact Assessment has not been submitted, whilst an updated site walkover is required to ascertain whether there have been any changes to the ecological interest of the site, with particular focus on potential new roosts on trees and mobile species.
- 6.93 An Update Ecological Impact Assessment (January 2026) and a new Ecological Walkover Survey (submitted January 26, undertaken October 2025) have subsequently been provided which outlines that the habitats on site have not materially changed since the previous surveys carried out in 2021 and 2024. The walkover survey identifies that the extent of habitats remain as per when the previous surveys were carried out, and considers the previous survey work to still be valid. This includes consideration of new roost features and mobile species using the site.
- 6.94 The Council's ecologist has been re-consulted on this new information and at the time of writing has not yet provided a response. Officers consider that, in light of the previous no objection from the Council's ecologist in February 2025 and the findings of the site walkover survey that identified no changes to the ecological interest of the site, that matters relating to ecology can be conditioned as per normal practice. In his regard the officer report for the previous application DC/24/1699 stated:

'Whilst there are no records of hazel Dormouse within 2km of the site, the Council's Ecologist recommends that the implementation of the Non-licensed Precautionary Method Statement for Hazel Dormouse in the Technical Response (The Ecology Partnership, January 2024), should be secured by way of condition, as these hedgerows do present suitable Hazel Dormouse habitat potential.

Furthermore, the Precautionary Method Statement for reptiles, and other mobile protected species, set out in the Reptile Survey Report (The Ecology Partnership, October 2024), should also be secured by condition to safeguard the translocation of reptile species in the event of an approval.

Mitigations were also presented in relation to breeding birds in the Breeding Bird Survey (The Ecology Partnership, October 2024).

The site is located within 500m of a number of ponds, and located within the red impact risk zone, indicating that highly suitable habitat is present to support Great Crested Newts. Accordingly an e-DNA report has been submitted, showing negative results, but outlining a Non-Licensed Method of Works for Great Crested Newts during construction works, which would be secured by way of a planning condition.

The proposed development is anticipated to deliver site-specific habitat improvements, along with working practices to secure appropriate precautionary approaches during construction. Subject to appropriate conditions securing appropriate mitigation and an ecological enhancement strategy it is considered that the proposal would satisfy the requirements on HDPF policies 25 and 31 in respect of its effects upon local biodiversity and protected species, and regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).'

- 6.95 Members will be updated with the Council ecologist's formal comments.
- 6.96 In summary, and subject to the formal response from the Council's ecologist, Officers advise that subject to appropriate conditions securing appropriate mitigation and an ecological enhancement strategy [conditions 6, 15 and 37] it is considered that the proposal would satisfy the requirements on HDPF policies 25 and 31 in respect of its effects upon local biodiversity and protected species, and Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).
- Drainage and Flood Risk:**
- 6.97 It is noted that Drainage and Flood Risk Considerations remain unchanged between consideration of DC/24/1699, where they were found to be acceptable, and the current submission.
- 6.98 HDPF Policy 38 requires development to follow a sequential approach to flood-risk, giving priority to sites and layouts which minimise vulnerability to flood risk and the risk of increasing flooding elsewhere. NPPF Paragraph 181 additionally requires a site-specific flood-risk assessment for development on land at risk of flooding, including surface water flooding, and where development would introduce a more vulnerable use.
- 6.99 The updated Environment Agency (EA) Flood Map shows areas beyond the northern site boundary and within a parcel of land located to the west of the red line site area, to be at medium and high risk areas of surface water flooding. As there are no areas of medium or high flood risk within the red line of the current application site which would impact developable areas or site access, no sequential test is required per NPPF paragraph 175. No changes to EA flood risk mapping have taken place since consideration of DC/24/1699.
- 6.100 The application is accompanied by a Drainage Strategy which details surface water would be retained within a two attention basin and a swale located to the north and west of the site. Surface water would then be discharged into two existing water courses on the southern and northern boundaries. The Local Lead Flood Authority (LLFA) have provided a comment within this application raising No Objection to the proposal subject to conditions to secure final details and implementation of sustainable drainage components.
- 6.101 Officers therefore consider that the proposed development would accord with HDPF Policy 38 and meet the requirements of Chapter 14 of the NPPF and the accompanying PPG in respect of site location, applying the sequential approach, and mitigating any impacts of flood risk within the site itself.

Foul Water Capacity

- 6.102 Residents have raised concerns both within DC/24/1699 and this application regarding the capacity for foul water disposal. The submitted Drainage Strategy outlines that the peak foul flow rate from the proposed development has been calculated based on Southern Water's foul sewerage modelling criteria. Southern Water have provided an updated comment (18th December 2025) commented that there is sufficient capacity to facilitate foul sewerage disposal to service the proposed development. Southern Water requires a formal application for a connection to the public sewer to be made by the applicant or developer as is normal practice.
- 6.103 The proposed site includes a foul pumping station with suitable access to the northern part of the site. The pumping station will pump foul water from the site to Bines Road and the public sewer. Southern Water have outlined that no habitable rooms should be within 15m of the pumping station so as to protect resident's amenity from odour, noise and vibration. It is noted that whilst currently the pumping station compound boundary is located approximately 8m from the nearest dwellings, the location 'wet well' would achieve this prescribed 15m buffer. In order to secure the amenity of future residents it is considered appropriate to secure final details the pumping station's access, housing, enclosure and any necessary attenuation measures via a suitably worded planning condition.
- 6.104 Appropriate conditions are therefore recommended to ensure that the measures to ensure the surface water drainage measures, including SuDS, are fully implemented. Subject to these conditions the proposal accords with policy 31 of the HDPF and Chapter 14 of the NPPF.

Water Neutrality:

- 6.105 It is noted that application DC/24/1699 was refused due to the failure to satisfactorily demonstrate that water neutrality could be achieved. This is outlined within reason for refusal 1 of DC/24/1699. Since this determination Natural England have formally withdrawn their 2021 Position Statement which introduced the requirement for all new development to achieve water neutrality. This is material change between consideration of DC/24/1699 and the current submission.
- 6.106 Natural England's letter of 31st October 2025 formally withdrawing their 2021 Position Statement cites a package of measures that they were satisfied would safeguard the Arun Valley sites. Principal amongst these measures is a reduction in the Southern Water abstraction licence 'by March 2026'. However, given the licence change has not yet taken place Horsham District Council, as competent authority under the Habitats Regulations, cannot yet be certain that new development will not result in adverse impacts on the Arun Valley sites.
- 6.107 To ensure development can come forward as water neutral in the meantime, the Council has agreed with Natural England to use the significant water savings made by Southern Water in 2024/25 through their programme of leakage reduction (amongst other measures). This has generated some 3,240,000 litres per day of water savings that can now be attributed to new development without increasing water abstraction in the Arun Valley beyond baseline. These savings were previously to be used to launch the Sussex North Water Certification Scheme (SNWCS), however following the withdrawal statement SNWCS will no longer be launching. Natural England standing advice dated 10th November 2025 raises no objection to using these savings to enable development to come forward. The standing advice clarifies that it functions as Natural England's formal response pursuant to Regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 to all relevant planning applications which seek to achieve water neutrality using the above Southern Water savings.
- 6.108 Officers have undertaken an Appropriate Assessment which demonstrates that the anticipated increase in mains water consumption from this development, alongside all other development granted since the 31st October 2025, will not exceed 3,240,000 litres per day.

- 6.109 Accordingly, Officers now consider that the proposed development will not have an Adverse Effect on the Integrity of the Arun Valley Site, either alone or in combination with other plan and projects, thereby complying with Regulations 63 and 70 of the Conservation of Habitats and Species Regulations 2017, HDPF Policy 31, and paragraph 193 of the NPPF.

Contaminated Land:

- 6.110 It is noted that the land contamination considerations remain unchanged between consideration of DC/24/1699, where they were found to be acceptable, and the current submission.
- 6.111 The Council's Environmental Health team has reviewed the submitted Phase 1 Contamination Assessment (dated 28.08.24) and consider that the risks from contamination to future users has now been adequately assessed. However, it is advised that further chemical testing of soils is carried out to confirm the full range of ground conditions across the site. Officers are satisfied that these testing details can be requested as an appropriate pre-commencement condition, which would satisfy the requirements of NPPF para 196 and HDPF policy 24.

Biodiversity Net Gain (BNG):

- 6.112 It is noted that the delivery of BNG remain unchanged between consideration of DC/24/1699, where they were found to be acceptable, and the current submission.
- 6.113 Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG (unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024) and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.
- 6.114 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 land and significant on-site enhancements will be secured over this period by way of a Legal Agreement.
- 6.115 The Applicant has submitted a Biodiversity Metric which demonstrates a 21% net gain is achievable by way of on-site habitat area improvements, and a 22.95% net gain to hedgerow units on site. A legal agreement would be necessary to secure the maintenance and monitoring of the significant onsite biodiversity gains for the required 30 years.

Minerals and Waste:

- 6.116 It is noted that Matters of Minerals and Waste / Safeguarded land considerations remain unchanged between consideration of DC/24/1699, where they were found to be acceptable, and the current submission.
- 6.117 Under the West Sussex Joint Minerals Local Plan (JMLP July 2018) the site falls within a Brick Clay (Weald Formation) Mineral Safeguarding Area resulting in the sterilisation of approximately some 6.33ha of land, preventing future extraction. 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.
- 6.118 It is acknowledged that there is a relative abundance of Brick Clay in the south east, along with a 25 landbank of material being met by existing operators within the county. The

submitted Minerals Resource Assessment has calculated the approximate volume of mineral which would be sterilised by way of the proposed development, would be small (based on working depth, site area and developed area). Therefore, officers conclude that the local housing need would override the need to secure this site for potential future extraction of Brick Clay. The proposal has additionally been reviewed by WSCC Minerals and Waste who have raised no objection. The proposal therefore satisfies the requirements of Policy M9 (iii) of the West Sussex Joint Minerals Local Plan.

Air Quality and Climate Change

6.119 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 Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change. The submitted Energy Statement (Oct 2024) includes the following measures to build resilience to climate change and reduce carbon emissions:

- Be Lean: Energy efficient building fabric, glazing, lighting and ventilations
- Be Green: use of Air Source Heat Pumps (ASHP) to provide heating and hot water and solar panels to suitable roof-slopes

6.120 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. The application is accompanied by an Air Quality Assessment (AQA) (by Phlorum Ltd, Oct 2024). The AQA arrives at a total damage cost arising from the proposed development over 5 years as £20,655 and presents a series of proposed mitigation measures to be incorporated into the site, including, EV charge points, cycle storage, travel plan incentives, improvements to cycle path networks, cable-to-broadband to facilitate working from home. The Council's Air Quality Officer has identified a number of discrepancies within vehicle trips requiring a detailed air quality assessment.

6.121 Given this, and that the anticipated mitigation measures are largely policy compliant and represent a duplication of standards, officers consider that a suitable planning condition, setting out a full range of mitigation measures which set out additionality over and above policy-compliant expectations, would satisfactorily address the Air Quality damage cost mitigations. Subject to this condition the application will suitable reduce the impact of the development on climate change and Air Quality impact, in accordance with local and national policy.

Other Matters:

6.122 A public representation has raised concerns that the proposal, and creation of the site access, would result in a breach of the Hedgerow Regulations 1997. It is noted that the removal of the proposed hedgerow would not be a breach of Hedgerow Regulations 1997 where the works would be in accordance with planning permission. As such, should permission be granted, the proposal would not breach the Hedgerow Regulations 1997.

S106 Agreement and Community Infrastructure Levy (CIL):

6.123 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.

6.124 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.

6.125 A s106 legal agreement to secure the obligations necessary to make this application acceptable in planning terms is currently being drafted. The headline obligations are to include the following:

- 45% Affordable Housing (55 units)
- Travel Plan Monitoring
- Bus waiting facilities (bus shelters, real-time passenger information)
- Widened footway between site access point running northwards to High Street
- Crossing points (dropped kerbs and tactile paving) across Locks Lane, Bines Road (in proximity of Star Lane Industrial Estate and Bine Road adjacent to High Street)
- Extended street lighting along Bines Road to take-in the proposed access point and continue northwards until it meets the existing street lighting on the old railway bridge
- Securing Public Open Space and details of Play Areas
- Access to the Bridleway_1864, and Bridleway 2372_2 (Downs Link)
- Linking path within the site between that accords with WSCC bridleway standards
- Financial contributions to secure mitigations and repair of Bridleway_1864
- Best Endeavours to secure link from the site to Lock Lane bridleway (across third party land)
- On site BNG measures

Conclusions and Planning Balance:

6.126 In accordance with planning law, the starting point for the assessment of this proposal is to consider whether or not it accords with the provisions of the adopted development plan (comprising the HDPF and West Grinstead Neighbourhood Plan (WGPN)). The site is not allocated for housing development in the HDPF or the WGPN, therefore in the first instance it must be concluded that the development of the site for housing is contrary to Policies 2, 4, and 26 of the HDPF.

6.127 In acknowledging that, as the Council cannot demonstrate a 5 year housing land supply, paragraph 11(d) of the NPPF is engaged, directing Local Authorities to approve development unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance⁷ provides a strong reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination⁹

6.128 Application DC/24/1699 previously considered limb (i) to be engaged due to the failure to satisfactorily demonstrate water neutrality. Given recent changes to water neutrality, following Natural England's withdrawal their 2021 Position Statement, it is no longer necessary for applicant to demonstrate bespoke solutions to water neutrality. No other conflicts have been identified in relation to this site with regard to archaeological interest, areas at risk of flooding, Local Green Space, National Park, National Landscape, or designated heritage assets. The proposal is therefore not considered to trigger NPPF Paragraph 11, limb 11(d)(i), meaning the application is to be considered under the 'tilted balance'.

6.129 NPPF Paragraph 14 outlines the continued relevance of Neighbourhood Plans in situations where the presumption of favour or 'tilted balance' applies. Paragraph 14 states:

'in situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with

the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and

b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70).'

- 6.130 Whilst the West Grinstead Neighbourhood Plan (WGNP) was formally made in 2021 and now forms part of the adopted development plan for Horsham District, it does not allocate sites to meet its identified housing need. Nor does the WGNP control windfall development outside BUAB and allocations. Whilst the WGNP is not yet over five years old, it is relevant to note that these matters mean the protections afforded to Neighbourhood Plans in paragraph 14 of the NPPF do not apply.
- 6.131 In terms of benefits, the proposal would provide for 101 homes, including a level of affordable housing which exceeds the current policy requirements. Furthermore, subject to conditions and a legal agreement, key matters including impact on highway safety and capacity, ecology, heritage, flood risk and drainage, and sustainably/climate change are judged to be acceptable. Some economic benefit would be provided from construction jobs and activity, whilst the proposal includes significant on-site BNG improvements. Officers note that the proposed development can achieve suitable vehicular, pedestrian and cycle access, and furthermore would deliver cycle and pedestrian links to the village of Partridge Green that help to prioritise these modes of transport. This includes a cycle link to allow users of the Downs Link to avoid needing to cycle on Bines Road. The proposal is also considered to accord with the SDPAN which, although attracting limited weight as a guidance document only, nevertheless weighs in favour of the grant of planning permission. This includes consideration of the cumulative impact of the addition of 101 homes alongside commitments to a further 256 homes on the edge of the village.
- 6.132 It is additionally noted that the application site was not selected for allocation within the draft HDLP (eLP), siting the capacity of infrastructure and impact on the settlement pattern. This assessment was based on a larger site promotion for some 206 homes, double the current proposal. Having regard to the evidence base and site assessments, and the current status of the HDLP including the requirement to identify further housing sites to meet future need, Officers advise that this development, accumulative with the other three sites recently granted permission in the village is not beyond the capacity of Partridge Green as a 'medium village' in the settlement hierarchy.
- 6.133 In addressing the planning balance, officers advise that the site would be capable of integrating robust and defensible landscape buffers and boundaries, thereby reducing the degree of landscape harm with generous landscaped edges to the site, thereby retaining the existing field boundaries and not undermining its relationship with the adjoining landscape and existing settlement edge.
- 6.134 Officers acknowledge the significant benefits of the development, in light of the Council's significant housing land supply shortfall. It is not considered that any harms attributed to the proposal would 'significantly and demonstrably' outweigh these benefits. The application is therefore recommended for approval.

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
Residential	9888.4 (exact figure tbc)	0	9888.4
	Total Gain		9888.4
	Total Demolition		0

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.

7. RECOMMENDATIONS

- 7.1 To approve full planning permission subject to no objection from the Council's ecologist, appropriate conditions and subject to 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. **Approved Plans**

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:** 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, FRA (06/11/2025 Rev D with appendices) 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 and Local Planning Policy 38.

4. **Pre-Commencement Condition:** The development hereby approved shall not commence until the following demolition and construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall be limited to the following 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

All demolition and construction activities shall thereafter be carried out in accordance with the details and measures approved.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

5. **Pre-Commencement Condition:** The development hereby permitted shall not 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, based on Land Science Phase 1 Assessment, 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 (b) 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 construction environmental management plan (CEMP: Biodiversity) has been 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 (Priority habitats & species) and Policy 31 of the Horsham Development Framework

7. 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 [,] 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)

- 8. 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).

- 9. Pre-Commencement Condition:** No development shall commence until full details of the proposed means of foul drainage disposal, including suitable pumping station access arrangements, plant housing, timetable for delivery, and noise, vibration and odour attention features sufficient to ensure the amenity of neighbouring dwellings, have been submitted to, and approved in writing by the Local Planning Authority. The means of foul/surface water drainage disposal, including the pumping station, shall be completed in accordance with the submitted details and be retained as such thereafter.

Reason: To ensure the development achieves a high standard of foul water drainage without unacceptable impacts to the amenity of neighbouring residents.

- 10. Pre-Commencement Condition:** No part of the development shall be commenced until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the approved planning drawings.

Reason: In the interests of road safety.

- 11. Pre-Commencement Condition:** No part of the development shall be commenced until visibility splays of 4.0 metres by 127 metres (northbound/leading traffic direction) and 4.0m by 103 metres (southbound/trailing traffic direction) have been provided at the proposed site vehicular access onto Bines Road in accordance with the approved planning drawings. Once

provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

Reason: In the interests of road safety.

12. **Pre-Commencement Condition:** No development shall commence, including demolition pursuant to the permission granted, 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).

13. **Pre-Commencement Condition:**

A) No development (including site clearance, demolition, excavation, foundation works, or the installation of services) shall take place until an Arboricultural Supervision and Monitoring Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall include:

- i) The name, qualifications, and professional accreditation of the appointed Arboriculturist (who shall be suitably qualified and experienced);
- ii) The scope of arboricultural supervision, including all works within or adjacent to Root Protection Areas and any tree protection measures;
- iii) A schedule of regular site inspections, to include as a minimum:
 - A pre-commencement site visit;
 - Visits at key stages of the development (including installation of tree protection, excavation works, and any works within Root Protection Areas);
 - Ongoing monitoring visits at intervals appropriate to the scale and nature of the development; and
 - A final post-construction inspection.
- iii) Details of the matters to be inspected at each visit and the method for identifying and addressing any non-compliance or tree-related risks.

The appointed Arboriculturist shall undertake the approved supervision and shall submit written inspection reports to the Local Planning Authority within 10 working days of each site visit. Each report shall include:

- The date of the visit;
- Works observed;
- An assessment of compliance with approved tree protection measures;
- Any instances of non-compliance or potential harm to retained trees; and
- Recommended corrective actions and timescales.

All development shall be carried out in full accordance with the approved Arboricultural Supervision and Monitoring Plan and any recommendations or remedial actions identified in the submitted reports, unless otherwise agreed in writing by the Local Planning Authority.

B) This condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during development to its completion.

Reason: As this matter is fundamental to ensure the successful and satisfactory retention of important trees and hedgerows on the site in the interests of visual amenity, biodiversity, and environmental sustainability in accordance with Policy 33 of the Horsham District Planning Framework (2015).

14. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until the details of proposed planting along the southern and western boundaries, considered suitable as areas for advance planting, have been submitted to and approved in writing by the Local Planning Authority. Confirmation of the delivery of these landscape works shall be submitted to and approved, in writing, by the Local Planning Authority prior to the occupation of any dwelling hereby approved.

Reason: To ensure identified adverse visual effects are satisfactorily mitigated, including during construction, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

15. **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level shall commence until a Biodiversity Enhancement Layout for the biodiversity enhancements listed in the Ecological Impact Assessment (The Ecology Partnership, January 2026), Bat Activity Survey (The Ecology Partnership, October 2024), Breeding Bird Survey (The Ecology Partnership, October 2024) and Reptile Survey Report (The Ecology Partnership, October 2024) has been submitted to and approved in writing by the Local Planning Authority. The content of the Biodiversity Enhancement Layout shall include the following:

- a) Detailed designs or product descriptions for biodiversity enhancements; and
- b) Locations, orientations and heights for biodiversity enhancements on appropriate drawings.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.”

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under paragraph 187d of the 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-Commencement (Slab Level) Condition** No development above ground floor slab level of dwellings / plots 1, 13 to 19, 38, 39, 40, 41, 42, 43, 44 and 45, as shown on Proposed Site Layout PL-02 P6 shall commence until a scheme of noise mitigation, including mechanical ventilation sufficient to prevent overheating and maintain thermal comfort within these dwellings / plots has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but not be limited to, performance details and a glazing plan sufficient to ensure noise levels do not exceed NR30 at night in all plots identified as requiring mitigation. The overheating assessment shall be based on the CIBSE overheating position statement and shall demonstrate that CIBSE TM59 methodology has been used

and CIBSE TM49 modelling requirements have been suitably considered [including consideration of DSY 2] as part of the modelling. Any mechanical ventilation shall then be designed in accordance with the ANC Acoustics Ventilation and Overheating: Residential Design Guide 2020. The scheme shall also include performance details and a glazing plan sufficient to achieve the habitable room and amenity space standards as detailed in BS8233:2014, with no relaxation for exceptional circumstances and appropriate consideration of LAm_{ax}.

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).

18. **Pre- Commencement Condition (Slab Level):** Notwithstanding the submitted Air Quality Assessment, the development hereby approved shall not commence until an appropriate detailed air quality mitigation plan has been submitted to and approved in writing by the Local Planning Authority and shall be implemented in full accordance with the agreed timetable.

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).

19. **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of a minimum 30 megabits per second through full fibre broadband connection has been provided to that dwelling.

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).

20. **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

The landscape areas shall thereafter be managed and maintained in accordance with the approved details unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

21. **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.

- c) Coordination of planting plans with ecological mitigation, compensation and enhancement measures set out in the Ecological Impact Assessment by Ecology Partners, dated October 2024.
- d) Details of all hard surfacing materials and finishes.
- e) Details of all boundary treatments
- f) Details and specification of all internal paths, including sections where appropriate.
- g) Details of minor artefacts and structures – such as bin stores, cycle stores, street furniture, play equipment and signage
- h) Details of the allotments

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).

22. **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a detailed lighting scheme shall has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be in accordance with the Institute of Lighting Professional's Guidance notes for the reduction of obstructive light and shall have been designed by a suitably qualified person in accordance with the recommendations.

In addition, the design shall be based on guidance from SDNP Dark Skies Technical Advice Note Version 2 and The Bat Conservation Trust guidance note 08/23, and include:

- 3000Kelvin or warmer
- 500 Lumens or below
- Where appropriate, use of motion/proximity sensors and set to as short a possible a timer as a risk assessment will allow. For most purposes, a 1 or 2 minute timer is appropriate.
- Horizontally mounted luminaires with no light output above 90° and/or no upward tilt

The scheme shall be implemented in accordance with the approved scheme and thereafter retained as such.

Reason: To safeguard the amenities of the site and surrounds in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

23. **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fire hydrant(s) to BS 750 standards or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) has been installed, connected to a water supply with appropriate pressure and volume for firefighting, and made ready for use in consultation with the WSCC Fire and Rescue Service. The hydrant(s) or stored water supply shall thereafter be retained as such.

Reason: In accordance with fire and safety regulations in accordance with Policy 33 of the Horsham District Planning Framework (2015).

24. **Pre-Occupation Condition:** No occupation of the development hereby permitted shall take place until a Veteran Tree Management Plan (VTMP) has been submitted to and approved

in writing by the Local Planning Authority. The approved VTMP shall be implemented in full prior to first occupation and shall thereafter be retained and managed in accordance with the approved details for the lifetime of the development. The VTMP shall include, but not be limited to, the following:

a) Veteran Tree Buffer Zones - All veteran trees shall be retained, and minimum buffer zones shall be clearly defined in accordance with current best practice guidance for veteran tree management. The buffer zones shall be permanently protected by post-and-rail fencing or other approved means to restrict access and prevent soil compaction, changes in ground levels, or other potentially damaging activities.

b) Restriction of Use- Veteran tree buffer zones shall not be used, laid out, or managed as amenity or recreational space and shall be excluded from public access. No paths, seating, play equipment, lighting, or other infrastructure shall be installed within these areas, other than those which have been approved as part of the scheme.

c) Interpretive Signage - Interpretive signage shall be installed at appropriate locations adjacent to the veteran tree buffer zones. The signage shall explain the ecological and arboricultural importance of veteran trees, the purpose of the buffer zones, and the need for access restrictions. This measure shall also assist in addressing duty-of-care considerations under the Occupiers' Liability Acts 1957 and 1984, particularly in relation to future residents' perceptions of risk associated with large veteran trees.

d) Long-Term Management and Maintenance - Details of long-term management responsibilities, inspection regimes, and maintenance of fencing and signage shall be provided. The veteran tree buffer zones shall be retained and managed in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the long-term protection, health, and ecological value of veteran trees, to prevent post-development damage arising from soil compaction and inappropriate use, and to ensure compliance with Policy 33 of the Horsham District Planning Framework, which seeks to protect important landscape features and trees of arboricultural and ecological value.

25. **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 and Policy 38

26. **Pre-Occupation Condition:** Prior to occupation a final verification report shall be submitted to and approved in writing by the Local Planning Authority which confirms that all the works

which form part of the scheme for protecting the proposed development from noise as approved by the Local Planning Authority under condition 17 above have been completed. All work must be carried out by suitably qualified person and the approved noise, vibration attenuation and ventilation measures shall thereafter be retained and maintained in working order for the duration of the use 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).

27. **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).

28. **Pre-Occupation Condition:** No part of the development shall be commenced until plans showing details of the internal road(s), footways, cycleways and casual parking areas serving the development have been submitted to and approved by the Local Planning Authority after consultation with the Highway Authority.

Reason: To secure satisfactory standards of access for the proposed development.

29. **Pre-Occupation Condition:** No dwelling shall be first occupied until the car parking serving the respective dwelling has been constructed in accordance with the approved site plan. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

Reason: To provide car-parking space for the use

30. **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the cycle parking facilities serving it have been provided and made available for use. Cycle parking facilities serving dwellings shall be provided within the garage or side or rear garden for that dwelling, cycle parking facilities serving the apartment block (plots 13-19) shall be constructed and made available for use in accordance with approved drawing number PL-41 P2. The facilities shall thereafter be retained for use at all times.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

31. **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until provision for the storage of refuse and recycling has been made for that dwelling. The refuse and recycling facilities serving dwellings shall be provided within the garage or side or rear garden for that dwelling. The refuse facilities serving the apartment block (plots 13-19) shall be constructed and made available for use in accordance with approved drawing number PL-41 P2. These facilities shall thereafter be retained for use at all times.

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

32. **Pre-Occupation Condition:** Prior to the first occupation of any part of the residential development hereby permitted, details of any air source heat pumps, including their location, design, size, specification and noise levels shall be submitted to and approved in writing by the Local Planning Authority. The air source heat pumps shall be implemented in full accordance with the approved details

Reason: To ensure a satisfactory development and in the interests of neighbour amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015)

33. **Pre-Occupation 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 1. 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 and Policy 38.

34. **Regulatory Condition:** The dwelling(s) 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), and to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraph 193 of the National Planning Policy Framework (2024), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

35. **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

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

36. **Regulatory Condition:** If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: 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).

37. **Regulatory Condition:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Technical Response (The Ecology Partnership, January 2024), Ecological Impact Assessment (The Ecology Partnership, January 2026), Bat Activity Survey (The Ecology Partnership, October 2024), Breeding Bird Survey (The Ecology Partnership, October 2024), Reptile Survey Report (The Ecology Partnership, October 2024), Updated Ecological Walkover Survey (January 2026), Horizontal Illuminance (Lux) Revision P01 (DFL Lighting Design, October 2024) and Lighting Strategy V3.5 (DFL Lighting Design, August 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the Precautionary Method Statement for reptiles, and other mobile protected species, in Sections 5.5 to 5.16 of the Reptile Survey Report (The Ecology Partnership, October 2024), which avoids impacts on protected species.

This shall 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 and enhance 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) and Policy 31 of the Horsham Development Framework.

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.

Informatives

1. Hard and Soft Landscaping

The applicant is advised that full details of the hard and soft landscape works include the provision of, but shall not be necessarily limited to:

- Details of existing and proposed levels for all external earthworks associated with the landscape proposals (including SuDS, play areas, etc). Such details to include cross sections where necessary
- Planting and seeding plans and schedules specifying species, planting size, densities and plant numbers
- Tree pit and staking/underground guying details
- A written hard and soft landscape specification (National Building Specification compliant), including ground preparation, cultivation and other operations associated with plant and grass establishment
- Hard surfacing materials - layout, colour, size, texture, coursing, levels
- Walls, steps, fencing, gates, railings or other supporting structures - location, type, heights and materials
- Minor artefacts and structures - location and type of street furniture, play equipment, refuse and other storage units, lighting columns and lanterns

2. Landscape Management and Maintenance Plan

A Landscape Management and Maintenance Plan is a site-specific strategy that demonstrates how the site will be managed and maintained in order to fulfil the original intentions of the applicant and guarantees that the scheme and the retained landscape and ecology structures are maintained and improved for the lifetime of the development. A guidance note to content and layout can be found [here](#).

The applicant is advised that we recommend that chemical fertilisers, pesticides and herbicides including glyphosate are not to be applied at any time due to impacts on existing and proposed waterbodies, wetland, woodland, ditches, hedgerows and proximity to AW and the protection of their ecological features.

Alternative methods for weeding should be considered and specified, such as hot foam or hot water systems, steel brushing in combination with acetic acid spraying, electronic control systems, as well as hand weeding by careful digging or selective scything.

Note to Application

The applicant is advised that this decision does not officially endorse the wider site masterplan document submitted with the application given the wider masterplan includes development that would be subject to separate planning consent. It has however been taken into consideration in the determination of this application insofar that the Council is satisfied that the proposed uses within the masterplan would likely not prejudice the operation of the current proposals, and vice versa.

Appendix C – Horsham District Local Plan 2015 Inspectors Report

Report to Horsham District Council

by Geoff Salter BA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 8th October 2015

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

**REPORT ON THE EXAMINATION INTO
HORSHAM DISTRICT PLANNING FRAMEWORK**

Document submitted for examination on 8 August 2014

Examination hearings held between 4 November 2014 and 3 July 2015

File Ref: PINS/Z3825/429/4

Abbreviations Used in this Report

AA	Appropriate Assessment
AHVA	Affordable Housing Viability Assessment
AoNB	Area of Outstanding Natural Beauty
B&HBC	Brighton and Hove Borough Council
CBC	Crawley Borough Council
CCG	Clinical Commissioning Group
CS	Core Strategy
dpa	dwellings per year
DtC	Duty to Co-operate
HDPF	Horsham District Planning Framework
HMA	Housing Market Area
IDP	Infrastructure Delivery Plan
LGW	London Gatwick Airport
LDS	Local Development Scheme
LP	Local Plan
MM	Main Modification
NP	Neighbourhood Plan
OAN	Objectively assessed need
NPPG	National Planning Policy Guidance
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SCC	Surrey County Council
SuDS	Sustainable urban Drainage Scheme

Non-Technical Summary

This report concludes that the Horsham District Planning Framework (HDPF - the Plan) provides an appropriate basis for the planning of the District providing a number of modifications are made to the plan. Horsham District Council has specifically requested me to recommend any modifications necessary to enable the plan to be adopted.

All of the modifications to address this were proposed by the Council but where necessary I have amended detailed wording and added consequential modifications where necessary. I have recommended their inclusion after considering the representations from other parties on these issues.

The Main Modifications can be summarised as follows:

- The housing requirement for the Plan period should be 16,000 dwellings at a rate of 800 dwellings per year;
- The Plan should be subject to an early review, to commence within three years;
- Three strategic development areas should be brought forward for at least 2,500 dwellings at North Horsham, around 600 dwellings west of Southwater and around 150 dwellings south of Billingshurst;
- Revised criteria for the assessment of new retail development outside Horsham town centre;
- A new policy for a mixed use development for employment, education and specialist housing at the former Novartis site;
- Modifications to the detailed planning of development at North Horsham;
- Modifications to the climate change policy to accord with government policy;
- Modifications to the policy for the protection of community and leisure facilities to accord with government policy; and
- Clarifications to the Glossary, Plans and the Council's intended changes to the Policies maps to ensure effectiveness.

Introduction

1. This report contains my assessment of the Horsham District Planning Framework (HDPF - the Plan) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. Paragraph (#) 182 of the National Planning Policy Framework (NPPF) makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the submitted draft plan (August 2014) which is the same as the document published for consultation in May 2014.
3. My report deals with the main modifications that are needed to make the Plan sound and legally compliant and they are identified in bold in the report (**MM**). In accordance with section 20(7C) of the 2004 Act the Council requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix.
4. The Main Modifications that are necessary for soundness all relate to matters that were discussed at the Examination hearings. Following these discussions, the Council prepared a schedule of proposed main modifications and carried out an updated sustainability appraisal. The schedule was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report and in this light I have made some amendments to the detailed wording of the main modifications and added consequential modifications where these are necessary for consistency or clarity. None of these amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal that has been undertaken. Where necessary I have highlighted these amendments in the report.

Assessment of Duty to Co-operate

5. Section s20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation.
6. The Council has a good record of constructive engagement with neighbouring Councils and relevant statutory authorities, dating back to well before the preparation of the HDPF (CD/LP/12,13). The previous Core Strategy identified the area west of Bewbush, now known as Kilnwood Vale, as an urban extension to Crawley which is now being developed in accordance with a joint area action plan. The Council is part of the Gatwick Diamond initiative, a group of authorities planning for and supporting economic development in the sub region. Horsham DC, Crawley BC and Mid Sussex DC have prepared a joint Strategic Housing Market Assessment (SHMA) May 2009 and updated

(October 2012), with an affordable housing needs SHMA update in October 2014 and economic development studies, the latest being the Northern West Sussex Economic Growth Assessment (EGA) dated April 2014. The Council has provided records of a number of regular meetings throughout the plan preparation period up to submission attended by both officers and members and covering a wide range of issues including, most importantly, the key planning topics of housing and employment provision (HDC/18 and 21).

7. I appreciate that much of this planning context is the same as that provided by Mid Sussex District Council (MSDC), whose Local Plan (LP) failed the Duty to Cooperate (DtC) legal requirement in late 2013. However, unlike the Mid Sussex LP, the submitted HDPF has not been subject to objections from neighbouring local planning authorities; indeed, the HDPF has been actively supported by both Crawley Borough Council (CBC) and MSDC, with key officers giving evidence on Horsham District Council's behalf during relevant hearing sessions. Crucially, the increase in the housing target from the Preferred Strategy stage indicates that the engagement with adjoining stakeholders has been constructive. While I have deeper concerns about the soundness of the housing target in the submitted strategy, including its justification with regard to meeting Horsham's own and Crawley's needs, as discussed below, I consider that the legal requirements of the Localism Act with regard to continuous and constructive engagement have been met.

Assessment of Soundness

Preamble

8. Following the first period of hearing sessions in November 2014, I prepared a report summarising my Initial Findings, which was sent to the Council on 19 December 2014. At that stage I found some important shortcomings in the submitted HDPF with regard to housing provision. In essence the Council had failed to justify the identified level of housing need and therefore had not addressed the implications of providing for the correct level of need. The NPPF requires local planning authorities to use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs (OAN) for market and affordable housing in the Housing Market Area (HMA), as far as is consistent with the policies in the NPPF.
9. The Council considered my findings and as a result of further work published a number of main modifications (MMs) in March 2015 for further comments. These MMs included a revision of the housing requirement figure from 650 dwellings per year (dpa) to 750 dpa over the plan period from 2011 to 2031. The Council also published a number of supporting documents, including an update to the Sustainability Appraisal (SA) and a revised assessment of its objectively assessed need (OAN). In cooperation with CBC and MSDC, an updated SHMA was also published concerning the needs of the area covered by the three Councils (HDC/38). A resumed hearing session was held in July 2015 to discuss the updated evidence base and representations on the MMs.

Main Issues

10. Taking account of all the representations, written evidence and the discussions that took place at all the examination hearings I have identified 14 main issues upon which the soundness of the Plan depends.

Issue 1 – General strategy

11. On balance, I consider the overall strategy to concentrate growth in the main settlements in the hierarchy, starting with Horsham as a first order centre, followed by Southwater and Billingshurst, to be sound. These are the main urban areas in the district, with the best concentration of facilities able to support, with additions, new development, as clarified in **MM3**. The housing trajectory, which I discuss in more detail below, already includes a comprehensive selection of known suitable and realistically available sites. A policy to concentrate development in urban extensions is justified by the consideration of alternative strategies in the SA (CD/LP/05), which has been an integral part of the plan preparation process since 2009. Reasonable alternative strategies were assessed as part of an iterative process, as set out in Chapter 7 of the SA, considering the three key variables of the amount of housing that should be delivered in the District, the locational strategy for development and the location of strategic development. The identified allocations for new housing and employment premises are capable of development without any undue environmental effects and avoid areas of particular landscape or ecological value.
12. Greater dispersal of development to smaller settlements would be likely to lead to a less sustainable pattern of development with regard to transport patterns related to provision of employment opportunities, retail facilities and social and community services. Such a strategy would have been unlikely to be realistic in terms of compliance with national policy in the NPPF or the advice in PPG.
13. The proposal for some development (about 10% of the housing total) in villages, to be identified in Neighbourhood Plans (NPs), is also justified and accords with government policy in the NPPF. The proposal for a new 'Mayfield Market Town' (MMT) has been put forward as an addition to the development already proposed in the HDPF. This was tested in the earlier stages of Plan preparation, along with other locational strategies, but not carried forward because strategic expansion of existing settlements with a mix of smaller sites was considered a more sustainable approach (SA, chapter 7). I consider it reasonable in the circumstances not to pursue an option that was predicated on a much more significant step change in housing provision than indicated by the CLG household projections at the time and the previous SEP housing target of 650 dpa. I deal with this in more detail below.
14. The Plan is supported by documentation specifying the new infrastructure necessary to support the level of development envisaged, and how this would

be delivered, particularly through the Infrastructure Delivery Plan (IDP). No significant transport infrastructure would be required in the form of major new highways, although significant improvements to a number of junctions around Horsham will be required. Appendix 5 of the Council's updated position statement for the resumed hearing (HDC/40) sets out a range of works needed by WSCC to accommodate the traffic impacts from the allocations and expected housing development up to 750 dpa, most of which would be front-loaded onto the next 10 years of the plan period.

15. Although modifications to the amount of housing over the plan period are required, the Plan's vision and overall strategy to concentrate most new development at the main settlements remains essentially unchanged. In general, the modifications do not constitute a significant change to the main thrust of the submitted plan and are not so extensive as to constitute a complete re-write of the originally submitted version of the Framework. However, it became clear during the examination that the Plan should be the subject of an early review for two main reasons: firstly, to review the housing requirement, particularly to take into account the implications of the forthcoming government decision on the location of a third runway for the London airports, as always envisaged; and secondly, to identify the areas for new housing development needed towards the end of the Plan period to meet the increased housing requirement of 800 dpa.

Issue 2: Environment

16. Most of the suggested revisions to policies 24 and 30 would be unnecessarily restrictive and are not needed for compliance with the NPPF; some would be contrary to the broad thrust of the NPPF to promote necessary sustainable housing and employment growth unless specific policies, such as those for the protection of Sites of Special Scientific Interest (SSSI) or Areas of Outstanding Natural Beauty (AONB). The Council has agreed to a minor addition to reflect the wording of the NPPF regarding protecting natural assets. I consider the environmental impacts likely to result from the allocations in the Plan in more detail in the sections below. The document should be read as a whole and the HDPF contains a number of environmental safeguards within the two policies and also Policies 25-27. I consider the HDPF will be effective in protecting the District's environmental and heritage assets therefore.

Issue 3: Employment

17. The headline employment figures from the 2011 census show that Horsham District had a resident workforce of 66,868, but there is an out-commuting ratio of about 18%. The Council, CBC and MSDC commissioned the joint NW Sussex Economic Growth Assessment (NGA) which in summary outlined three possible employment scenarios for Horsham District: a baseline prediction of job growth of 445 pa; a higher growth scenario of 636 jobs pa; and a capacity-based scenario (assuming an additional three employment sites beyond those contained in the HDPF) of 757 jobs pa. The Council's position with regard to the submitted plan was that the baseline figure of a total of 8,890 jobs over the plan period to 2031 was realistically achievable, through

commitments for new floorspace, protection of the best existing employment areas and the proposed development of a new business park within the mixed use allocation at North Horsham. The HDPF contains no target for employment growth, however; this is not inconsistent with the NPPF, which requires local planning authorities (LPAs) to plan positively for expected employment needs in a general sense.

18. In the context of my Initial Findings regarding housing provision, I expressed a note of caution about the forecasts, in the light of evidence about the local economy. I understand that the methodology used in the forecasting involved the analysis and breakdown of the local economy into a number of sectors, to which projected national growth rates were applied. This may not provide a particularly accurate prediction of future growth in a changing employment environment locally. There are indications of such change in Horsham, particularly in the market for large scale offices, although the district's role as a key part of the 'Gatwick Diamond' is not likely to diminish, and could be altered considerably depending on the outcome of the decision on the third London runway.
19. The baseline scenario of 445 jobs pa also represents a large increase on historic job growth between 1997 and 2013 of 273 jobs pa. An update to this figure submitted at the resumed hearing suggested a higher annual rate of 340 jobs pa but even so the EGA scenarios indicate a very significant uplift in historic job growth performance. As the EGA acknowledges the projected increase in total B class jobs could be regarded as optimistic based on past performance.
20. The EGA did indicate clearly that there were some inadequacies in the type and range of employment sites in the District. It referred to the rather dated nature of some of the larger office properties in the town centre, as well as a shortage of modern employment property. A key conclusion of the EGA was the need for industrial floorspace, which may suffer a potential shortfall of 16 ha, compared with a 5.5 ha shortfall of office space. The study also indicated that there was a strong need for modern, high quality business premises well located in relation to the strategic road network.
21. Based on recent indications such as the take up of planning permissions, there appears to be sufficient capacity available to meet current demand for employment space. The Council referred to the possibility of further employment development coming through intensification of use on existing retained sites, some windfall and other sites identified in Neighbourhood Plans (NPs). On past trends these sources are unlikely to bring about any shift change in the number of workers in the District. The clear changes in the local economy, including indicators such as the lack of demand to implement an allocation for the redevelopment of Warnham and Wealden Brickworks at Langhurstwood Road and the closure of a major employer, Novartis, lead me to continue treating the EGA scenarios with caution.
22. In any event, there appear to be enough sites (including the proposed new business park), for current foreseeable demand; I agree with the Council that there is no indication that the Plan will suppress growth. The proposal to review the Plan, to commence within three years in accordance with my recommended modification (**MM2**), will ensure that additional allocations could

be considered to ensure that any justified and necessary employment growth is not constrained.

23. As to concerns about the lack of premises for small to medium-sized industrial and warehouse enterprises, I accept the Council's point that the HDPF is an overarching framework for the whole district and that site specific needs can be identified and planned for through NPs (clarified through **MM8**) and in a forthcoming Site Allocations DPD. I have concluded therefore that the broad framework of the employment policies would be sufficient to meet likely needs and would provide for still considerable growth of at least 300 dpa. However, it would be prudent to reconsider likely employment needs when the early review of the HDPF occurs, particularly to take account of any new requirements after the decision about the third runway.

North Horsham Business Park

24. The proposal for a business park at North Horsham accords with the recommendation of the EGA that the Council should consider allocating new employment space in the area of strongest market demand (ie in or around Horsham). The location of the 'park' relatively near to Gatwick Airport and the M23, adjacent to the strategic road network and with good potential for rail access is likely to be attractive to a large number of potential occupiers. The prospective developer of the North Horsham site was very positive about the prospects for deliverability and viability of the Business Park element of the allocation at this location. I have no firm evidence to question this position; although the amount of business floorspace was reduced in the developer's mixed use scheme at Kings Hill, the market potential and demand for premises there during a different phase in the economic cycle are not comparable with those at the North Horsham location.
25. From my visits throughout the Plan area, I consider this to be the employment site with the most realistic chance of combining commercial success with reasonable provision of access by public transport. Overall, the housing and employment benefits of the proposed allocation would significantly outweigh the disadvantages of the environmental impacts, which in my view would not be unacceptably severe.

Retention and development of Key Employment Areas

26. The EGA found that losses of industrial floorspace over the previous 11 years had been relatively modest. Low vacancy rates and a lack of surplus space had created market conditions with little frictional space, opportunity to expand or upgrade premises. The majority of the district's industrial areas were performing relatively well and the study concluded that there was a sound justification for safeguarding such existing employment sites, particularly the larger and most important industrial areas such as Foundry Lane and Southwater Business Park. The need to retain good employment sites to support the local economy and growth in the Gatwick Diamond area as a whole is clear and Policy 8 is justified and sound.
27. After preparation of the Plan a major employer, Novartis, announced the closure of its business at Horsham. In response, during the suspension of the

examination, the Council put forward **MM5**, **MM7** and **MM9**, which proposed a university and higher education quarter on the site, with some 200 specialist housing units. At the time the modification was advertised, discussions were taking place with the University of Brighton regarding an expansion through a satellite campus at the site. However, this proposal has now been dropped, apparently through lack of funding. At the resumed hearing the Council confirmed its intention that the policy should remain as modified by **MM9**, which has some flexibility in its wording if no other higher education provider comes forward to re-use the site. I consider the new policy would provide suitable guidance for this key site and support local employment.

Issue 4: Retail Development/Town centres

28. The main concern with the retail strategy of the HDPF related to the potential amount of new floorspace at out of centre locations at N Horsham and Broadbridge Heath. The shopping facilities at North Horsham would be intended as a local centre primarily to serve the proposed new housing, educational and business developments. In order to prevent any undue draw of trade from the primary town centre of Horsham itself, Policy SD3 needs to be modified to include an impact test in accordance with **MM17**. As originally drafted, Policy 6 could well have allowed an unacceptable amount of new retail development at Broadbridge Heath. The Council has agreed to insert a clause imposing a requirement for a full retail impact assessment for town centre uses with a cumulative total of 2,500sq m [**MM6**]. I consider the revised policies contain adequate safeguards to prevent any undue impact on the vitality and viability of Horsham town centre and should ensure the continued planned investment at the main centre in the retail hierarchy in accordance with policy in the NPPF.

Issue 5 – Housing

Objectively assessed need (OAN)

29. The submitted HDPF contained a housing requirements figure of 650 dwellings per year (dpa). At the time the Plan was formulated the Council did not rely on a district-wide SHMA in conventional form. As I noted in my Initial Findings, the North West Sussex SHMA (CD/H/04), updated in October 2014, primarily addressed affordable housing need. The overall assessment of need was found in the Locally Generated Housing Needs Study (LGHNS), updated in September 2012, which did not use the 2011-based CLG household projections. I expressed serious concerns that the Council's estimate of need did not properly reflect the most recent data available, contrary to the advice in National Planning Policy Guidance (NPPG).
30. The Council reviewed its position in the light of my findings and commissioned further work to revise the OAN figure - Housing Need in Horsham District, March 2015 (CD/H/O3), which did use as a starting point the latest CLG household projections, published in February 2015. These indicated a projected formation of 597 households pa, equivalent to 615 dpa, allowing for vacancies. At the resumed hearing and in written evidence a number of

representors argued that this figure underestimated the OAN, taking account of necessary adjustments to reflect guidance in the NPPG.

Population and household projections

31. Looking at household formation predicted by the CLG projections, headship rates are assumed to show a significant rise compared with the previous set (2011 based). The 8% growth for Horsham in the period 2012-2021 compares with a 10% rise nationally, reflecting an expectation of a return to headship rates more aligned with those preceding the downturn in the economy in 2008, more in line with longer term trends. There is no strong evidence to suggest that the CLG projections of headship rates and household formation based on the latest population figures should be significantly adjusted. However, document HO/3 does note that the projected headship rates in the 25-34 age cohort are not expected to return to the trend from 2001 to 2008, possibly reflecting affordability pressures. I do not think it reasonable to assume that headship rates across a larger cohort (25-44) will return to 2001-2011 levels, certainly not at the fast recovery rate predicted by some objectors. Over time, the decrease in household size, much of which is already factored in by CLG population projections with regard to older age cohorts, could be expected to level off. However, the Council's analysis in CD/HO/3 does test higher headship rates for the 25-34 age group which would lead to a higher OAN figure; I discuss this in relation to market signals below.

Employment forecasts

32. If necessary, the OAN should be adjusted to reflect likely employment forecasts, to provide adequate housing for an increased number of jobs. It is important to note that the CLG household projections already incorporate significant growth, reflecting past migration trends and employment growth of about 275 jobs pa. The 2012 LGHNS update (CD/H/02) indicated that 767 dwellings would be needed to align with roughly the same level of employment growth as that in the baseline projection (440 pa).
33. As discussed in relation to employment policy above, the EGA study indicates that a key element of future demand is for a new modern business park. Important changes are taking place in the local economy: an employment allocation at Warnham and Wealden Brickworks has not been taken up; Novartis, a major employer in the District, has gone; town centre offices, evidenced by vacant premises in North Street, have significantly reduced in size; the Council has consolidated premises and determined that prior approval is not required for the change of use of its site to housing; and retail employment patterns are changing as a result of online growth.
34. Projections of very large increases in the growth of jobs compared with the last two and a half decades are not necessarily consistent with current local economic evidence therefore. Some of the sectors identified, such as retailing related to housing growth or professional services could well be affected by structural changes such as on line retail growth or the loss or decline of major local employers such as Novartis. The projected reduction in the population of working age could indicate some pressure to increase housing numbers, possibly offset by increased numbers of older part-time workers.

35. In summary, I agree with the Council's analysis that there is no evidence to support the contention that a lack of housing has suppressed or held back employment growth. On balance I consider that there is no need for any significant uplift in the OAN figure to account for employment growth at a much higher rate than that seen over the last 15-20 years. Even if very high numbers of projected jobs materialise, they could be filled through a reduction of commuting levels. This would meet the policy objective of the NPPF to prevent unsustainable travel patterns resulting from a constrained housing supply (and thus an inadequate number of resident workers) to support employment growth.

Market signals

36. The relative position of house prices in Horsham compared with the HMA and regional and national trends is unchanged; over the period from 1998 to 2007 they have increased by similar percentages in all areas. Since 2007, Horsham house prices have again followed regional and national trends, showing notable price falls to 2009 and relatively flat indicators since. Sales volumes show a similar picture in recent years, with dramatic falls in 2008, from which they have just recovered, somewhat faster than the national average. Price/income ratios in Horsham remain just below the peak levels found in 2007 and until the last 18 months have been little changed. Absolute rises are similar to those in Mid Sussex, although affordability issues in Crawley are not so severe.
37. Since 2006/07 completions data in Horsham and across the HMA fell well short of the former South East Plan target, although there has been a marked pick up over the last two years, again reflecting improved market conditions. The initial slow pace of development on major development sites west of Crawley during the recession clearly had a significant impact on these figures. The Council have included a modest upwards adjustment in their OAN figure of 22 dpa to account for affordability pressure in the 25-34 age group, evidenced by substantial growth in private rented sector accommodation and the number of persons in HMOs, even though these indicators are again in line with HMA and national trends. I consider there is no strong case for a significant uplift to account for market signals in Horsham district, which are very similar to those elsewhere across virtually all of the south east. The Council's modest increase appears appropriate therefore.

Affordable housing

38. With regard to affordable housing needs, the most recent assessment in October 2014 (CD/H/O4) indicates a need for between 225 and 404 affordable homes each year. This is part of the overall OAN figure, not in addition to it. Almost all of the minimum core level of need (those on housing register within the 'reasonable preference' category) can be met from the 650 OAN figure if 35% of new housing on larger sites is for affordable housing, in accordance with Policy 15. Privately rented housing to those on benefits cannot be considered affordable housing (see *Higginbottom v Oadby and Wigston* EW HC 1879) but a very reasonable proportion of the highest identified affordable housing need can be provided. Other issues, such as the availability of

financial support, are likely to be more of a constraint on the supply of affordable housing in the district. The policy response of a higher OAN requirement may not deliver higher numbers of affordable housing therefore and in any event there are no strong grounds for an uplift in Horsham on this account.

OAN conclusions

39. On balance therefore, I remain unconvinced that a significant uplift in the OAN figure for Horsham District alone would be justified. A modest increase in the baseline figure of 615 from CLG projections, including a 3% allowance for vacancies and second homes, to a figure of around 650 dpa would support growth in the population of working age employment to meet some additional employment needs and some reduction in affordability pressures.
40. However, there are other needs in the HMA, which includes Crawley and Mid Sussex. In March 2015 the three Councils agreed a new position statement setting out the OAN for the whole HMA area and the proposed housing provision at that time (HDC/38). At the time of my Initial Findings the residual unmet need in Crawley was about 220 dpa. Following the hearings at the Crawley examination, it has been agreed that Crawley can meet only about 334 dpa of the OAN figure of 675 dpa, leaving a shortfall of 340 dpa. As already indicated, Horsham should meet some of this need if possible; on a very rough basis it seems reasonable for Horsham to try to accommodate roughly half this number.
41. I remain unconvinced of any considerable degree of overlap between the NW Sussex HMA and that of the coastal authorities to the south. The needs of Brighton and other nearby coast towns arise from the strong migratory pull of those wishing to live in a town by the sea; these pressures are not the same as those generated by smaller inland towns or rural communities. Although HDC have continued constructive dialogue with Brighton and Hove Borough Council (B&HBC), there has been no objection to the HDPF or firm indication of how many dwellings might be required to fulfil unmet needs there.
42. Similarly, the Mayor of London has indicated that he expects the capital to be able to meet the revised FALP housing requirements of 49,000 dpa without recourse to requests to Councils outside the GLA area to provide housing to meet any shortfall in London. No such request has been made thus far.
43. Taking all these factors into account, I recommend that the housing requirement contained in the HDPF should be 800 dpa (**MM10, MM11**). This reflects my conclusions on the need within the district itself of about 650 dpa, plus an allowance for almost half of the unmet need in Crawley Borough.

Housing supply

44. Since the hearings in November 2014 the Council has revised the housing delivery trajectory (HDC/40), which provides for 14,974 dwellings over the whole Plan period (MM12). The increase in numbers from the previous trajectory appears to result from the extra dwellings allocated at land south of Billingshurst, others on new sites permitted since the Plan submission, for example: 165 at Guildford Road, Broadbridge Heath; 193 at Mill Straight, Southwater; and 160 on the smaller part of the Novartis site (MM4). This

does not account for all the uplift but there have also been a significant number of new permissions on smaller sites in the intervening period. In the absence of any firm evidence to the contrary I have no reason to believe that the delivery of housing will not be broadly in accordance with this programme.

45. What is clear from the trajectory is that a large number of committed dwellings are due to be constructed over the next 8 years up to 2023, primarily at Kilnwood Vale (previously known as West of Bewbush) and west Horsham, together with the North Horsham and Southwater allocations. On the Council's latest figures there has been a shortfall over the first four years of the plan period of 739 dpa against a requirement of 800 dpa. Looking back over the last decade or so delivery of housing in Horsham district has been consistent with national economic trends; although there was under delivery against former SEP targets during the recession after 2008 there has been a noticeable increase in housing completions over the last two years. I consider there has been no persistent under delivery of housing and the normal 5% buffer for the five year supply should apply.
46. The Council did not take account of another 250 potential homes at North Horsham or 200 dwellings that may come forward at the main part of the Novartis site. It may be possible to increase the number of dwellings at North Horsham but it seems likely that any extra completions would come forward at the end of the build programme, beyond 2031. Concerns have been expressed about the development trajectory for the allocation and I note there has already been some minor slippage so far. However, given the length of the remaining plan period (at least 15 years) there is enough flexibility for any delays to be recovered. The potential 200 units for students at the main Novartis site are for a specific new need that has not been taken into account in preparing the OAN figure. I agree with a number of representors that they should not be included as part of the delivery to meet the Plan's housing requirement but would be in addition to that number. The current uncertainty about the site reinforces my precautionary approach on this issue.
47. Inevitably, the numbers of homes being proposed in NPs is uncertain at this relatively early stage in the process of their production. However, from the evidence produced by the Council on the position so far (C/HDC/40) the number of 1500 over the whole district seems realistic. Since the hearings in November 2014 a number of 'front runners' have started or are carrying out public consultation and some 688 dwellings (44% of the expected dwelling target) have been identified across 29% of the designated NP areas. From this evidence about expected delivery from NPs I consider the 100 pa assumed from this source in the housing trajectory is a reasonable estimate of the minimum number of dwellings likely to come forward in the smaller settlements of the district. Further flexibility is provided by the Council's intention to consider the need for additional site allocations in the Site Allocations DPD, programmed to begin in 2016, as set out in the Local Development Scheme (LDS).
48. As I indicated in my Initial Findings, the total windfall allowance of 750 units is soundly based on evidence of past completions over several years encompassing different market conditions (CD/H/08). The annual projections of 100 dpa through NPs and 50 dpa from windfalls from 2016 onwards are realistic therefore.

49. Taking all these factors into account my calculation of the five year supply requirement is 4976 dwellings : (739 shortfall + 4,000 target) x 5% buffer. This compares with expected delivery in the trajectory from April 2015 up to March 2020 of well over 800 dpa. The total projected supply over this period is 5803 dwellings. The Council provided compelling evidence that a windfall allowance of 50 dpa was justified by analysis of permissions granted over recent years, further supported by the increase in expected supply since 2014 already mentioned. With these elements, the projected supply represents about 116% of the requirement (including the 5% buffer), ensuring the Council has a 5 years supply with a considerable degree of flexibility to take account of any slippage on major sites. Even without the NP sites, the five year supply requirement is just met.

Housing conclusions

50. The Plan does not identify enough housing for the whole Plan period, on a basis of 800 dpa. Although the background evidence did not include a capacity study for the District, the SA updates (CD/LP/25a,b) produced to support the MMs indicate that the district can accommodate up to 800 dpa with some environmental impacts. However, I consider these impacts would not be so severe as to outweigh the pressing need to meet the OAN for housing in Horsham and the SHMA as a whole.
51. There is no contingency in the delivery trajectory, other than the allowance for non-development of existing permissions on small sites. There would be a shortfall in the later years of the period, which the Council needs to address in the early review, together with a review of the requirement itself, whether or not LGW expansion goes ahead. The review work should include an assessment of potential sustainable sites falling between the likely maximum limit of any NP sites, probably about 150, and the strategic allocations of 500 plus. Although desirable, it is not an essential requirement of policy in the NPPF that specific site allocations to meet requirements in years 11-15 of a plan period should be identified. I have taken what I consider to be a pragmatic approach to ensure that new housing can be delivered in the early part of the plan period, in accordance with the Ministerial Statement of July 2015.
52. As I discuss in brief below, there are other large sites with the potential to meet requirements towards the end of the plan period. These options include land west of Ifield, near the area of need at Crawley, west of Southwater and east of Billingshurst. If the review identifies significantly increased requirements, it is possible that the option of developing a new settlement may need to be considered in more depth. I consider that in the first instance it is for the Council to look again in more detail at the merits or otherwise of these options, together with other smaller sites and the monitoring of housing provision through NPs. I make some comments in relation to the evidence produced in writing and at the hearings but it would not be appropriate at this stage for me to make any firm recommendations about any of these sites in this report.
53. A joint approach involving all the relevant Councils is required on a co-operative basis to fully address the OANs of at the very least the three Council areas in one overall SHMA and possibly to include consideration of other

updated needs outside the SHMA, including those of the coastal area authorities and possibly London. It is appropriate for this Plan to proceed on that basis, provided that there is a firm commitment from the Council to play its part in addressing the needs of the wider area as part of an early review of the HDPF, as required by **MM2**.

Affordable housing – Policy 15

54. Policy 15 of the submitted HDPF requires 35% of dwellings to be affordable on sites providing 15 or more dwellings, or on sites over 0.5ha. On sites providing between 5 and 14 dwellings, 20% of dwellings should be affordable or an equivalent financial contribution should be made. The policy of differential rates at these thresholds is justified by detailed analysis in the Affordable Housing Viability Study – 2012 (CD/H/01) and the update in October 2014 (CD/H/04). These concluded that a target rate of 40% would be viable with the inclusion of grant funding. I agree with the Council that it is prudent to reduce the target to 35% to take into account the vagaries of grant funding. The policy also includes an appropriate reference to the viability of individual schemes to ensure adequate flexibility in its implementation.
55. Since the original hearings the government revised the policy set out in the PPG to remove the requirement to provide affordable housing on sites with 10 or fewer dwellings **MM13** was an amendment to the policy to change the 20% threshold in accordance with the NPPG, which was advertised in March 2015 for comment. However, a successful High Court challenge by two councils has resulted in the deletion of the revised guidance in the NPPG and the Council has requested that the original Policy 15 should stand and that MM13 be withdrawn. Bearing in mind the sound economic justification for the policy as originally drafted and the clear need for affordable homes in Horsham, a substantial proportion of which could come from smaller sites, I consider that it would be appropriate to disregard MM13 and leave Policy 15 as submitted.

Gypsies, Travellers and Travelling Showpeople

56. There was no substantive objection to Policy 20 concerning the provision of 39 net permanent residential pitches for gypsies and travellers between 2011 and 2017, together with a commitment to make additional provision over the rest of the plan period. These commitments, including the provision on new sites already with permission, would meet the needs identified in the December 2012 Gypsy and Traveller Accommodation Needs Assessment (CD/H/12) and did provide a five year supply up to 2017. However, the Council cannot demonstrate a five year supply at present.
57. Further work is continuing to assess needs beyond 2017 and in accordance with Policy 21 additional sites will be identified through the preparation of the Site Allocations DPD, to commence in 2016. In addition, the overall level of need should be reconsidered as part of the early review process for the HDPF, which is to commence within three years. Given its scope, the HDPF cannot remedy the deficiency regarding the five year supply, which clearly has implications for the treatment of planning application in the context of government policy in #25 of 'Planning policy for traveller sites'. Despite the very short time frame for additional pitch provision, the HDPF provides a short term interim framework to meet the needs of gypsies, travellers and travelling

show people before the issue is addressed comprehensively in the Review required by **MM2**.

Issue 6 – North Horsham

58. A key element of the Plan is the allocation of an extensive tract of land at North Horsham for a mixed use development which would include at least 2,500 homes, a business park, schools, retail, social and community facilities, including a doctors' surgery. The allocation was the subject of a large number of objections and was the subject of extensive debate at the hearings. Nevertheless, from all the written and oral evidence, including comments on supplementary studies in support of the allocation, nothing has convinced me that the proposed allocation is not sound.
59. Of all the proposed sites for major new housing development, I consider the North Horsham allocation is at one of the most sustainable locations, close to the heart of the Gatwick Diamond economic area and well placed to meet the clear need for housing in the District but also the SHMA as a whole, with particular reference to unmet needs in Crawley. At the resumed hearing the Council indicated that the allocation had potential for a minimum of 2,500 homes but in all likelihood another 250 homes could be accommodated. This is the subject of **MM14**, required for clarification and effectiveness.
60. I have already discussed the issues raised concerning the deliverability of the business park above; the area identified appears to have great potential to meet a need for modern space close to the area of highest demand, near Gatwick Airport. The location is sustainable at present but would be improved by the provision of a new station towards the eastern end of the allocated area. While noting the arguments about the deliverability of another station in close proximity to a previously planned station at the Kilnwood Vale development, the wording of the Plan is suitably flexible in that the necessary land is safeguarded pending further consultation with the Department for Transport and Network Rail. The proposals cannot be considered unsound in this respect.
61. I appreciate that a station at North Horsham would help to improve the sustainability of the allocation by improving transport choices but that desirable outcome may be at the expense of another desirable station too close for operational viability. However, I agree with the Council that the proposed station is not critical to the sustainability credentials of the allocation, given the number of other stations nearby, including Horsham itself (within a relatively short bus or cycle ride), Littlehaven (even closer) Warnham (on a slower line to London through Dorking) Faygate or Ifield. An alternative scenario could involve the closure of Faygate.
62. There would be some separation from the main urban area of Horsham itself, which would lie on the other side of a busy trunk road. This disadvantage could partly be overcome by four new pedestrian and cycle links additional to the retained subway, as indicated on the Concept Masterplan, amended in accordance with **MM15**. The mixed use development would have a number of facilities itself, including a large convenience store and a variety of facilities,

including schools, to create a new neighbourhood. **MM16** and **MM17** are necessary to ensure that the new retail facilities do not have an adverse effect on the primary shopping centre of Horsham town centre.

63. There was considerable argument about the merits of locating a secondary school at North Horsham, rather than at a larger development west of Southwater, an area which already 'exports' substantial numbers of secondary age pupils each day, largely to Horsham. However, the education authority supports the allocation, citing the benefits of provision being provided as the scheme develops and the ability to accommodate overspill from Crawley. As a result of discussion about school requirements, a Statement of Common Ground (SoCG) has been agreed between WSCC and Liberty Trust, the proposers of the scheme, which clarifies delivery mechanisms in accordance with **MM19** and **MM20**.
64. The proposed development area on largely flat land below the wooded ridgeline to the north, which would create a clear defensible boundary, would not result in the loss of landscape of particularly high value, as assessed in the Landscape Capacity Assessment Report (CD/ENV/10). By and large the site is visually separate from the High Weald AoNB to the south west, with the potential railway station and associated parking on the other side of the A264. From my inspection of the surroundings, I consider the setting of the AoNB would be protected. The distance between the new development and the western edge of Crawley would be reduced from about 3.5km to 3km but would be sufficient for the separate identities of both towns to be retained. The Concept Master Plan shows extensive areas of 'landscape and buffering' along the northern boundary of the allocation to create a firm edge to the urban extension. The Masterplan should be amended in accordance with **MM34** to clarify the boundary, and the extent and location of the secondary school site with consequent amendments.
65. There is no evidence of sensitive ecological habitat or protected species across the open farmland which comprises the majority of the site; other existing habitats along hedgerows and watercourses are safeguarded on the master plan and could be fully protected at the detailed design stage, as required by **MM18**. Substantial areas of open space would be retained alongside Old Holbrook and a nature park, incorporating Bush Copse ancient woodland, would be created in low lying land liable to flood.
66. The allocated area is large enough to provide for the suggested amount of development without recourse to those areas liable to flood, which could be kept as open space and small nature reserves (CD EN/01). I see no reason why a sustainable urban drainage scheme (SUDS) could not be designed that would restrict surface water outflows to existing levels at worst; tellingly, the Environment Agency raise no objection to the proposed allocation.
67. The highway authority considers that there would be no adverse effects on the strategic road network that could not be mitigated satisfactorily. I have no alternative convincing technical evidence that the modelling by WSCC is not fit for purpose, as alleged. Although the new development and associated crossings of the A264 would have some impact on traffic flows on this route, WSCC confirmed that there would be no significant impact on strategic road capacity, subject to **MM21** and **MM22**. Similarly, although traffic delays into

Horsham from the north would increase, they would not reach unsupportable lengths. Further modelling by the proposers of the development indicates how detailed measures could be achieved to retain reasonable flows along the A264 and secure safe links to the town.

68. In addition I understand that WSCC and Surrey County Council (SCC) would seek improvements to the section of the A24 north from Great Daux roundabout that has a poor safety record. Although a full medium to long term scheme needs to be planned in detail, **MM23** provides for interim measures to address the impact of the development on the road network, including those parts outside Horsham District. Initial traffic studies show that delays on local roads could be averted by junction improvements to provide more capacity. While there would clearly be some sense of separation from the existing urban area of Horsham, safe crossings for pedestrians and cyclists across the A264 could be provided at grade or by bridge; an existing underpass would be retained. Other traffic management measures, including width restrictions, could be developed to strongly discourage rat running through the lanes to the north of the site and to provide better pedestrian and cycle access to Horsham town centre. Full bus services would be provided and supported for several years through a Section 106 obligation.
69. Considerable work has already taken place on the planning of the whole development, including a viability appraisal which shows that the scheme is deliverable. Although there are some risks attached to the allocation of a substantial proportion of new development in one location, a more dispersed pattern of development as advocated by some representors may well be less efficient and could pose problems for infrastructure provision. I deal with some broad infrastructure points below, but I find nothing inappropriate in the likely funding mechanisms, including the probable exclusion of this site from the proposed CIL regime, given the extensive provision and costs of on-site infrastructure, including particularly the new schools and highway works. The proposals also allow for the provision of affordable housing in accordance with Policy 15. In conclusion, the allocation offers the opportunity to provide necessary housing, business development and community facilities at a sustainable location. Overall, the housing and employment benefits of the proposed allocation would significantly outweigh the disadvantages of the environmental impacts, which in my view would not be unacceptably severe.

Issue 7 –Southwater

West of Southwater

70. Similar comments apply to the allocated land west of Southwater with regard to landscape impact, biodiversity and highway safety and convenience. The site is at a sustainable location relatively close to the centre of the settlement and a revised figure of 600 dwellings could be well integrated with existing housing (**MM24**). The development would provide support to local shops and services. Since submission of HDPF the Council has granted permission for a 596 dwelling scheme, so any detailed discussion of the merits of the allocation is academic.

Other objection sites

71. During the consultation on the Plan a number of additional or alternative sites were put forward on the basis of arguments that the housing requirement figure was much too low and more housing capacity would be needed over the Plan period. Although I supported this view in my Initial Findings, the Council put forward just one additional site for housing, at Billingshurst (see below). Despite the provision of much more housing in the updated housing trajectory, more allocations are likely to be needed to meet the housing requirement of 800 dpa towards the end of the Plan period, and potentially even more land could be needed, depending on the outcome of the early review. While I have made some preliminary comments about the 'omission' sites that have been put forward, it will be for the council to decide how best to meet future needs, following further work on the merits of competing sites through updated SA.

West of Southwater extension

72. Developers of the West of Southwater allocation and other representors opposed to North Horsham argued for a significant extension of the allocation to provide a larger scheme for about 1300 homes in total, a small local centre and a secondary school. A new school here would have the advantage of reducing the very significant numbers of children travelling from Southwater (which does not have a secondary school) into Horsham. Although the proposal for more dwellings and a secondary school at this location had previously been supported by WSCC as education authority, the authority now says that it would also be acceptable to provide a secondary school in due course at North Horsham, where pupil numbers would increase and where overspill from Crawley could be accommodated.
73. Subject to a suitable policy framework restricting the amount of retail development at the site, I see no reason why additional dwellings here would not help to support and consolidate Southwater village and the investment that has already taken place at Lintott Square. The countryside to the west of the allocated area is a relatively intimate landscape of small scale fields bounded by hedgerows, including some mature trees. I therefore share some of the Council's concerns about landscape impact, which might be more serious than at North Horsham. From the evidence provided there appear to be no overriding constraints about highways and access to the A24, where further improvements are likely to be needed. There are concerns about access to the station at Christ's Hospital, which is quite a long walk from the site and has limited parking; these would have to be addressed. From the ecological surveys there would be no particularly adverse impacts on wildlife.
74. In conclusion, the advantages of extra school places at Southwater are not sufficient to outweigh the sustainability and other advantages of the North Horsham allocation. However, although the site is not needed now, it should be revisited in the context of a need to provide for more dwellings during this plan period when the plan is reviewed and for any future needs that may arise as a result of such a review of the OAN for the SHMA, following a definitive decision about the future of Gatwick Airport.
75. I note that since the first hearing sessions the Council has granted permission for 193 dwellings at Mill Straight on the southern edge of the town; this is not

a strategic site in the context of an HDPF allocation but makes an important contribution to the five year supply.

Issue 8 – Billingshurst

76. A considerable number of new dwellings are already committed at Billingshurst. As part of the MMs published in March 2015 the Council allocated an urban extension on the south side of the town to the east and west of an already committed site as a 'rounding off' of the urban area. **[MM25]**. Although smaller than the minimum size threshold for new allocations set out in the HDPF, the proposals appear to be a logical urban extension to the town, in a sustainable location within reasonable walking distance of the railway station and within a short cycling distance of the town centre. The impact of the development of the site on the landscape would be limited and there appear to be no overriding constraints. Although low lying, there is no objection from the EA regarding surface water flooding, subject to the provision of a suitable Sustainable urban Drainage Scheme (SuDS) in the normal way. Further development in Billingshurst would help consolidate the viability of retail, social and community facilities in the town, which has an employment base and reasonable rail connection to Gatwick airport and on to London. The urban extension proposed in **MM25** is sound.
77. From the evidence and my site visits I consider Billingshurst has further potential for sustainable development to the east of the town, which would consolidate its role in the local settlement hierarchy. The Council makes a good point that the recently permitted housing needs some time to be assimilated into the physical and social fabric of the town. The pace of new development and the provision of adequate physical and social infrastructure would need to be carefully managed therefore. There appear to be no overriding objections to some modest further expansion. The landscape character of the area is of pleasant enclosed fields used for pasture but is not of such quality as to warrant protection from development. There are no significant infrastructure constraints: the secondary school has scope to expand to 10 form entry; and drainage could bypass the town to the north. Together with the new 475 home development approved on appeal, further allocations could deliver part of a localised by-pass around the east side of the town. I consider that this proposal should be considered in the early review of the plan to meet housing needs during the back half of this plan period or any new requirements arising from a revision of the OAN. Some development here may have some potential to relieve some of the pressure for new housing in some coastal authorities.

Issue 9: Crawley extension sites

West of Ifield

78. A substantial area of land to the west of Ifield is well located in a relatively sustainable position close to employment opportunities at Crawley and LGW. The relatively flat landscape is reasonably attractive but has no particularly special quality. The setting of Ifield church and the surrounding Conservation

Area of the village could be preserved through careful design and buffers separating new development from the old village.

79. Clearly, a substantial development of about 2,500 dwellings and ancillary uses would require considerable investment in infrastructure to be successful. A long term aspiration for a new western relief road at Crawley may be needed, even without the expansion of LGW. The timing and funding for this remains uncertain. The provision of new schools, a new or expanded waste water treatment works, health and other community services would need to be planned in conjunction with CBC. However, none of these issues seems insurmountable and the proposed development is being actively promoted on the basis of viability and deliverability.
80. The main issue with deliverability of the site concerns timing. Although much of the land is owned by the Homes and Communities Agency a substantial part is Ifield golf club, which has a lease until 2022. The loss of the golf course as a sports facility would be unfortunate but there are several others nearby and this would not be a critical objection. The noise contours from LGW affect part of the site but a substantial developable area would remain. Nonetheless, the extent of the area for new housing would be better assessed after the decision about the future of LGW and the impact on a number of sites, including employment sites, is known. As the Council agreed, it would be appropriate to re-consider the land when the review of the HDPF is undertaken within the next three years.

West of Kilnwood Vale

81. The extension of Kilnwood Vale to the west was put forward as another potential long term option to increase housing supply. Similar concerns about the provision of infrastructure in Crawley and the timing of delivery apply. The site is more remote from Crawley than West of Ifield and facilities and services in the town may be less accessible. The Council raised a strong objection that development would reduce further the gap between Crawley and Horsham, which is important to retain community identity and remains significant in landscape terms. I note that this option was considered and discounted at the examination into the West of Bewbush AAP.

Matter 10 - Other village and rural sites

82. A number of sites at villages were put forward as additions to the strategic allocations in the Plan, on the basis that a higher housing target would be required. The original intention of the LDS was for the HDPF to set out broad locations for developments of over 500 dwellings, deferring the allocation of smaller sites for 150-500 dwellings to the Site Allocations DPD. A significant number of other smaller sites (up to a maximum size of 150 dwellings) are expected to come forward through NPs. This approach does leave some uncertainty in the short term about meeting OAN through potential sites which are not within parishes likely to be covered by NPs. The Council has already varied its position on this matter by including the land south of Billingshurst for 150 houses as an allocation in the HDPF.

83. However, adequate housing land to secure a supply for five years has been identified and a number of NPs are underway. An early review of the Plan is required to provide the remainder of housing requirement. Therefore, there is no pressing need to allocate additional smaller sites now; the Council has the mechanism of the Site Allocations DPD if initial monitoring shows a potential shortfall in the short term supply of land. It would not be appropriate at this stage to change the basis of the Plan and to require a significant change to the LDS, although the Council may wish to review the way medium-sized sites are dealt with as part of the review. I have not therefore considered in detail the merits of a number of rural sites put forward during the examination, including land adjoining Bax Close, and adjoining Clay Lane, both at Storrington, land north of The Rise, Partridge Green, or land east of Pound Lane, Upper Beeding.

Matter 11 - Mayfield Market Town (MMT)

84. For the reasons set out above in relation to housing need, I consider that the very significant increase in the amount of development involved in the MMT proposal is not required in current circumstances. At present there is no need to include an area of search for the proposed 'market town'. The planning mechanisms put forward by representors on behalf of Mayfield that an area of search should be identified in the HDPF followed by detailed planning through an SPD would not be appropriate or lawful; such a significant large development could not be decided through a non-statutory process outside the development plan legal framework. As was acknowledged by virtually all participants at the hearings, any decision to expand Gatwick Airport by building a second runway would have major implications for the planning of the whole sub-region and would almost certainly necessitate an urgent review of the HDPF (and in all probability the plans of all authorities in the Gatwick Diamond area). If that were to occur, the way in which future development needs should be met would undoubtedly be raised again. It would be for the Council to determine, in constructive cooperation with other relevant bodies, including particularly Mid Sussex DC, how those needs would be met.
85. Much of the area of search for the proposed new town is pleasant low-lying pastureland, but it could not be said to possess special scenic quality. The land does not fall within any environmental designation and there is no evidence that any protected wildlife habitats need be affected. Despite the anecdotal evidence of local residents, there appears to be no concern from the EA that surface water flooding could not be managed through a SDS. No other overriding physical constraints have been raised.
86. However, I raised significant concerns about the sustainability of the location of the MMT site, in particular its distance from railway services and the strategic road network and the potential usage and viability of the 'park and ride' proposals. These concerns were refuted by the promoters of the proposed MMT but endorsed by other participants, including both District Councils. To my mind the location of the site beyond reasonable walking and cycle distance from the rail services serving LGW and the main employment centres along the route remains a severe disadvantage. Even if the MMT provided a significant amount of new employment, it is unrealistic to expect such a level of self-containment that a very significant proportion of travel to

work by car would be avoided.

87. As paragraph 52 of the NPPF acknowledges, the supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements that follow the principles of Garden Cities. It is for local authorities to consider, with the support of their local communities, whether such opportunities provide the best way of achieving sustainable development. The deliverability of the preferred 10,000 dwelling option, with employment development, within two local authority areas without their support, and in the face of strong opposition from two local MPs, parish councils and local people, including land owners, is also an issue of concern. While compulsory purchase order (CPO) powers could be used if an agreed scheme were to be approved through the development planning process, that outcome seems distant at present. The scheme for just half of what the promoters ideally prefer in Horsham district alone would appear to dilute the fundamental concept and raises further uncertainty about delivery.
88. Nevertheless, bearing in mind my concerns about housing need and the clear need to review the plan at the earliest possibility, preferably in conjunction with at the very least the other two LPAs in the NW Sussex HMA, I think it would be premature to rule out in principle any potential for a new settlement to meet future needs. While I have some doubts about the extent of overlap between what appear quite different housing market areas, a 'market town' option, or some similar form of new settlement to meet some of the housing needs arising in the Sussex coastal areas may be an option to be reconsidered. This need not be at the suggested location for the MMT or possibly some further work might overcome the disadvantages of the Mayfield proposal in relation to access by public transport, among other matters. In any event I do not support the Council's suggested MM1 to delete the reference to such consideration in the future. What is clear however is that such an option would have to evolve through cooperation and consultation amongst the local planning authorities and all the local communities involved.

Matter 12: Other Horsham sites

Tower Hill

89. The potential allocation site at Tower Hill is not of strategic scale and would be seen as a clear break beyond the existing natural boundary of the railway line. The area has some landscape sensitivity. The Council has expressed some concerns about providing a safe access, due to the proximity of any potential road access to a junction with a bad highway safety record.

North West Horsham

90. This very substantial area of countryside to the east of the A24 was put forward for development of about 5,000 dwellings very late in the plan process as an alternative to the North Horsham allocation. The area is not physically well related to the Horsham urban area (or any other settlement) and is not as well located as North Horsham to the heart of the Gatwick Diamond area. At this stage there is virtually no evidence base on which to evaluate any very large scale development. In particular, the traffic implications of such a new

large development on the safe use of the A24, which is acknowledged to be in need of improvement on traffic grounds, have not been fully assessed. In the absence of any such background work, any consideration of the site would be premature.

Lyons Farm

91. Development of this large site (capable of taking more than 500 dwellings) would be seen as a separate entity to the main area of urban extension at Broadbridge Heath, beyond the settlement boundary established in the former Structure Plan. The main part of the site would be over 750m from the centre of Broadbridge Heath and I agree with the Council that it is difficult to envisage how the new housing area would integrate with the expanded village.

Issue 13 - Climate change

92. Policy 35 - Appropriate energy use – sets out guidelines for energy use in new buildings that are broadly consistent with government policy in that they do not require adherence to specific standards but set general parameters for the reduction of energy in all new development. The policy also includes a heating and cooling hierarchy, with a broad generalised requirement to maximise the potential for carbon reduction. The detailed proposed amendment from a representor for a site specific combined heat and power plant at Kilnwood Vale would not be precluded by this policy. However, it would not be appropriate to make such an allocation in a strategic plan such as HDPF; it could be provided for in the subsequent Site Allocations DPD, if appropriate.
93. Following the recent ministerial statement concerning energy and climate change issued on 18 June 2015, the Council has put forward two modifications to remove reference to wind energy schemes in the last part of Policy 35 and to add some detail to the supporting text in #10.18. These changes - **MM38 and MM39** - are required for consistency with government policy.

Issue 14: Infrastructure

94. The IDP was prepared in consultation with key stakeholders and sets out the infrastructure necessary to support the development proposed in the HDPF and how such infrastructure can be delivered. It includes details of the required timing of all essential elements to ensure proper phasing of development, in accordance with the NPPF (#177). Policy 38 sets out the key principles for the provision of new infrastructure, including a general requirement for phasing to ensure appropriate infrastructure is provided at the right time to support the new growth.
95. Full viability studies have been carried out for the main allocations, including North Horsham, which indicate that the full range of development can be delivered with proper infrastructure and a level of affordable housing in accordance with Policy 15 (CD/IN/4). The relevant policies for the strategic allocations, SD1-8 for N Horsham and SD9 for Southwater, provide an

adequate framework to ensure infrastructure will be provided at the right time to serve each phase of the development. The Plan's requirements should ensure that adequate infrastructure, including new roads, open space and schooling, would be provided. In common with major urban extensions with substantial site specific requirements elsewhere, it would not be viable to charge Community Infrastructure Levy (CIL) as well, given the scale of investment required. I note that the gap between the estimated cost (at about £37m) of all necessary infrastructure expected to be funded through CIL (primarily social and green infrastructure) and projected CIL receipts had risen to about £17m in July 2015. This gap is not so significant as to put at risk key infrastructure projects and other key elements of infrastructure, such as schools and transport requirements, which would be funded through sources other than CIL, such as Section 106 payments, WSCC capital budgets and New Homes Bonus.

96. Some residents expressed concerns about access to healthcare provision when significant new housing proposed in the Plan was completed. However, the Council has carried out proper consultations with the Clinical Commissioning Group (CCG), which is well aware of the nature and scope of development proposed in Horsham. The responsibility for ensuring the resident population has reasonable access to hospitals and primary healthcare rests in the first instance with this group, which has raised no objections to the Plan. As far as I am aware distances from various parts of the district to hospitals meet normal current standards but in any event the HDPF cannot set out requirements for health care or any other infrastructure that has not been proposed by the relevant authority with evidence of need and adequate funding.
97. I consider Policies 39 and 40 provide an adequate policy context for the provision of new cycling infrastructure, in accordance with #35 of NPPF. The allocated sites will make adequate provision for cycles, including new safe crossings of the A264, through the application of Policies SD 1-7.

Other matters

98. **MM28** contains the wording of revisions to Policy 43 concerning the retention of community facilities and open space, which as originally worded did not accurately reflect the guidance in the NPPF (#74).
99. **MMs31-33** contain modifications to definitions in the glossary, necessary for effectiveness. **MMs 35-37** set out necessary clarifications to site plans and the Policies Map.

Assessment of Legal Compliance

100. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The HDPF is identified within the updated approved LDS July 2015 which sets out an expected adoption date of October 2015. The HDPF content and timing are broadly compliant with the LDS, although there has been slippage at the end of the programme due to the need for a resumed hearing in July 2015 after publication of and consultation on Main Modifications (MMs).
Statement of Community Involvement (SCI) and relevant regulations	Consultation on the HDPF has been compliant with the requirements of the adopted SCI (November 2013), including the consultation on the post-submission proposed MM changes.
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations AA Report (April/2014) concludes that the HDPF will not have an adverse effect on site integrity of any European site, alone or in combination with other plans or projects.
National Policy	The HDPF complies with national policy except where indicated and modifications are recommended.
2004 Act (as amended) and 2012 Regulations.	The HDPF complies with the Act and the Regulations.

Overall Conclusion and Recommendation

101. The Plan has a number of deficiencies in relation to soundness for the reasons set out above which mean that I recommend that it should not be adopted as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.

102. The Council has requested that I recommend main modifications to make the Plan sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the HDPF satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

Geoff Salter

Inspector

This report is accompanied by the Appendix containing the Main Modifications

Appendix D – Inspectors Post-Hearing Letter on Horsham District Local Plan 2023-2040

Examination of the Horsham District Local Plan 2023-2040**Inspector: Jonathan Bore MRTPI****Programme Officer: Kerry Trueman****Telephone:** [REDACTED]**Email:** programmeofficer@horsham.gov.uk**Address:** Pendragon House, 1 Bertram Drive, Wirral, CH47 0LG**Website:** <https://www.horsham.gov.uk/planning/local-plan/local-plan-examination>

5 May 2026

Dear Ms Howe

Horsham District Local Plan 2023-2040**Interim conclusions and action points**

After the first week of hearings, held from 21 April to 24 April 2026, I am writing to set out my interim conclusions and further action points based on matters covered so far.

My comments on the key issues of the plan period, the housing requirement and housing supply are set out below. These were discussed in the hearings under Matters 1 and 2. Further work or modifications arising from the hearing sessions on Matters 3 and 4 are set out in the Appendix to this letter. All these matters were agreed with the Council during the hearings, which were live streamed. The further work discussed below is necessary to ensure the plan is made sound and can be adopted.

The plan period

The plan's end date of 2040 means that the plan period would expire less than 15 years from the plan's adoption. National policy is that there should be at least 15 years between the adoption of the plan and the end of the plan period. However, a pragmatic approach is needed here in view of the delay to the examination up to this point. The Council have a significant amount of work to do to make the plan sound and capable of adoption. Having to produce further evidence in connection with an extension to the plan period would create an additional burden. In any case, the new local plan regulations require the Council to start work very soon on a new plan, so a strict minimum of 15 years is less critical in these circumstances. It is also helpful that retaining 2040 as the end date will ensure that it coincides with that of the adopted local plan for Crawley and the emerging local plan for Mid Sussex. The plan period will therefore remain 2023 to 2040.

Local housing need and the housing requirement

The plan is being examined under the September 2023 National Planning Policy Framework by virtue of the transitional arrangements set out in the December 2023 and December 2024 National Planning Policy Frameworks. The figure for local housing need will be derived from

the standard method for calculating local housing need (LHN) that was in existence at the time of the September 2023 version of the National Planning Policy Framework (NPPF). Since the LHN calculation is almost 2 years old, it will be updated to take into account the most recent inputs, but it will continue to be based on the standard method calculation that was in place in September 2023. Since the plan's contents are based on the local housing need figure that is derived from that method of calculation it would be unreasonable and inconsistent with the transitional arrangements to seek to apply the later standard method calculation that was introduced in December 2024.

The District's local housing need figure derived from the relevant standard method formula was 911 dwellings per annum (dpa). The downward adjustment of 21 dpa to reflect the anticipated number of homes within the South Downs National Park is supported by reasonable evidence. This gives a local housing need figure for Horsham District's area outside the National Park of 890 dpa for the year 2023/24. The equivalent adjusted figure for 2024/25 is 896 dpa, and for 2025/26, 819 dpa.

Local housing need is represented by these figures, and given that almost two years have passed since the figure of 890 dpa was calculated, it is appropriate to base local housing need from 2025/26 until the end of the plan period on the most recent figure of 819 dpa, with LHN in years one and two of the plan period being 890 dpa and 819 dpa respectively. This gives a total of 14,071 homes over the plan period.

It is agreed that the plan will seek to accommodate half of Crawley's unmet housing need to 2040, as identified in the Crawley Local Plan. The other half will be accommodated by Mid Sussex. Half of Crawley's unmet need amounts to some 3,757 dwellings. The total figure for Horsham, adding the two together, is 17,828 dwellings.

On top of the figure of 17,828 dwellings, the plan's housing requirement will accommodate a realistic and reasonable evidence-based allowance for the south coast's unmet housing need. The Council are liaising with Mid Sussex who are developing a methodology for assessing what an appropriate allowance might be. This work will enable a final figure for the housing requirement to be produced.

The allowances for unmet need will be added to the annualised housing requirement and will be spread evenly across the plan period.

However, a stepped annual housing requirement trajectory will be required, and this is discussed below.

Identifying additional housing sites

The submitted plan falls short of meeting local housing need and does not contain any allowance for unmet need from neighbouring authorities.

The Council will therefore need to identify further housing sites for inclusion in the plan in the interests of soundness. A number of sites had previously been identified but were not carried forward into the plan owing to the water neutrality restriction. The Council will critically reassess known sites using an appropriate methodology (likely based on the methodology recently developed by Mid Sussex) and will identify a range of sites of different sizes, some of which will be capable of delivering in the shorter term to help ramp up delivery, whilst others will deliver longer term. I am mindful of the importance the Council, Andrew Griffith MP and others have placed on the importance of delivering timely infrastructure to serve the new sites.

The sites that are identified should be capable of delivering sufficient homes to meet the finalised housing requirement described above, together with an additional amount of supply headroom which will act as a contingency should any allocated sites fail to deliver at the time or rate predicted. Depending on the size of the allowance for unmet need on the south coast, which is subject to further study, the overall level of housing supply that the Council will need to aim at should be no lower than the high growth scenario that the Council presented in its Topic Paper for Matter 2 (HDCJB05), and may need to be somewhat higher.

Housing delivery rates were low during the first years of the plan period owing to the restrictions imposed by the issue of water neutrality. The restriction has now been lifted but delivery is predicted to remain subdued until new permissions begin to be implemented. This will require a stepped housing trajectory with a substantial rise in the annual average requirement from year 8 of the plan. When the Council has gone through its site reassessment and its re-evaluation of the windfall allowance, and has produced a realistic annual housing supply trajectory, this should be fed back into the design of the stepped housing requirement trajectory.

I am wholly sympathetic to the challenges that the Council face on this subject. A pragmatic approach will be taken to the design of the stepped trajectory to ensure that there is a good prospect that a 5 year housing land supply can be maintained throughout the plan period.

Other matters

The other matters that require the Council's attention following the week of hearings are set out briefly in the Appendix to this letter. These were all agreed with the Council during the hearings.

Future steps

When the Council has gone through the process of site assessment and selection, and any attendant legal requirements, a list of additional sites and areas for growth will be incorporated in the schedule of main modifications. The modifications to the development management policies that I have already agreed with the Council will also be included in the schedule. The schedule of main modifications will be subject to public consultation.

I shall consider the results of that consultation and later this year I shall hold hearings into the spatial strategy, site selection, the strategic sites and certain of the site allocations – those that are already in the submitted plan and those that the Council are proposing to add to the plan, as discussed above. Other site allocations and matters will be dealt with in writing. Two weeks are likely to be needed for the hearings with perhaps one or two extra reserve days and I ask the Council please to liaise with the examination programme officer and with Mid Sussex District Council, whose examination is running in parallel, to identify suitable dates for these hearings.

I am very grateful for the hard work that the Council's team has put in to prepare for the examination and the hearing sessions, and I am also grateful for the assistance of the hearing participants and the quality of the submitted evidence. I fully understand the challenges that the Council face in taking this work forward and will do what I can to provide helpful input where it is needed.

I look forward to working with you through the next stages of the examination.

Jonathan Bore

Inspector

APPENDIX

Detailed action points

Matter 3	Ensure affordable housing requirement takes into account site specific constraints on sites, or infrastructure / access requirements, and potential impacts on viability
Matter 3	Need to consider the extent to which managed products are capable of delivering affordable housing
Matter 3	Review with wording of Policy 38c), which currently implies non-support for sites/proposals which don't meet the criterion.
Matter 3	Change title/associated wording of Policy 42 to reflect industry guidance ("Housing for Older People")
Matter 3	Policy 42 - criterion 1. Review wording to ensure policy does not rule out viable sites which do not meet all criteria - should it instead list as "material considerations".
Matter 3	Policy 42 - consider whether criteria 2 is necessary.
Matter 3	Policy 42 - test policy against different models, or liaise with industry / objectors to address concerns directly.
Matter 3	Remove Policy 40 criterion 4
Matter 3	Review Policy 40 to differentiate between specialist accommodation which already meets necessary standards for intended user and standard dwellings
Matter 3	Policy 40 - revisit guidance and emerging policy as well as evidence base to establish a need which the policy ask reflects - wheelchair accessible standards only applied to social housing
Matter 4	Liaise with Graylands site owners / reps to discuss possibility of allocating more of the site or providing sufficient flexibility for further growth - is it feasible for this plan and will it address issues raised?
Matter 4	Consider whether the link to settlement hierarchy does enough to address the need for sites to be in accessible locations (per NPPF para 83)
Matter 4	Review wording of Policies 29 and 30 to align more with NPPF 2023 and with development management policies in development. Aim for more positive approach, greater degree of flexibility and fewer impediments to addressing changes in the market
Matter 4	Notwithstanding different markets served by HDC and neighbouring authorities such as Crawley Borough Council,

	ensure policies reflect the range of uses likely to be needed in Horsham
Matter 4	Address concerns with sites where existing restrictions means likelihood of vacancies in the coming years, particularly in existing KEA allocations

Appendix E – APP/Z3825/W/25/3376143 Appeal Decision



Appeal Decision

Hearing held on 28 April 2026

Site visit made on 28 April 2026

by E Dade BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 May 2026

Appeal Ref: APP/Z3825/W/25/3376143

Land to the east of Charlwood Drive, Henfield BN5 9FA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Croudace Homes against the decision of Horsham District Council.
 - The application Ref is DC/24/1932.
 - The development proposed is development comprising up to 191 dwellings with open space, landscaping and associated infrastructure (all matters reserved except for access).
-

Decision

1. The appeal is allowed and outline planning permission is granted for development comprising up to 191 dwellings with open space, landscaping and associated infrastructure (all matters reserved except for access) at land to the east of Charlwood Drive, Henfield BN5 9FA in accordance with the terms of the application, Ref DC/24/1932, subject to the conditions in the attached schedule.

Preliminary Matters

2. For clarity, I have included the site's postcode in the address details above.
3. The Decision Notice sets out four reasons for refusal. However, certain matters have materially changed since the Council's determination of the application.
4. On 31st October 2025 Natural England withdrew its requirement for development in the Sussex North Water Supply Zone to demonstrate water neutrality. Consequently, the parties agree that the second reason for refusal would be capable of being resolved, subject to the satisfaction of the Appropriate Assessment (AA) process. The AA is set out in my reasoning, below.
5. The fourth reason for refusal concerns the absence of a mechanism to secure the provision of affordable housing and necessary local infrastructure, or financial obligations required to make the development acceptable. During the appeal, a completed deed pursuant to section 106 of the Town and Country Planning Act 1990 as amended (s106 agreement) was submitted containing planning obligations which would come into effect on grant of planning permission. On 29 April 2026, details of the obligations were published on the Council's planning register, providing opportunity for public inspection in advance of my decision.
6. The parties do not dispute the planning obligations within the s106 agreement would resolve the fourth reason for refusal. Therefore, my consideration of this matter is limited to whether the planning obligations would comply with Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 (CIL regulations).

7. The third reason for refusal concerns the submitted baseline metric and Habitat Management and Monitoring Plan (HMMP), which the Council concluded contained inconsistencies such that an accurate baseline had not been provided and the statutory Biodiversity Net Gain (BNG) condition would not be capable of being discharged. Following the Council's decision, the appellant has provided an updated HMMP and metric which were subsequently reviewed by the Council's Ecologist / BNG Officer. Based on this updated information, the Council considers the site baseline is acceptable and the metric demonstrates the required 10% BNG would be achieved through a combination of on-site and off-site measures. Since the matter of whether the proposal would meet the statutory information requirements is no longer in dispute, my consideration of BNG is limited to the suitability of the proposed planning obligations.

Main Issues

8. Having regard to the above, the main issues in this appeal are:
- Whether the proposed development would be in a suitable location, having regard to the local development strategy;
 - Whether the proposed development would make suitable provision for affordable housing and other infrastructure required to make the development acceptable;
 - The effect of the proposed development on the integrity of European sites; and
 - Whether other material considerations outweigh any harm identified such as to justify the development.

Reasons

Whether in a suitable location

9. The site comprises an open, undeveloped parcel of agricultural land with mature tree belts and hedgerows to its boundaries. The site abuts Henfield's built area, with a modern housing estate to the immediate west at Charlwood Drive and a row of detached dwellings fronting onto Furners Lane to the south. Open fields extend beyond the site to the east and north and therefore the site forms a part of a wider, rural landscape. The site lies outside the Built-up Area Boundary (BUAB) as defined by Policy 1 of the Henfield Neighbourhood Plan 2021 (HNP)¹ and therefore is within the countryside for planning purposes.
10. Policy 2 of the Horsham District Planning Framework 2015 (HDPF) seeks to maintain the district's unique rural character whilst ensuring that the needs of the community are met through sustainable growth and suitable access to services and local employment. It allows for growth in accordance with the identified settlement hierarchy and supports the sustainable development of settlements of an appropriate scale which retains the existing settlement pattern and enhances natural environmental resources, including landscape character.
11. Henfield is a 'tier 2 settlement', as indicated by the development hierarchy at HDPF Policy 3. These settlements offer a good range of services and facilities, strong community networks, local employment provision, and reasonable public

¹ p23, Policy Map 1a - Henfield Built-up Area Boundary and Sites, Henfield Neighbourhood Plan 2021

transport services. The site is in an accessible location, close to High Street services, the primary school, and bus stops.

12. However, criterion P1.2 of HNP Policy 1 supports development proposals outside of the BUAB only where it conforms with relevant national policies and HDPF policies for development in the countryside. HDPF Policy 26 seeks to protect the countryside against inappropriate development by limiting development outside BUABs to types with an essential need for a countryside location, such as to support agriculture, forestry, mineral extraction, waste disposal, recreation, and the to enable the sustainable development of rural areas. It is not demonstrated that the proposed development has an essential need for a countryside location.
13. HDPF Policy 4 also enables development outside BUABs to support the growth of settlements to meet identified development needs. It is agreed by the main parties that the level of expansion is appropriate to the scale and function of the settlement; the proposal would meet local housing needs; the impact of the development individually or cumulatively would not prejudice comprehensive long-term development; and the development would be contained within an existing defensible boundary and landscape character features would be maintained and enhanced². Therefore, the proposal would satisfy criteria 2 to 5 of Policy 4. However, whilst the site adjoins the existing settlement edge, it is not allocated by the development plan. For this reason, the proposal fails to comply with criterion 1 and thus would conflict with HDPF Policy 4.
14. Whilst it did not consider the scale of impacts to be of sufficient magnitude to justify a reason for refusal, the Council nonetheless identified localised, residual medium adverse effects to medium/minor adverse effects on landscape and visual receptors. In addition, the Agricultural Land Classification report identifies 72.4% of the site as 'best and most versatile agricultural land'. Therefore, the adverse effect of siting the development in the proposed location would be the modest loss of countryside resources which would not be justified within the parameters of the policies of the development plan.
15. As set out above, the policies of the development plan do not positively favour development in the proposed location. Therefore, having regard to the local development strategy, namely HDPF Policies 2, 4 and 26, and HNP Policy 1, the proposed development would not be in a suitable location.

Provision of affordable housing and infrastructure

16. Schedules 2 and 3 of the s106 agreement contains planning obligations relating to the provision of affordable housing, including the submission of an affordable housing scheme. The planning obligations would secure the provision of on-site affordable housing of an agreed tenure mix to meet an identified housing need and would include provision for the nomination of the affordable rented units and measures to ensure the appropriate disposal of the units. In the event the appellant is unable to reach agreement with an affordable housing provider, the obligations place a duty on the Council to assist in securing a provider and/or agree a change to the mix of affordable housing types. Such provisions are necessary to secure the provision and delivery of affordable housing in accordance with HDPF Policy 16, and guidance contained within the Planning Obligations and Affordable Housing Supplementary Planning Document.

² Paragraph 7.12 of Statement of Common Ground, April 2026

17. For developments of the scale and type proposed, HDPF Policy 16 requires 35% of dwellings be affordable housing. Since this requirement applies to a proportion of the proposed units, it is directly related to the development. However, the obligation would secure affordable housing at a rate of 45% thereby exceeding the policy requirement. This higher rate of provision would contribute toward an identified unmet need for affordable housing units and therefore is justified in planning terms. Moreover, the appellant has not suggested that the required level of affordable housing cannot be viably delivered by the development, therefore the obligation would be fairly and reasonably related to the development in scale.
18. Schedule 4 of the s106 agreement concerns the provision and management of open space and requires submission of details of the provision of open space, Local Area of Play and/or Local Equipped Area of Play, and details of their specifications and management. The planning obligations also require the establishment of a management company and a financial contribution be paid to the parish council for future maintenance in the event open spaces are transferred to its ownership.
19. Open spaces enhance amenity areas and support the recreation needs of future residents of the development and must be appropriately maintained throughout the lifetime of the development. Therefore, the provision and long-term management and maintenance of open spaces over the lifetime of the development, is required to meet the requirements of HDPF Policy 32, which seeks to secure a framework of high-quality open spaces which meets the identified needs of the community, and is thus necessary to make the development acceptable in planning terms.
20. Whilst the extent of open space provision is not defined at this time, it would be agreed through the approval of the open space specification and consideration of the layout of the development at the reserved matters stage. Therefore, I am satisfied the consideration of open space as a reserved matter would ensure this provision is directly and reasonably related in scale and kind.
21. Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that, unless exempt, every development must achieve at least a 10% uplift in biodiversity value. Every planning permission is deemed to be granted subject to the condition that development must not be begun unless a Biodiversity Gain Plan has been submitted and approved.
22. Schedule 5 of the s106 agreement includes planning obligations to ensure the delivery of BNG through the submission of a Biodiversity Gain Plan and HMMP. The obligations would ensure the Habitat Creation and Enhancement Works set out in the HMMP are retained and maintained and includes a financial contribution for long-term monitoring of the BNG works, with procedures for enforcement against any identified breach of the HMMP. Since the monitoring and management of BNG for a 30-year period is mandated by legislation, the obligations are necessary to make the development acceptable.
23. The proposal includes off site highways works which comprise parking improvements to a layby and pedestrian crossings at identified locations. These works are secured by the planning obligations set out schedule 6 of the s106 agreement. These improvements are required to mitigate the impacts of the proposal on the local road network to maintain highway safety, and to ensure the

development achieves an integrated community connected by a sustainable transport system and manages anticipated growth in demand for travel as required by HDPF Policy 40.

24. The planning obligations at schedule 6 of the s106 agreement secure the submission of a Travel Plan, the appointment of a Travel Plan co-ordinator and a contribution for a Travel Plan Monitoring fee. As set out in the Planning Policy Guidance, "Travel Plans, Transport Assessments and Statements are all ways of assessing and mitigating the negative transport impacts of development in order to promote sustainable development. They are required for all developments which generate significant amounts of movements"³. For a scheme of this size, a travel plan is a statutory requirement. Securing the provision of a travel plan through a planning obligation ensures it operates in tandem with the contribution for the ongoing monitoring of the data by the County Council. Therefore, I am satisfied the planning obligations relating to the Travel Plan constitute a reason for granting planning permission and meet the tests of the CIL regulations.
25. Signatories of the s106 agreement include the landowners, appellant, the District Council, and the County Council, and therefore the obligations would be binding on all relevant parties and the s106 agreement would be effective and enforceable in securing the provision of necessary affordable housing and infrastructure. The parties consider the planning obligations would comply with paragraph 122 of the CIL regulations⁴. I have no compelling evidence to the contrary and, as discussed above, I am satisfied the planning obligations would be necessary to make the development acceptable in planning terms and are otherwise compliant with the CIL regulations. In addition, the Council operates a Community Infrastructure Levy (CIL) to fund strategic infrastructure, and this levy would apply to the proposed development. Consequently, the proposal demonstrates the development would make suitable provision for affordable housing and other infrastructure.
26. The proposal therefore complies with HDPF Policies 16, 31 and 39 which together require development provide a mix of housing tenures to meet the needs of the district's communities, contribute to the enhancement of existing biodiversity, and secure new or improved infrastructure in accordance with required standards.

Integrity of European sites

27. The site is within the Sussex North Water Supply Zone and (SNWSZ) and therefore has a functional relationship with the Arun Valley Special Area of Conservation (SAC), Special Protection Area (SPA), and Ramsar site, which are European sites afforded protection under the Conservation of Habitats and Species Regulations 2017 as amended (the Habitat Regulations).
28. The qualifying features of the SPA and SAC are its assemblage of waterfowl including Bewick's swan, shoveler, teal, wigeon, and populations of little whirlpool ramshorn snail. The qualifying features of the Ramsar site include its waterfowl assemblage and seven threatened wetland invertebrate species, including endangered pseudamnicola confusa. The site also supports four nationally rare and four nationally scarce plant species. The ditches intersecting the site have a particularly diverse and rich flora. The site supports all five British duckweed

³ Planning Practice Guidance Paragraph: 002 Reference ID: 42-002-20140306

⁴ Paragraph 1.7 of s106 agreement

species, all five water-cress species, all three British water milfoils species, six British water dropwort species, and two-thirds of British pondweeds.

29. The conservation objectives for the SAC and SPA are to ensure the integrity of the site is maintained or restored as appropriate and ensure the site contributes to achieving the aims of the Wild Birds Directive by maintaining or restoring the extent and distribution, structure and function, and habitats of the qualifying features and the population and distribution of qualifying features within the site.
30. At time of the Council's decision, Natural England's substantive advice (Position Statement Interim Approach, September 2021) indicated that it cannot be concluded with certainty that existing abstraction within the SNWSZ does not have an impact on the Arun Valley sites, requiring development within this zone not add to this impact. Therefore, development which would increase demand for water resources within the SNWSZ was considered to result in likely significant effects on the Arun Valley SAC/SPA/Ramsar site either alone or in combination with other developments in the SNWSZ. However, on 31 October 2025, Natural England formally withdrew the September 2021 Position Statement.
31. The Withdrawal Statement confirms a package of measures have been agreed between Natural England, the Environment Agency, and Southern Water. Notably, the measures include a voluntary reduction by Southern Water to their Hardham abstraction licence to cap abstraction to the level which reflects actual recent historical abstraction and removes additional headroom ensuring that new development will not add to existing pressures to water levels on the sites. This decouples abstraction from new development preventing additional pressure on Arun Valley water resources.
32. Therefore, whilst the additional population associated with the proposed development would increase demand for water use in the SNWSZ, this would not result in adverse impacts associated with abstraction. Consequently, through its Withdrawal Statement, Natural England advise the proposed development would not have likely significant effects on the integrity of the Arun Valley sites, either alone or in-combination with other development.
33. However, in its letter, dated 10 November 2025, Natural England acknowledges the Council's view that further information is required before it can be satisfied that the agreed package of measures can be sufficiently secured and proven to be effective in practice.
34. Prior to Natural England withdrawing their September 2021 Position Statement, affected local authorities within the SNWSZ were jointly producing a water offsetting scheme, the Sussex North Water Certification Scheme ("SNWCS"), to utilise demand capacity generated by Southern Water efficiency savings and other water saving projects. The SNWCS was designed to use mains water capacity generated by Southern Water from improved leakage reduction, and household and non-household demand reduction. This capacity was some 3.24 megalitres per day, sufficient to ensure mains water to 7,066 new dwellings. Natural England has previously reviewed and agreed the Southern Water efficiency savings figures.
35. To ensure development makes efficient use of water, HDPF Policy 37 requires water consumption be limited to 110 litres per person per day (l/p/d). Details of fixtures and fittings, set out in Technical Note 1: Water Neutrality Statement

November 2024 demonstrates total daily water usage would meet the 110l/p/d target. This provides certainty regarding the development's total water usage.

36. The SNWCS has been paused following Natural England's withdrawal of its September 2021 Position Statement. However, the additional capacity created remains available. The Council monitors new development granted planning permission and additional water consumption since the withdrawal of the Position Statement. The water usage of the proposed development would be accommodated within the additional capacity generated by Southern Water's efficiency measures.
37. Consequently, irrespective of mitigation package discussed above, the identified additional available mains water capacity would ensure that the proposed development would not lead to an increase in water abstraction within the SNWSZ.
38. Natural England's letter confirms it supports the Council's approach of monitoring planning permissions granted within the SNWSZ to ensure the available capacity referred to is not exceeded. In this instance, it is not necessary to consult Natural England whose position and advice in respect of matters of water scarcity within the SNWSZ are clearly set out in its Withdrawal Statement 31 October 2025 and its letter to Horsham District Council, 10 November 2025.
39. As set out above, with the imposition of a planning condition to secure water efficiency within the development, and through utilising mains water capacity generated from efficiency savings, the proposal demonstrates it would not increase water abstraction with the SNWSZ. Moreover, the package of measures identified in Natural England's Withdrawal Statement prevents development pressure on Arun Valley water resources. Therefore, there is certainty the proposal would not have likely significant effects on the Arun Valley SPA, SAC, Ramsar, and thus would not harm the integrity of these European sites.
40. The proposal would satisfy the Habitat Regulations which require permission only be granted after having ascertained that it will not affect the integrity of European sites and would meet the duties under s40 of the NERC Act 2006 (Priority habitats & species). The proposal would therefore comply with HDPF Policy 31 which requires development contribute to the enhancement of existing biodiversity, affords particular consideration will be given to the hierarchy of sites and habitats, and requires appropriate mitigation and compensation measures be provided.

Other considerations

41. The proposal would contribute 191 dwellings to the area's housing stock. It is agreed by the main parties that the delivery of the proposed market housing should be afforded at least very significant weight.
42. The provision of affordable housing provision would exceed the minimum policy requirement and would achieve a rate of 45%. The main parties agree that the affordable housing provision should attract at least very significant weight.
43. The main parties also agree that the provision of on-site open space and play facilities carries at least moderate weight.
44. In addition, there would be moderate social and economic benefits through increased footfall for existing local services and facilities from future occupants of the development, direct provision and financial contributions toward local

infrastructure improvements secured through planning obligations and CIL, and creation of jobs and training opportunities during the construction phase. Furthermore, there would be a moderate uplift in biodiversity value through BNG.

Other Matters

45. The Parameters Plan⁵ illustrates broad principles of the potential site layout. The scheme would achieve a density of 35 dwellings per hectare which is comparable to the scale of the existing residential development to the west. Therefore, the quantum of development proposed would be accommodated within the site with a layout and density that reflects the character of the surrounding area.
46. In addition, the Parameters Plan suggests areas of residential development would be set back from the boundaries. The extent of separation between existing dwellings and the proposed development would be sufficient to avoid loss of privacy, light, and outlook, or exposure to noise. However, to avoid disturbance to occupants during construction, and to maintain the quality of the local environment including air quality, a Construction Environment Management Plan would be secured through a planning condition.
47. Some local residents use the site for recreational walks along its edge. The site is in private ownership, and the proposal would not affect the public right of way network or availability of public open space, since no such routes or designations apply to the site.
48. Many respondents expressed concern the proposal would adversely affect highway safety for pedestrians and road users through increased traffic and congestion on connecting estate roads and High Street, which experience on-street parking, and visibility and capacity constraints. Following the development, all junctions assessed within the Transport Assessment December 2024 (TA) are expected to operate comfortably within capacity and with minimal queuing, across all scenarios. In addition, the TA's highway link impact assessment establishes the level of development traffic that would route to or through the High Street as a proportion of the background traffic and shows that peak hour development traffic would be within typical daily variations in background traffic. The TA notes that on-street parking occurs in various locations between the junctions with London Road and Charlwood Drive but found this helps to ensure vehicle speeds remain low along this stretch of road and approaching the site. Consequently, the TA concludes the proposed development would have a negligible impact on the local highway network.
49. In addition, concerns were raised regarding the proximity of the proposed junction to the existing access at no 6 Charlwood Drive. During the Council's determination the junction design was revised, including the geometry of the radius on the western side. In its response dated 01 May 2025, West Sussex County Council, the local highway authority, advises the site access layout would be acceptable.
50. As discussed above, a travel plan and highway works would be secured by the s106 agreement. This would provide pedestrian connectivity for all users with provision of dropped crossing points and tactile paving, and the proposed emergency access would also serve as a route for pedestrians and cyclists.

⁵ Drawing no. PL-03 Rev D

51. I have had regard to the advice of the local highway authority, which confirms it is satisfied the development proposals accord with relevant policy requirements set out within the National Planning Policy Framework (the Framework), and that the proposal would not result in any severe or otherwise unacceptable safety impacts, and subject to conditions and obligations raises no objection to the scheme. Furthermore, a condition to secure demolition and construction details would ensure the movements of construction vehicles would not harm highway safety.
52. The site is within Flood Zone 1, i.e. at lowest risk of flooding, and Environment Agency mapping indicates the site is not subject to surface water flood risk. Conditions would ensure the development is constructed in accordance with the Flood Risk Assessment and sustainable drainage system scheme. I have had regard to the advice of West Sussex County Council, the lead local flood authority, which confirms that, subject to conditions, it has no objection to the proposal. It is therefore demonstrated the proposal would not increase flood risk on or off site.
53. Concerns were also raised regarding the cumulative effects of the proposed development on other infrastructure including the capacity of electricity and sewerage networks and the availability of local services and employment opportunities. There is no substantive evidence before me that there would be harm in respect of these matters, and no objection has been raised by the Council or statutory consultees. Therefore, none of the concerns raised provide a compelling reason why planning permission should not be granted. The development would contribute toward the provision of strategic infrastructure such as policing and education, through its payment of CIL.
54. The site comprises arable land bounded by hedgerows, with small areas of modified grassland and forbs. The Ecological Appraisal November 2024 indicates the hedgerows are the only on-site habitat of ecological importance. Whilst small sections of hedgerow would be removed to facilitate access, this would be compensated by new, native species-rich hedgerow planting, and the loss of remaining habitat would be of negligible significance.
55. Common lizard and slow worm were recorded on site, and the Ecological Appraisal indicates the site provides some roosting, foraging and commuting opportunities for bats and nesting birds. However, it concludes the site generally offers limited opportunities for protected species. In addition, the Dormouse Technical Note 02 provides further assessment of the site's suitability for the likely presence of hazel dormouse and no evidence attributable to dormouse was recorded. The delivery of proposed mitigation and compensatory measures would be secured through planning conditions, including the requirement for a Biodiversity Enhancement Strategy and wildlife-friendly lighting strategy, to minimise the risk of harm to any protected species present and maintain or enhance the conservation status of local populations.
56. The site is within an amber impact risk zone for great crested newts, and suitable habitat is present in the surrounding landscape. The Ecological Appraisal found that great crested newts are likely absent from the site due to the suboptimal habitat and negative eDNA results. However, great crested newts may migrate across arable land and may utilise cracks and crevices for rest and shelter. Consequently, the development must follow reasonable avoidance measures to minimise the risk to great crested newts secured by a condition requiring a Precautionary Working Methods Statement.

57. The Council's consultant ecologist advises there is sufficient ecological information available to support the application. Subject to conditions, the proposal would not have an unacceptable impact on protected species and their habitats.
58. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended (LBCA Act) requires I have special regard to the desirability of preserving listed building, their settings and any features of special architectural or historic interest which they possess. The Built Heritage Statement November 2024 notes the site lies 219m north of Grade II listed building, Backsettown⁶, and the Design & Access Statement identifies a further six listed buildings to the southwest of the site at London Road and Furners Mead.
59. Backsettown dates from the 16th-century or earlier and is an L-shaped, timber-framed building with red brick infilling. The south-east wing is the older portion which contained the hall and the front of the west wing and south-east wing have been refaced with red brick, grey headers and red mathematical tiles. The Built Heritage Statement indicates the site makes only a very low contribution to the significance of the Backsettown as an essentially unappreciable element of its agricultural landscape context.
60. The south wing of Grade II* listed Wantley Manor, London Road⁷ contains a medieval hall. The east wing was later converted into outhouses, and the west wing is now hidden by an 18th century addition. The timber framing is exposed in some places but has mostly been refaced with red brick or tiles on a cemented or brick base. The roof was originally of Horsham slabs but has mostly been refaced with tiles, one section being pantiles. It comprises two storeys, with three windows to each wing. In the 18th century, the west wing was doubled by a portion facing the road. This has two storeys and three windows and is faced with red mathematical tiles, modillion eaves cornice, and hipped Horsham slab roof.
61. Grade II listed Traddles, 5, London Road⁸ dates from the 18th century or earlier. It has two storeys faced with tiles, a tiled roof, casement windows, and projecting shop front. Grade II listed, 6 London Road⁹ is an early-19th century, two-storey building with painted brick, overhanging eaves, slate roof. It has two small bays on ground floor and a contemporary shop window with glazing bars. Grade II listed Gull Cottage, 8 & 9, London Road¹⁰ dates from the 17th century or earlier, but re-fronted in the 18th century. It has two storeys, with no 8 faced with painted brick at ground floor and tile-hung above. No 9 is faced with grey headers with red brick dressings, quoins, modillion stringcourse and eaves cornice.
62. Grade II listed Redbarn, London Road¹¹ is a 17th-century or earlier, two-storey, timber-framed building with some timbering exposed at the back, with a tiled roof, casement windows, and doorways with pediment-shaped hoods over. Grade II listed nos 1-8 Eastern Terrace, Furners Mead¹² is an early-19th century, two-storey terrace row, with a slate roof, horizontal sliding sash windows, and slate-hung elevations which are unusual in the local area. The significance of these buildings is derived from their architectural and historic interest.

⁶ List entry no. 1027392

⁷ List entry no. 1027376

⁸ List entry no. 1286429

⁹ List entry no. 1353985

¹⁰ List entry no. 1027375

¹¹ List entry no. 1353986

¹² List entry no. 1286615

63. In addition, section 72(1) of the LBCA Act requires that, with respect to any buildings or other land in a conservation area, I pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Henfield Conservation Area (CA) lies to the southwest of the site. The site is outside the CA and does not contribute to how it is experienced or understood.
64. Existing residential development between the site and the CA and listed buildings provides physical and visual separation, and there is no known historical or functional relationship between the site and the listed buildings or any built heritage asset within the CA. Therefore, the development would have a neutral effect upon, and thus would preserve the listed buildings, their settings, and the character and appearance of the CA. I have also had regard to the advice of the Council's Conservation Team who conclude the development is unlikely to have a significant impact on the setting of these assets. For these reasons, I am satisfied the proposal would not harm heritage assets and would comply with the requirements of the LBCA Act.
65. I have no substantive reason to consider the community engagement carried out in respect of the application was anything other than compliant with the regulations.

Planning Balance

66. Since the HDPF is more than five years old, paragraph 78 of the Framework requires the Council identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their local housing need, rather than against the target set by the HDPF. In addition, as the latest available Housing Delivery Test (HDT) measurement¹³ indicates past delivery in the Council's area was substantially below the housing requirement, paragraph 79 of the Framework requires a 20% buffer be applied to the identified supply. Set against the total housing requirement, the Council's Authority Monitoring Report December 2025 demonstrates a 1.7 years' supply of housing land. Therefore, within the Council's area there is a significant shortfall in the supply of housing.
67. In this circumstance, paragraph 11(d) of the Framework is engaged, whereby planning permission should be granted unless (i) policies in the Framework that protect areas or assets of particular importance provide a strong reason for refusing the development, and (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
68. I have found the proposal would not have likely significant effects on the integrity of European sites either alone or in combination with similar development. Consequently, the proposal would not conflict with the Framework's policies that protect areas or assets of particular importance, and therefore Framework paragraph 11(d)(i) does not provide a strong reason for refusing the development. This absence of harm is a neutral factor in the planning balance.

¹³ Housing Delivery Test 2023, published 12 December 2024

69. Paragraph 232 of the Framework requires due weight be given to existing policies, according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). As set out above, I have found the proposal would conflict with HDPF Policies 2, 4 and 26, and HNP Policy 1.
70. As discussed, the proposal would result in a loss of countryside commensurate in scale with the area of the site, with localised residual medium to medium/minor landscape and visual impacts and a loss of best and most versatile agricultural land. Paragraph 187 of the Framework recognises the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services, including the economic and other benefits of the best and most versatile agricultural land. Therefore, there is some synergy between the development plan policies and paragraph 187 of the Framework through the general protections applied to the countryside.
71. However, the Council's Shaping Development in Horsham District Planning Advice Note 2025 (SDPAN) recognises the HDPF's housing target can no longer be used for calculating housing land supply and expects development proposals will come forward in locations not supported by the development plan. Whilst the SDPAN does not reduce the statutory weight of the development plan, it sets out how the Council will support development to meet identified needs and other objectives. Therefore, there would be an expectation that the SDPAN would be applied in decision-making and the SDPAN forms a material consideration in my decision.
72. Paragraph 5.12 of the SDPAN sets out criteria which development proposals are expected to meet. These broadly reflect criteria 1 to 5 of HDPF Policy 4 but crucially, omits the requirement for the site to be allocated by the development plan. Concerns were raised that the proposal would set a precedent for development in unplanned locations. However, a function of the SPAN is to enable development to come forward on unallocated land outside BUABs where opportunities for development would normally be restricted by HDPF Policy 26. The main parties agree the appeal scheme is consistent with each of the requirements of paragraph 5.12, and thus compliant with this guidance¹⁴.
73. Therefore, taking account the degree of consistency with the Framework and having regard to the SDPAN, the conflict between the appeal proposal and HDPF Policies 2, 4 and 26 carries only modest weight against the proposal. However, the conflict with HDPF Policy 26 would, by extension, result in conflict with a policy contained within a neighbourhood plan, HNP Policy 1.
74. The Framework states the planning system should be genuinely plan-led¹⁵ and the Written Ministerial Statement of 27 Feb 2025¹⁶ asserts that "the plan-led approach is, and must remain, the cornerstone of our planning system". Through neighbourhood planning, the planning system seeks to provide communities the power to develop a shared vision for their area¹⁷. Representations from the Council, Parish Council, and residents express a perception that Henfield has contributed its share of the area's development needs and convey significant concerns that the proposed development would undermine the HNP and wider

¹⁴ Paragraph 7.14, Statement of Common Ground April 2026

¹⁵ Paragraph 15, National Planning Policy Framework

¹⁶ Local Plan Making and Guidance, Volume 762: debated on Thursday 27 February 2025

¹⁷ Paragraph 30, National Planning Policy Framework

plan-led system and materially weaken the legitimacy of local and neighbourhood-level plan-making. Whilst this effect is somewhat abstract, it nonetheless represents a harmful consequence of the proposed development.

75. The Framework's presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making but recognises the application of the presumption has implications for the way communities engage in neighbourhood planning¹⁸. Consequently, paragraph 14 advises that:

"In situations where the presumption at [Framework] paragraph 11d applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and

b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see [Framework] paragraphs 69-70)."

76. The HNP was made by the Council on 23 June 2021 and is approaching its fifth anniversary. Since the HNP became part of the development plan less than five years from the date of my decision, the test at Framework paragraph 14(a) is met.
77. The HNP identifies a housing requirement figure of 270 dwellings for the neighbourhood area. HNP Policy 2 provides four site allocations, of which the Council has resolved to grant planning permission for 264 dwellings and is assessing an application for 9 dwellings. In addition, a further 23 dwellings have been consented on windfall sites during the plan period. The HNP policies and allocations has, to date, made provision for 283 dwellings, thereby exceeding the HNP's requirement. Therefore, the test at Framework paragraph 14(b) is met.
78. However, as concluded by the Inspector in an appeal decision for 70 dwellings in Melksham, Wiltshire¹⁹, Framework paragraph 14 is not absolute. It does not place a firm bar against development going ahead even if counter to a neighbourhood plan that meets the paragraph 14 tests. Rather, paragraph 14 requires the decision-maker exercise judgement as to whether conflict with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits.
79. In the Melksham case, the Inspector concluded that whilst the neighbourhood plan contained policies and allocations, the validity of the housing requirement figure could not be relied upon. This tempered the weight the Inspector afforded to the housing requirement²⁰. Furthermore, in an appeal decision for 250 dwellings in Faversham, Kent²¹, the Inspector concluded that whilst the neighbourhood plan became part of the development plan within the past five years, it contains policies and allocations that would meet a housing requirement that does not accurately reflect up-to-date housing need. In this circumstance, the Inspector concluded the adverse impacts of the conflicts with the neighbourhood plan do not significantly and demonstrably outweigh the benefits²².

¹⁸ Paragraphs 12 & 13, National Planning Policy Framework

¹⁹ Appeal Ref: APP/Y3940/W/25/3374421, Land off Woodrow Road, Melksham, Wiltshire, SN12 7AY

²⁰ Paragraph 42 of appeal decision APP/Y3940/W/25/3374421

²¹ Appeal Ref: APP/V2255/W/24/3350524, Land at Ham Road, Faversham, Kent ME13 7TX

²² Paragraph 103 of appeal decision APP/V2255/W/24/3350524, Land at Ham Road, Faversham, Kent ME13 7TX

80. Paragraph 69 of the Framework requires strategic policies set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development. HDPF Policy 15 makes provision for the development of at least 16,000 dwellings or an average of 800 dwellings per annum over the period 2011-2031. Of this total, Policy 15 requires at least 1,500 dwellings be allocated through neighbourhood planning.
81. The Housing Needs Assessment, Aecom 2017 (HNA) identifies five data sources which informed the housing requirement. However, the HNA explains that explicit guidance was received from the Council that the housing target for the neighbourhood area should be taken from the HDPF's 1,500 dwelling requirement for neighbourhood plans²³. To estimate the housing requirement, the HNA took an average of its data sources but, to ensure consistency with the HDPF's dwelling target for neighbourhood plans, a higher figure derived from the district minimum requirement was excluded and a nil rate predicated on an assumption that projected growth for the area had been met was retained. This suppressed the housing requirement below other objective data sources.
82. The HNP Examiner's Report 2020 highlights the relationship between the HNA's housing requirement and HDPF. At paragraph 6.30, the examiner notes the approach set out in the HNA was recommended by the Council to identify their proportion of the wider 1,500 dwelling target for neighbourhood planning, and at 6.34, explains advice received from the Council that the HNP's housing requirement represents an appropriate, sustainable and important proportion of the 1,500-dwelling figure. At paragraph 6.35, the examiner concluded the HNP's housing requirement reflects the most recently available planning strategy of the Council. Consequently, the HNP's housing requirement is intrinsically linked to, and indivisible from the HDPF's development strategy.
83. As set out in the Statement of Common Ground (SoCG), the Council's annual housing need has significantly increased from the figure set out by HDPF Policy 15, and this target can no longer be relied upon. Within the context of this significant uplift, I cannot consider the HNP's housing requirement to remain a credible indicator of current housing need.
84. Acknowledging the age of the HNP, Henfield Parish Council confirmed it is currently undertaking a review of the HNP. However, it has not approached the District Council to update its housing requirement. The HNP review is at an early stage of preparation, and I have no certainty it will address the shortfall in housing.
85. The appeal site was assessed during the Local Plan review but was not progressed as a preferred allocation. The emerging Local Plan was submitted in July 2024 and examination commenced in December 2024 but was subsequently cancelled following the Inspectors conclusions that the Council had failed to satisfactorily comply with the duty to co-operate. Following the withdrawal of Natural England's September 2021 Position Statement, examination of the emerging Local Plan was resumed, with hearing sessions held in April 2026 and scheduled for late 2026. The Inspector's letter suggests consideration of additional sites may be required and the Council has provided a provisional work programme which indicates previously assessed sites would be revisited. However, given the

²³ Paragraph 27 of Housing Needs Assessment, Aecom 2017

emerging Local Plan's early stage of preparation, the Council accepts its draft policies carry only limited weight.

86. Until recently, delivery of new development in the SNWSZ has been constrained. Whilst the requirement to demonstrate water neutrality no longer applies, I have not been provided evidence to suggest this will lead to a significant improvement in the housing land supply position in the short term.
87. In summary, the HNP is less than five years old and contains policies and allocations to meet its housing requirement. However, significant material changes in circumstances since the HNP was made suggest its identified housing requirement is no longer reliable. Furthermore, the shortfall in housing land supply across the Council's area is not likely to be remedied in the short term, and I anticipate will persist until the emerging Local Plan reaches adoption. Therefore, the weight to be afforded to the proposal's conflict with HNP Policy 1 is diminished.
88. Set against these policy conflicts, within the context of a significant shortfall in the supply of housing and the government's objective to significantly boost the supply of homes²⁴, the provision of 191 dwellings attracts very significant weight in favour of the proposal. The development would provide a mix of affordable housing with the rate of provision exceeding the minimum policy requirement, thus contributing positively to the Framework's key policy at paragraph 66 and attracting very significant weight in the scheme's favour. In addition, I attach moderate weight to the biodiversity net gain and social and economic benefits identified at 'other considerations'. The benefits of the scheme are therefore of a very high order.
89. In conclusion, the adverse impact of allowing development that conflicts with the HNP is a matter of considerable weight and importance. However, in this circumstance, the adverse impacts of allowing development that conflicts with the local development strategy, including the provisions of the HNP, would not significantly and demonstrably outweigh the benefits of the proposal. As a result, the presumption in favour of sustainable development would apply, and the appeal should be allowed.

Conditions

90. The SoCG includes a list of suggested conditions which I have considered against the Framework's tests. The SoCG confirms the appellant's agreement to all pre-commencement conditions.
91. In the interest of certainty, I have included a condition which specifies the approved plans. This includes plans and drawings relating to the proposed access. Since I have had regard to it in my decision, I have also included a condition which requires the development broadly accord with the principles of the Parameters Plan which illustrates how the development could be accommodated within the site in a manner which satisfies HDPF Policies 32 and 33. I have included condition requiring the protection of important trees and hedgerows on the site in accordance with HDPF Policy 33.
92. Since I am granting outline planning permission, I have included conditions requiring that details of the reserved matters are submitted for approval and specifying the time periods by which the reserved matters application must be

²⁴ Paragraph 61, National Planning Policy Framework

submitted and development must commence. The reserved matters are appearance, landscaping, layout, and scale.

93. To ensure the development does not result in flooding both on and off site and that all surface water drainage features are adequately protected in accordance with HDPF Policy 42, I have included conditions requiring the development be constructed in accordance with the Flood Risk Assessment and requiring submission of a construction phase surface water management plan, sustainable drainage system scheme for the disposal of surface water, details of the maintenance and management of the sustainable drainage scheme, and a verification report.
94. To conserve protected and priority species during both construction and operational phases of the development and enable the duties under the Conservation of Habitats Regulations and Wildlife & Countryside Act 1981 and s40 of the NERC Act 2006 (Priority Habitats & Species) to be discharged, I have attached conditions requiring submission of a lighting design strategy to prevent disturbance to protected bat species, Biodiversity Construction and Environmental Management Plan, Biodiversity Enhancement Strategy; and requiring all mitigation measures and works be carried out in accordance with the Ecological Appraisal, Dormouse Technical Note, and Non-Licensed Precautionary Method Statement to safeguard Great Crested Newts and their habitats.
95. To maintain the amenity of nearby occupiers and highway safety during construction in accordance with HDPF Policies 33 and 40, I have included a condition requiring submission of demolition and construction details. To safeguard the amenities of adjacent occupiers in accordance with HDPF Policy 33, I have attached a condition specify the days and times when construction may take place. In accordance with fire and safety regulations and HDPF Policy 33, I have attached a condition requiring provision of fire hydrants or stored water supply.
96. To mitigate the impact of the construction and operational phases of the development on air quality, and to sustain compliance with and contribute towards national objectives for pollutants, as required by HDPF Policies 24 and 41, I have included a condition requiring the development be carried out in accordance with a mitigation strategy. To avoid harm to humans, controlled waters or the wider environment and ensure any pollution is dealt with in accordance with HDPF Policies 24 and 33, I have included a condition requiring a preliminary risk assessment be carried out and specifying further steps to be taken in the event contamination or pollution is discovered. For the same reasons, I have included a condition requiring a remediation scheme be implemented prior to occupation.
97. Since the site is of archaeological significance, and to satisfy the requirements of HDPF Policy 34, I have included a condition requiring development be carried out in accordance an agreed programme of archaeological works.
98. To ensure the development meets the communication needs of future occupiers, in accordance with HDPF Policy 37, I have included a condition requiring provision of superfast and full-fibre broadband connectivity.
99. In the interests of visual amenity and nature conservation in accordance with HDPF Policy 33, I have included a condition requiring the development be carried in accordance with an agreed landscape management and maintenance plan.

100. To ensure the development provides safe and suitable access to/from the public highway, I have included a condition requiring the vehicular access and associated works are constructed prior to occupation of the development, and details of the emergency, pedestrian, and cyclist link between the development and Kingsley Square are submitted.
101. To avoid adverse impacts on the Arun Valley SAC, SPA and Ramsar sites in accordance with Policy 31 and Habitats regulations, I have included a condition requiring the development comply with the optional technical standard to limit water use, as required by HDPF Policy 37.

Conclusion

102. For the reasons set out above, the proposal would conflict with the development plan as a whole. However, there are other material considerations which justify a decision other than in accordance with the development plan. I therefore conclude the appeal should be allowed.

E Dade

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall be carried out in accordance with the approved plans: *Location Plan* PL-01 Rev D 28.06.2024; *Fire Tender Swept Path Analyses* 106205-PEF-XX-XX-D-H-000005 Rev P01 18.11.2024; *Refuse Vehicle Swept Path Analyses* 106205-PEF-XX-XX-D-H-000006 REV P03 14.02.2025; *Proposed Primary and Emergency (Inset) Site Access Arrangements* 106205-PEF-XX-XX-D-H-000004 REV P03 14.02.2025; and *Proposed Primary Site Access Arrangement* 106205-PEF-XX-XX-D-H-000002 Rev P03 27.02.25.
2. The detailed design of the development proposed through Reserved Matters applications pursuant to this outline planning permission shall have regard to, and broadly accord with, the principles set out within the Parameter Plan (no. PL-03 Rev D).
3. The development hereby approved shall adhere to the following requirements in respect of the “reserved matters”:
 - (a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building, access to and within the site and the landscaping of the development (hereinafter called “the reserved matters”) shall be obtained from the Local Planning Authority in writing before any development is commenced.
 - (b) Plans and particulars of the reserved matters referred to in condition (a) above, relating to the layout of the development, the scale of each building, the appearance of each building, access to and within the site and the landscaping of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
 - (c) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
 - (d) The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. Construction shall not begin until a detailed construction phase surface water management plan for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be carried out in accordance with the approved details.
5. No development shall take place until a Biodiversity Construction Environmental Management Plan (CEMP: Biodiversity) has been 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.
- (i) Details of any lighting required

The approved Biodiversity CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

6. The development hereby approved shall not commence until the following demolition and construction details have been submitted to and approved in writing by the Local Planning Authority. The details shall be limited to the following 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. the erection and maintenance of security hoarding,
 - iii. location for the loading, unloading and storage of plant and materials (including any stripped topsoil),
 - iv. site offices (including location, height, size and appearance),
 - v. the anticipated number, frequency and types of vehicles used during construction,
 - vi. location of site access points for construction vehicles,
 - vii. location of on-site parking,
 - viii. 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

All demolition and construction activities shall thereafter be carried out in accordance with the details and measures approved. During site clearance, preparation and construction the dust and Air Emission Mitigation measures described on Mitigation During Construction section of the Air Quality Assessment report (RPS, April 2025) shall be adopted.

7. The development hereby approved shall adhere to the following requirements in respect of archaeological works:

- (a) 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.
 - (b) 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 criterion (a) 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.
- 8. No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until the following preliminaries have been completed in the sequence set out below:
 - (a) All trees on the site shown for retention on approved drawing number 'SJA TPP 24226-041a', as well as those off-site whose root protection areas ingress into the site, shall be fully protected throughout all construction works by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).
 - (b) Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
 - (c) Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

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.

- 9. No development shall commence until a Non-Licensed Precautionary Method Statement for Great Crested Newts has been submitted to and approved in writing by the Local Planning Authority. This shall include, but not be limited to, a presence/absence survey and assessment, mitigation measures, and enhancement measures where necessary. The works shall be implemented in accordance with the approved recommendations and shall be maintained thereafter.
- 10. Prior to the commencement of the development, a detailed mitigation strategy establishing the on-site measures to improve air quality at both the operational and construction phases 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 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.

11. 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) A preliminary risk assessment which has identified:
 - i. all previous uses
 - ii. potential contaminants associated with those uses
 - iii. a conceptual model of the site indicating sources, pathways and receptors
 - iv. Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) – (c) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

- (b) 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.
- (c) 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.
- (d) The scheme shall be implemented as approved.

12. Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist, 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.

13. 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 11(c) has been implemented fully in accordance with the approved details. Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 11(c).

14. No part of the development hereby permitted shall be occupied until a fire hydrant(s) to BS 750 standards or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) has been installed, connected to a water supply with appropriate pressure and volume for firefighting, and made ready for use in consultation with the WSCC Fire and Rescue Service. The hydrant(s) or stored water supply shall thereafter be retained as such.
15. 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 a minimum 30 megabits per second through full fibre broadband connection has been provided to the premises.
16. No part of the development hereby permitted shall be occupied until a landscape management and maintenance plan (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility including areas to be defined as private gardens and other areas such as buffer zones) for all communal landscape areas (including any buffer zones) has been submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.
17. Prior to first use of each phase of the development a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), has been submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include photographs of excavations and soil profiles/horizons, any installation of any surface water structure and control mechanism.
18. 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:
 - (a) a timetable for its implementation,
 - (b) details of SuDS features and connecting drainage structures and
 - (c) maintenance requirement for each aspect,
 - (d) 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.
19. No dwelling shall be first occupied until the vehicular access and associated works have been constructed in accordance with the details shown on the

drawing titled 'Proposed Primary and Emergency (Inset) Site Access Arrangements', drawing number 106205-PEFXX-XX-D-H-00004 revision P03.

20. No dwelling shall be first occupied until plans and details and a timetable for their provision for the emergency/pedestrian/cyclist access between the development and Kingsley Square have been submitted to and approved in writing by the Local Planning Authority. The link once approved shall thereafter be constructed in accordance with the approved details.
21. Prior to occupation, a "lighting design strategy for biodiversity" in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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.

22. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Appraisal (Aspect Ecology, November 2024) and the Dormouse Technical Note 02 (Aspect Ecology, January 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. 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.
23. Prior to or in conjunction with the submission of each Reserved Matters application for the development hereby permitted, details of a scheme for the disposing of surface water by a means of sustainable drainage system shall be submitted to and approved in writing by the Local Planning Authority in accordance with the approved drainage strategy and discharge rates as contained within the approved Flood Risk Assessment by Calibro Consultants Ltd, 22/01/2025, revision 4. The scheme shall be implemented in full in accordance with the approved details prior to first use of the development. The submitted details shall:
- (a) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharge from the site via a proposed Sustainable Drainage System and the measures taken to prevent pollution of the receiving surface waters (designed in accordance with The SuDS Manual (CIRIA C753, 2015).
 - (b) Demonstrate that the proposed surface water drainage system does not surcharge in the 1 in 1 critical storm duration, flood in the 1 in 30 plus

climate change critical storm duration or the 1 in 100 critical storm duration,

- (c) Demonstrate that any flooding that occurs when taking into account climate change for the 1 in 100 critical storm event in accordance with NPPF does not leave the site uncontrolled via overland flow routes

24. The dwelling(s) 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.
25. All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment (dated 22/01/2025), this includes all new residential dwellings to have a finished floor level raised a minimum of 150 mm above the surrounding proposed ground level unless otherwise first approved in writing by the Local Planning Authority.
26. No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

END OF SCHEDULE

APPEARANCES

FOR THE APPELLANT:

- Mr Hywel James MRTPI, Director, Nexus Planning
- Mr Hashi Mohamed, Counsel, Landmark Chambers
- Mr Simon Boakes BA (Hons), Company Solicitor, Croudace

FOR THE LOCAL PLANNING AUTHORITY:

- Mr Sam Whitehouse, Senior Planning Officer, Horsham District Council, MSc Spatial Planning
- Mr Jason Hawkes, Principal Planning Officer, Horsham District Council, MA Town Planning

INTERESTED PARTIES:

- Cllr Josh Potts, ward councillor for Henfield
- Cllr Russell Shaw, Henfield Parish Council
- Mr Steve Bailey, Campaign to Protect Rural Henfield
- Ms Tracey Chaplin, resident
- Mr David Martin, resident
- Mr David Haywood, resident

DOCUMENTS

- Shaping Development in Horsham District Planning Advice Note 2025
- Agreement pursuant to section 106 of the Town and Country Planning Act 1990 in respect of Land East of Charlwood Drive, Henfield, West Sussex, with covering statement and CIL compliance schedule

Appendix F – Landscape Statement (Landscape and Visual Matters HG1714ls)

Town & Country Planning Act 1990 S78

LANDSCAPE STATEMENT

of

John-Paul Friend

HND (LGD) BA Hons PGDip LA CMLI

on

Landscape and Visual Matters

on behalf of

Hunter Group

in respect of

Eastlands Lane, Cowfold

LPA Ref: DC/26/0472

LVIA Ltd Ref: HG1714ls

Date: June 2026



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Landscape Statement	
Project:	Eastlands Lane, Cowfold
Status:	Final
Date:	June 2026
Author:	JPF
File Reference	HG1714ls
Revision	-

Disclaimer:

This report has been produced by LVIA Ltd within the terms of the contract with the client and taking account of resources devoted to it by agreement with the client.

We disclaim any responsibility to the client and others in respect of any matters outside the scope of the above.

This report is confidential to the client and we accept no responsibility of any nature to third parties to whom this report, or any part thereof, is made known. Any such party relies on the report at their own risk.

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1.0 Introduction

Witness

- 1.1.1 I am John-Paul Friend. I am the Director of LVIA Ltd and I specialise in landscape and visual and Green Belt planning issues associated with development and change.
- 1.1.2 I have provided evidence for planning appeals by inquiry, written representations and hearing for over nine years.

Qualifications

- 1.1.3 I hold a BA (Hons) degree in Landscape Architecture and Post Graduate Diploma in Landscape Architecture from the University of Gloucestershire. I am a chartered member of the Landscape Institute.

Professional Practice

- 1.1.4 I am the Director of LVIA Ltd and I have been practising landscape architecture for 19 years, all in private practice as a Landscape Architect.
- 1.1.5 I am an associate lecturer at the University of Gloucestershire and University of the West of England, where I teach undergraduate and postgraduate landscape architecture and planning students. I serve on the Landscape Institute's Advisory Council, contributing to sector-wide policy, professional standards and strategic direction. I am also a member of the GLVIA Panel, providing specialist input on the interpretation and development of landscape and visual impact assessment guidance.
- 1.1.6 I have an active involvement in schemes across the United Kingdom. The range of projects in which I have been involved include residential, agricultural, defence, highways and energy. I am also involved in the production of environmental impact assessment, environmental statements, Green Belt analysis and general landscape design. During my professional career I have carried out a substantial number of Landscape and Visual Impact Assessments, Townscape Assessments, Landscape Appraisals and Character Assessments on a wide variety of sites and areas.
- 1.1.7 LVIA Ltd carries out impact assessments, masterplanning, landscape evaluations and detailed landscape proposals for a wide variety of clients. I liaise with local authority officers in many local planning authorities (London boroughs, district and borough Councils) across Britain; and a high proportion of my practice's activity is solely on site evaluation and landscape design.
- 1.1.8 I am familiar with the Application Site and its surroundings, having reviewed all relevant background information and undertaken field surveys.

Declaration of Truth

- 1.1.9 I declare that the evidence which I have prepared and provide for this appeal is true. It has been prepared and is given in accordance with the guidance of the Landscape Institute and I confirm that the opinions expressed are my true and professional opinions.
- 1.1.10 The scope of my Statement is to deal with the landscape and visual impact issues associated with the site.

Project Involvement

- 1.1.11 LVIA Ltd were appointed to prepare a landscape and visual impact assessment (LVIA) in respect of the proposed residential scale development located at Eastlands Lane, Cowfold.

2.0 Reasons for Refusal (RfR)

2.1.1 The Council refused the application for two reasons, both which relates partly to landscape and visual matters (text emboldened for ease of reference):

1. The development would be located beyond a defined built-up area on a site not allocated within the Development Plan and would not be essential to this countryside location. The development would therefore be contrary to the overarching spatial strategy and hierarchy approach of concentrating development within defined settlements and advocating a planned approach to settlement expansion, contrary to policies 1, 2, 3 and 26 of the Horsham District Planning Framework (2015) and policies 9 and 10 of the Cowfold Neighbourhood Plan 2019-2031. Notwithstanding the absence of a five-year land housing supply, and the provisions of the National Planning Policy Framework (2024) at paragraph 11(d), it is not considered that there are any material considerations which would outweigh harm arising from conflict with the above policies.

2. The development entails a quantum of built form that would formalise and suburbanise the site, resulting in the dilution and erosion of the informal character of the landscape and countryside setting. The proposal would result in a prominent form of development that would fail to preserve and/or enhance the landscape characteristics of the area. The proposed development would therefore be contrary to Policies 25, 32, and 33 of the Horsham District Planning Framework (2015) and Policy 9 of the Cowfold Neighbourhood Plan 2019-2031.

2.1.2 The Council's conclusion that the proposal would "formalise and suburbanise" the site is not supported by the landscape baseline. The LVIA identifies the site as comprising two parcels of grassland enclosed by hedgerows, mature trees and woodland, with existing residential development directly next to the site. The western parcel is influenced by Eastlands Wood, which provides a high degree of enclosure and containment. The eastern parcel is framed by mature vegetation and neighbouring dwellings. The site is therefore not experienced as part of an expansive or open rural landscape; rather, it forms part of a transitional settlement-edge environment where domestic influences are already present.

2.1.3 The Council asserts that the proposal would result in a "prominent" and "urbanising" form of development. This is not supported by the LVIA, which concludes that the site has medium landscape sensitivity and would experience a medium magnitude of change, resulting in moderate adverse effects at worst. The LVIA further confirms that, following mitigation and vegetation establishment, residual effects would reduce to minor overall, with no material change to the wider landscape character. The LPA provides no evidence to contradict these findings.

2.1.4 The Council also claims that the LVIA methodology is "not compliant" with GLVIA3, yet it does not identify a single methodological error, nor does it reference any paragraph of GLVIA3 allegedly breached. Instead, the LPA proceeds to undertake its own assessment using the same sensitivity–magnitude–significance framework it claims is incorrect. This inconsistency undermines the credibility of the LPA's critique. The LVIA follows GLVIA3 and the structure of the assessment demonstrates adherence to recognised best practice.

2.1.5 The LPA's reasoning appears to conflate the presence of change with the presence of harm. GLVIA3 is explicit that landscape change is not inherently adverse. The proposal reflects the scale and grain of existing development along Eastlands Lane and can be accommodated within the existing settlement-edge context without material harm to landscape character or visual amenity.

3.0 The Proposed Site: Local Context and Character

- 3.1.1 The application site comprises two small fields located along Eastlands Lane. The western field is bounded by Eastlands Wood, a mature woodland designated as Priority Habitat and protected by TPO 1520. The woodland provides strong enclosure and limits views into the site from the west and northwest. The eastern field is bounded by hedgerows, mature trees and a pond to the east, with existing dwellings to the north and south. The landform is gently undulating, consistent with the local landscape.



Image 1: Illustrating the site and its settlement fringe context on aerial photograph

- 3.1.2 The local landscape is characterised by relatively small fields, woodland blocks, hedgerows and dwellings. The presence of existing residential properties to the north and south of the eastern parcel, and the proximity of Eastlands Farm and associated buildings, mean that the site is already influenced by domestic and semi-rural features. The site does not form part of a large, uninterrupted tract of countryside; rather, it sits within a semi-enclosed, transitional landscape where settlement and vegetation structure combine to limit long-distance visibility.
- 3.1.3 The LPA's description of the site as "open" and forming part of a wider rural landscape is not supported by field evidence. The strongest perceptual qualities are enclosure, containment and the influence of adjacent built form. The site is not publicly accessible, and views from public rights of way are filtered or screened by vegetation, particularly along PRoW COW-1780 and COW-1779. The landscape baseline therefore does not support the LPA's assertion that the site plays a significant role in maintaining rural openness or tranquillity.

4.0 Effects of the Proposed Development

- 4.1.1 This chapter details the assessed findings of the submitted LVIA that offers analysis of the character of the landscape at national and sub-national level, and the extent to which the appeal site shares the recognised characteristics of the wider landscape and change that would occur to the visual baseline.
- 4.1.2 It should be noted that the characterisation process is a non-value judgement process; classifying landscapes into distinct areas does not suggest that one character is more sensitive than another or valued by people more or less.

4.2 Effects of the Proposed Development on Landscape Character

- 4.2.1 The LVIA identifies the site overall as having medium sensitivity, reflecting its semi-enclosed nature, the presence of woodland and hedgerows, and the influence of adjacent dwellings. The magnitude of change is assessed as medium during construction and operation, reducing to small at Year 15 following establishment of mitigation. The resulting effects are moderate adverse initially, reducing to minor overall at the residual stage.
- 4.2.2 The Council's assertion that the proposal would "urbanise" the landscape is not supported by the evidence. The development is modest in scale, reflects the existing pattern of dwellings along Eastlands Lane, and is contained within a well-vegetated envelope. The proposal does not extend built form into open countryside, does not break the skyline, and does not alter the underlying landscape structure. The woodland edge, hedgerows and mature trees remain the dominant landscape features, and the proposal includes additional planting to reinforce these elements.
- 4.2.3 The LPA's claim that the development would erode the "informal character" of the landscape is based on an assumption that the site currently contributes to a wider open rural setting. This is contradicted by the LVIA, which demonstrates that the site is visually contained and already influenced by settlement. The proposal can be accommodated without material harm to the key characteristics of the Cowfold and Shermanbury Farmlands landscape character area.

Landscape Value

- 4.2.4 In the High Court judgement handed down on the 15th November 2023 the judge made clear the distinction in respect of NPPF paragraph 187 and the sub paragraphs (a) and (b). Valued Landscapes are to be 'protected' and 'enhance' whereas other countryside is to be 'recognised' for its intrinsic character and beauty. 'Recognising' has some level of protection, however the level of protection afforded to valued landscapes is plainly higher.
- 4.2.5 All landscapes have some value to one or more communities for one or more of its assets, having value and being valued are different concepts. Local value is at the lower end of the spectrum, with National Parks and AONBs being at the highest end of the spectrum.
- 4.2.6 At no time has the Council asserted that the Appeal Site is located in an NPPF Valued Landscape. The appeal therefore does not need to consider paragraph 187(a).

4.3 Visual Effects of the Proposed Development

- 4.3.1 The LVIA identifies that the geographic extent of perceptible visual change is very limited to the site and its immediate surroundings. Outside this area, the development would not be visible due to the strong vegetation structure. Within the limited area where views are available, such as along short sections of PRoW 1777 and 1775, the change would be perceptible but not

dominant. The LVIA concludes that visual effects would be moderate adverse initially, reducing to moderate or minor at Year 15.

- 4.3.2 The Council's claim of "major adverse" visual effects is not supported by any visual evidence. The LPA provides no photographs, no wireframes, no photomontages and no ZTV analysis. The LVIA, by contrast, provides a structured assessment of receptor sensitivity, magnitude of change and significance of effect. The LPA's conclusions are therefore unsubstantiated.
- 4.3.3 The Appeal Scheme will not be consistently visible from the wider landscape; with views glimpsed through vegetation from footpath COW-1780. From some locations parts of the new development will be visible rather than the entirety of the built form. Overtime the visibility of the Appeal Scheme will be reduced by the maturation of new planting. The most open views where the Appeal Scheme will be most in evidence are from footpath COW-1777 on Eastlands Lane.
- 4.3.4 From the wider area the Appeal Site comprise a relatively small component of views and the visual experience, the change will not noticeably alter this situation.
- 4.3.5 In the existing views, housing is visible as the backdrop to the most open views. Views of the housing are filtered by vegetation that sits in the foreground; this visual composition will be replicated by the Appeal Scheme.
- 4.3.6 The Appeal Scheme will not be inconsistent with the general character and composition of views, nor will it block or obscure valued views or views of important landmarks in views from the wider landscape.
- 4.3.7 The proposal does not introduce incongruous elements, does not alter key views, and does not materially change the way the landscape is experienced. The retained woodland and hedgerows, combined with proposed planting, ensure that the development will remain visually recessive within the landscape. The extent of visual change is very geographically limited.

4.4 Conclusion

- 4.4.1 It is my professional judgement that the Appeal Scheme is acceptable. It delivers elements and features which are consistent with the components of the landscape and settlement in and around Cowfold. Furthermore, it is located in a landscape which is not protected by any national, regional, or local designations.
- 4.4.2 The fact that the nearby Eastlands Wood has been designated as a Local Green Space demonstrates that the Neighbourhood Plan process was capable of identifying and protecting land considered locally important. If the application site had been regarded as contributing to the same qualities of openness, recreational value or local significance, it could reasonably have been included within that designation. Its omission indicates that the site was not considered to possess the characteristics warranting Local Green Space protection.

5.0 Conclusion

- 5.1.1 The landscape and visual reasoning that underpins the Council's refusal is not supported by the evidence. The submitted LVIA demonstrates that the site forms a semi-enclosed settlement-edge parcel, already influenced by neighbouring residential development and defined by a strong vegetation structure that limits wider visibility. Within this context, the proposed development reflects the prevailing scale, pattern and grain of existing dwellings along Eastlands Lane. As a result, the scheme can be accommodated without giving rise to material harm to either landscape character or visual amenity.
- 5.1.2 The Council's critique of the LVIA methodology is neither substantiated nor coherent. No specific methodological errors are identified, and the LPA does not reference any part of GLVIA3 that it considers to have been breached. Instead, the Council relies upon the very same sensitivity–magnitude–significance framework it claims was incorrectly applied. This internal inconsistency highlights that the Council's conclusions are based on generalised assertions rather than a structured or evidence-led analysis.
- 5.1.3 The LVIA provides a clear and robust assessment which concludes that landscape effects would be moderate adverse at the outset, reducing to minor at the residual stage following mitigation and vegetation establishment. Visual effects are similarly limited and would not be material in landscape terms. The proposal does not formalise or suburbanise the landscape, nor does it erode rural character or introduce a form of development that would appear prominent or harmful within its setting.
- 5.1.4 The landscape and visual effects arising from the scheme are largely confined to the site itself, with the existing boundary vegetation providing both physical and visual containment. The most noticeable change occurs in close-range views immediately adjacent to the site boundaries. Beyond this limited area, the degree of perceptible change is minimal, and the wider landscape and visual receptors would experience little to no alteration in their baseline conditions.
- 5.1.5 It is important to recognise that the presence of change is not, in itself, a justification for refusing planning permission. Development on greenfield land inevitably alters landscape character and visual amenity to some degree, yet this does not preclude the acceptability of such proposals. From a landscape planning perspective, the relevant question is whether the change would give rise to undue or significant effects. In this case, the evidence demonstrates that it would not.
- 5.1.6 In my professional opinion, the appeal scheme responds appropriately to its context. It incorporates accessible greenspace, introduces dwellings of a scale and form consistent with the existing settlement pattern, and reflects the grain and character that prevail along Eastlands Lane. The development is neither excessive nor disproportionate and sits comfortably within the established landscape framework.
- 5.1.7 For these reasons, the landscape aspects of the Council's refusal are not substantiated and do not provide a sound basis for resisting the appeal proposal.

John-Paul Friend CMLI
June 2026



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Appendix G – Cowfold Neighbourhood Plan 2019 – 2031

Cowfold Neighbourhood Plan 2019 – 2031



**Referendum
September 2025**
Cowfold Parish Council





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Foreword

Welcome to the Cowfold Neighbourhood Plan (CNP) for the Parish of Cowfold.

The Cowfold Neighbourhood Plan Working Group (CNPWG), on behalf of Cowfold Parish Council (CPC), has produced this plan in discussion with local residents to balance their views with the Horsham District Planning Framework (HDPF) requirements for the period up to 2031.

Under the Localism Act 2011, Parish Councils and qualifying bodies have been given powers to deal with the local issues of planning and to inform planning authorities on these matters. The process began with the designation of the Neighbourhood Plan Area in May 2016 followed by a number of informal meetings. The first meeting of the CNPWG was not until October 2017.

There is very real pressure on housing numbers following many years when the rate of new housing completions have fallen well below the number required to meet a growing demand. This has been fuelled by longer lifespans, divorce and population demographics.

The current Government commitment is to complete 300,000 new homes pa. This is reflected in the HDPF commitment to build 16,000 homes during the plan period of 2011 to 2031. The bulk of these will be delivered from areas with higher levels of infrastructure leaving at least 1500 homes to be delivered from Parish Neighbourhood Plans. A further 750 homes are anticipated as “Windfall”.

National policy specifies that plans need to be brought forward positively and for sites to be sustainable as defined by three core aspects. They should support Economic Growth, Protect the Environment and deliver Social Benefits through a strong and healthy community. The CNP has been developed over a process of data collection and by sharing each stage with the community to gather and incorporate feedback.

In essence, to be considered sustainable most new developments should include the following: be located within easy walking distance of the village facilities; not have any measurable negative impact on Air Quality or Biodiversity unless adequate mitigation is secured through the planning process to compensate for such impacts; and should provide groundwater management that reduces the risk of flooding within the development or to adjoining areas.

A community survey was carried out in October 2017 with a questionnaire hand delivered to every household within the Parish. Analysis of the 134 returned questionnaires provided the basis for the Key Aims.

Key Aims

- Maintain the village atmosphere and sense of community enhancing the benefits of its rural location and setting in open countryside.
- Balance the needs of the community with the available infrastructure; keeping housing integrated within the village and preventing urban sprawl.
- Create an environment that reduces the impact of traffic and associated pollution focussing on the health of residents and the safety of pedestrians and cyclists.



- Encourage sustainable economic growth by supporting appropriate infrastructure.

The Plan seeks to meet these aims by:

- Selecting housing sites that adjoin the existing built up area, have natural defensible boundaries and can accommodate the 40-70 additional new homes required to meet the housing need.
- Ensuring access to these sites has a positive impact on traffic by reducing standing traffic within the conservation area.
- Identify green spaces and retain the natural character of the surrounding countryside so enhancing the setting that is an essential part of Cowfold.
- Supporting development and the local economy in a way that has a positive environmental impact.

Producing this plan has taken immense effort by a core group of volunteers who have gathered evidence, presented this to residents, recorded and incorporated their feedback. This has been used to develop the plan so as to reflect the views of the Parish residents.

The goal has always been to find the balance between housing need and infrastructure limitations in such a way that could enhance our community and ensure it thrives into the future. We believe the CNP has achieved this and set us on a clear path to 2031 and beyond.

Horsham District Council have commenced their Local Plan Review and anticipate publication of this in 2021, whilst this is not expected to supersede the production of the Cowfold Neighbourhood Plan it may well arrive at a different Housing Need number. The CNP recognises this with a commitment to an early review when, if required, the Housing Number and the means of achieving this will be re-considered so as to bring the CNP into line with the reviewed HDC Local Plan.

Thanks are due to all members of the CNPWG and all those residents that have taken the time to read and understand this process during its various stages and contributed such valuable feedback.

Thank You

Jerry Hooper
Chair, Cowfold Neighbourhood Plan Working Group.

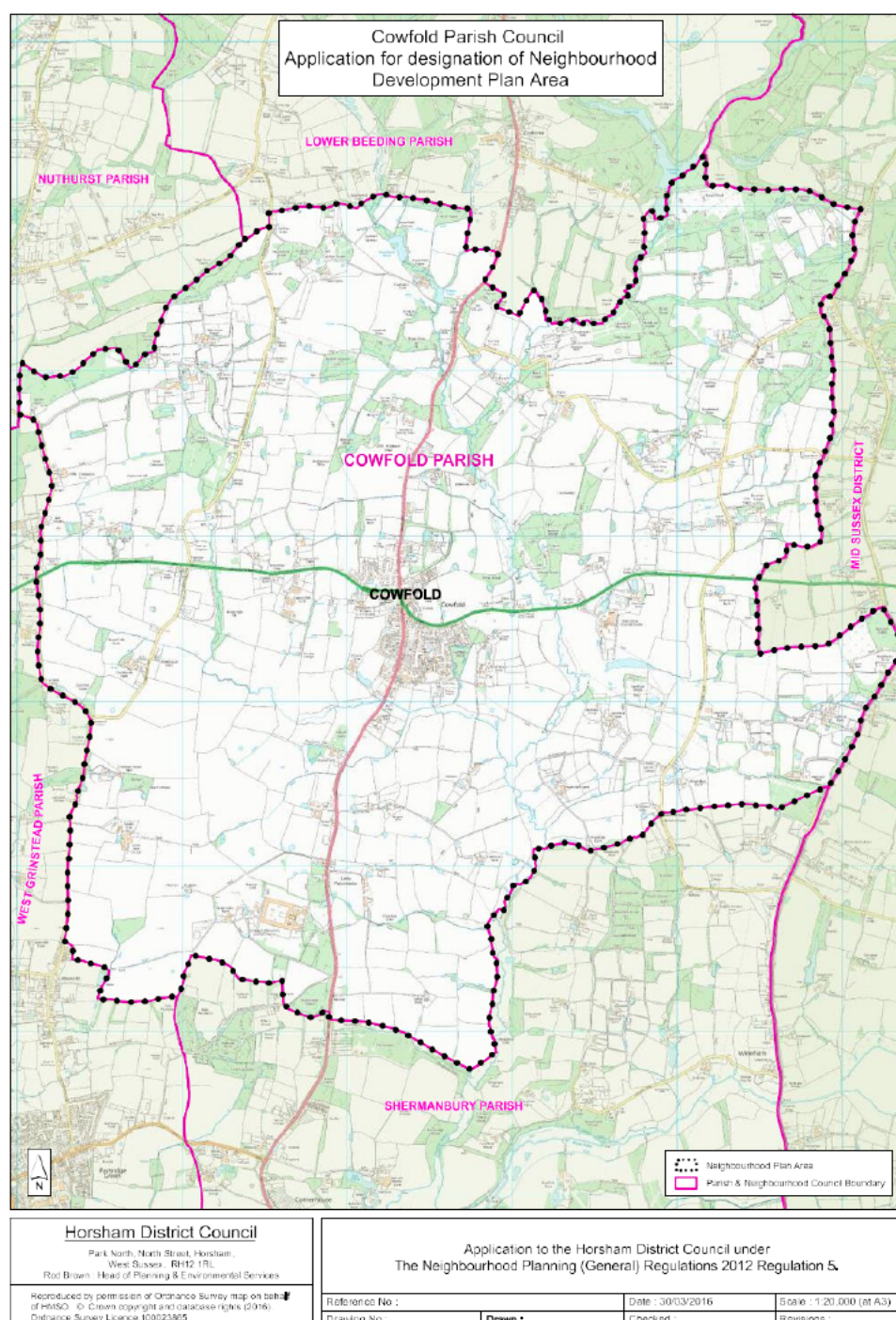


1 Introduction

1.1 Background

- 1.1.1 Cowfold Parish Council (CPC) has prepared the Cowfold Neighbourhood Plan (CNP) to influence and guide development in the Parish up to 2031.
- 1.1.2 The Neighbourhood Plan covers the whole Parish area as shown below in Figure 1. The area was designated on May 16th 2016 by Horsham District Council (HDC) for the purposes of Neighbourhood Planning.

Cowfold Neighbourhood Plan Designation Area, Figure 1





- 1.1.3 The Submission CNP has been prepared following extensive background work and public consultation. It has been prepared having regard to the Neighbourhood Planning (General) Regulations 2012, the National Planning Policy Framework (NPPF) and is in 'general conformity' with the District's adopted Development Plan Document, which includes the Horsham District Planning Framework (HDPF).

- 1.1.4 The heart of the NPPF is a presumption in favour of sustainable development:

"The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs." (NPPF Feb 2019, Paragraph 7) The CNP puts this into a local context by including Objectives, Policies and Aims setting out how any supported development will be sustainable.

- 1.1.5 The CNP sets out the policies that will influence development, the development principles and the allocation of land for housing and designation of Local Green Space. Where important issues for the Parish cannot be featured as Policies they have been included as Aims ensuring that all issues of importance to the residents are included. The Aims within the plan will not become part of the development plan. Nevertheless, they will form the basis for the Parish Council to work with other bodies to secure their ambitions within the Plan period. The various land use policies and the associated Aims are included within each of the themed chapters of the plan. They are distinguished by the use of separate colours.

1.2 Planning Context

- 1.2.1 The Localism Act 2011 introduced new rights and powers to allow local communities to shape new development by preparing Neighbourhood Plans. A Neighbourhood Plan establishes planning policies for the development and use of land, for example where new homes should be built and what they should look like. Neighbourhood Plans allow local people to influence the type of development for their area while contributing to the wider needs of the area.

- 1.2.2 The Government, through the NPPF (Paragraph 30 - 2024), advises:

"Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies".

- 1.2.3 Neighbourhood Plans must be in "general conformity" with the strategic policies of the adopted development plan for the District. The relevant adopted Development Plan Document (DPD) of the District is the HDPF.

- 1.2.4 The HDPF sets out the strategic policies, which the CNP must be in conformity with. It sets out the planning strategy for Horsham District



(excluding South Downs National Park) to deliver the social, economic and environmental needs of the Plan area up to 2031. It sets out the policy framework and seeks to facilitate the delivery of 16,000 new homes over the plan period of which “at least” 1500 are to be delivered across the District through neighbourhood planning. The District Council will look to start a new Local Plan review which will eventually replace the HDPF.

1.3 Plan Preparation

- 1.3.1 CPC commenced preparation for the CNP with agreement to proceed to Stage 1 in April 2015. The working group was formalised in October 2017 with the first action being to distribute questionnaires to all households in the Parish as well as putting a live version on the PC website. The results were analysed, presented to the Parish Council and published on the CPC website in chart form.
- 1.3.2 Extensive background work and stakeholder engagement has been undertaken to facilitate the production of the CNP and so ensure that it meets the needs of the plan area and the aspirations of local stakeholders, whilst having regard to the constraints of the Parish.
- 1.3.3 All households were encouraged to contribute to the Vision for the Parish, and in support of this to develop a series of Objectives, these are listed in Chapter 3.
- 1.3.4 A public exhibition that provided detail of potential development sites and the wider Neighbourhood Planning context was held on 23rd March 2018. This event was attended by 205 registered attendees and gave stakeholders the opportunity to provide feedback on their site preferences via a questionnaire.
- 1.3.5 A public meeting held on 13th July 2018 provided landowners and developers with the opportunity to present their proposals and detail the benefits to the Parish. A total of 45 Parish residents took the opportunity to question the proposers directly at this very constructive and interactive meeting.
- 1.3.6 The overall housing need in the Parish was agreed by the Working Group, after careful consideration and in light of the changing parameters, on 21st November 2018. The Parish Council ratified this on December 10th 2018.
- 1.3.7 The sites to contribute to meeting this need, and their individual merits were discussed at a meeting of the Parish Council, together with Working Group members, on 13th February 2019. A short list of 4 preferred sites was agreed.
- 1.3.8 The Pre-submission plan represented CPC's proposals on meeting the identified housing and infrastructure needs over the Plan period, whilst seeking to protect the important, high-quality and historic landscape setting of the Parish. The location of Cowfold at the junction of the A272 and A281 results in significant traffic and air quality issues, these have been taken into account as far as is possible.



- 1.3.9 The CNP has been amended as a result of public feedback and the advice of HDC. It continues to facilitate the delivery of housing to meet the identified housing need of the Parish whilst protecting the valued character of the area, its biodiversity and its residents particularly with regard to pedestrian safety and air quality.
- 1.3.10 Public Consultation on the Regulation 14 Pre-Submission took place between August 19th and October 14th 2019 with a further period between November 12th and December 24th 2019 as a result of an administrative omission. Following a review of the representations received, the Submission CNP has been prepared in accordance with the Neighbourhood Planning (General) Regulations 2012 and in “general conformity” with the strategic policies of the HDPF. These various matters are captured in the submitted Consultation Statement.
- 1.3.11 In Addition, the accompanying background papers on Housing, Car Parking and Heritage Matters have been produced. The updated Local Green Spaces report is also included.

1.4 Plan Structure

The CNP is set out as follows:

- Chapter 1: Introduction and background information
- Chapter 2: Description of the Parish
- Chapter 3: Vision and Objectives
- Chapter 4: Environment and Heritage
- Chapter 5: Community Infrastructure
- Chapter 6: Housing
- Chapter 7: Economy and Employment
- Chapter 8: Transport
- Chapter 9: Policies Maps

1.5 Plan Review

- 1.5.1 The CNP is prepared within the context of the overall development strategy set by Horsham District Council. At the current time, this is set out in the HDPF. A review of this plan is expected. Section 9 of this Plan sets out the way in which a made neighbourhood plan will be monitored and then reviewed once the Local Plan review has been adopted.

Consultation

- 1.5.2 This Submission Plan and the accompanying documents (Sustainability Appraisal (SA), incorporating the Strategic Environmental Assessment and including Non-Technical Summary, Basic Condition Statement and Consultation Statement have been approved by CPC for submission to HDC.
- 1.5.3 Following a period of public consultation, the Submission CNP will be subject to Examination. Subject to a positive Examiner’s Report, the CNP will then proceed to Referendum and be “Made” in due course by HDC.



2 Parish Profile

2.1 General

- 2.1.1 Cowfold Parish lies in the Sussex Weald and is located between Billingshurst and Haywards Heath; it is 8.5 miles to the South East of Horsham. The Parish is compact and regular in shape, stretching 3 miles both North-South and East-West. It is bisected by two A roads, the A281 running North-South and the A272 running East-West. In total it has a boundary of nearly 24km and covers an area of 1,926ha.
- 2.1.2 The Parish is predominantly rural and has a land area of approximately 7.44 sq. miles. It has a population of 1,904 with 739 occupied dwellings (2011 census).
- 2.1.3 The primary settlement of the parish is within Cowfold Village but with a wide scattering of properties throughout the parish.
- 2.1.4 The existing village edge is mostly softened with hedgerows and woodland. The landscape is predominantly open and exposed to views.

2.2 Environment and Heritage

- 2.2.1 The landscape of the Parish is gently undulating, falling from 300ft Above Sea Level (ASL) in the Northeast tip to 25ft ASL in the South. It is drained by the Cowfold stream, which enters the parish just below the man-made Furnace pond in Lower Beeding running slightly West of South.
- 2.2.2 The Parish lies predominantly over Weald Clay, which in turn overlies Upper Tunbridge Wells Sand except along a tongue of land running from the Northeast corner almost to the centre; there are two patches of gravel in the Southeast quarter, and five narrow bands of Horsham Stone running East-West.
- 2.2.3 Although historically rural in character, there were brickworks, gravel and sand pits for a short period in the late 19th and early 20th centuries but these sites have not been in use since 1909. Cowfold has extensive farmland within the Parish boundaries, both arable and livestock.
- 2.2.4 Cowfold Parish has a strong historical heritage with a 12th century (Grade 1 listed) Church, a restored Long House and a medieval Yeoman's house within the village boundaries and many properties dating from the 17th and 18th centuries. In 1210 Beeding Manor had outlying farms in Cowfold and in 1256 the Bishop of Chichester's chase extended down the whole East side of Cowfold Parish across to the Southwest corner and from there to near the centre of the northern boundary of the Parish. By 1257 the Cowfold tenants, customary and free, formed a distinct group. A large proportion of the Parish was woodland or orchards and remained so until the mid 18th century. The parish also includes, the Grade 2* listed, St. Hugh's Charterhouse Monastery founded by Carthusian Monks in 1873 with construction completed by 1883 and still in use today. The Great Cloister at 115 metres is one of the largest in the world.



- 2.2.5 The Parish includes a Conservation Area, which covers the central part of the village. There are 63 listed buildings within the Parish. Historical assets found within the Parish include monuments, Iron Age pottery, Roman coins, post medieval pottery and prehistoric weapons.
- 2.2.6 Cowfold is one of only two locations in West Sussex where an Air Quality Management Scheme is in operation; There has been no significant downward trend despite the introduction of the latest generation of cleaner HGVs, cleaner diesel cars and following the introduction of electric vehicles.

2.3 **Community Infrastructure**

- 2.3.1 Whilst the Parish is rural it benefits from a range of community facilities; large playing fields, a thriving football club, a small skate park, two children's play areas with swings, slides etc. The new Allmond Centre based on the Western the side of the playing field can be booked for private functions. A Scout hut on the opposite side of the playing field, has a vibrant and active pack. The Village Hall, which is in the centre of the village, is used daily for various societies and private functions. St Peter's C of E Church and the Weald Community Church (which meets in The Smithy). The Hare and Hounds Public House, the Co-Op, a hairdressing salon, a barber, a beautician and a twice-weekly pop up Post Office all serve to enhance the community.

2.3.2 **Health**

- 2.3.3 Cowfold Medical Group is located in the centre of the village and has a sub branch in Partridge Green. Recruitment for a new Partner for the Practice has so far been unsuccessful and currently the GP lists are closed. The building is of sufficient size to accommodate the anticipated increase that would result from the proposed 70 new dwellings in Cowfold. However, there are developments planned in neighbouring parishes that are within the practice catchment area that is expected to result in the building capacity being breached within the next 5 years. The parking provision is insufficient to accommodate the patients given many come from outside the village.
- 2.3.4 The Office for National Statistics recorded the general health for Cowfold as:
- 952 very good health
 - 651 good health
 - 199 fair health
 - 36 bad health
 - 66 very bad health.
- 2.3.5 The main hospitals serving Cowfold are located in Haywards Heath, Brighton, Crawley and Horsham. With the exception of Horsham, the bus service is considered inadequate for patients needing to visit hospital. A round trip by bus to visit Haywards Heath hospital can take in excess of 8 hours.



2.3.6 Education

- 2.3.7 St Peter's C of E Primary School and Country Mice children's nursery are located near the centre of the village. The school had a Good Ofsted report in 2016. The main secondary schools serving the village are Millais school for girls and The Forest Boys School; both located in Horsham and believed to be at capacity. The New Bohunt secondary school, North of Horsham, is due to open in September 2020 and it is hoped that this will alleviate the pressure on the schools serving Cowfold.

2.4 Housing

- 2.4.1 Cowfold has a number of houses of medieval origin and in the second half of the 18th century the population started to increase resulting in the need for more housing to accommodate labourer's families. Houses and cottages were built on the wide roadside 'waste' in the village and Parish. Many areas of open space remained in the centre of the village and the size and layout did not appreciably change until after the Second World War, the exception being a parcel of houses built by Fowlers between the village and Bull's Bridge on the Henfield Road between the 1890's and 1930's. In the 1950's Cowfold was enlarged by the building of council houses in the Northeast quadrant of the village along the Bolney Road, the development of some private housing estates such as Thornden in the Northwest quadrant and some additional houses built by Fowlers on the Henfield Road. In 1985 the Acorn Avenue development was built with 12 houses, this development, along with Oakfield Road, was then increased to 120 houses. More recent developments include Holm Oaks, which leads from Oakfield Road and Alley Grove, which leads from Fairfield Cottages and 5 additional houses leading from the Henfield Road.

- 2.4.2 Occupied dwellings; breakdown by type (2011 Census – 739 total)

- 314 detached whole house or bungalow
- 243 semi detached whole house or bungalow
- 51 purpose-built flats, maisonettes, or apartments.
- 18 converted (part of converted house or shared house) flats, maisonettes or apartments including bedsits.
- 4 flats, maisonettes or apartments in a commercial building
- 3 caravan or other temporary mobile structures

- 2.4.3 Occupied households; breakdown by ownership (2011 Census)

- 226 owned outright
- 328 owned with mortgage
- 1 shared ownership (part owned part rented)
- 67 social rented
- 5 rented from council
- 62 other
- 98 private rented
- 85 private landlord or rental agency
- 13 other
- 19 living rent free



2.4.4 Age structure; (2011 Census – 1904 Total)

- 379 persons aged between 0-17
- 574 persons aged between 18-44
- 590 persons aged between 45-64
- 361 persons aged 65 and over.

2.5 **Economy and Employment**

2.5.1 The Parish has one small industrial estate, Oakendene, on the Bolney Road, this is 1.3 miles from the village centre and includes 68 business units although many are single person entities. There is a small business estate, Fowlers, within the village. Several small/medium businesses are located on the Henfield road leading out of the village. Businesses within the Parish boundaries but excluding Oakendene include:

- Acorn Fencing
- Alice's Dog Grooming
- Bus and Bug Vintage Weddings
- Camelia Botnar (Garden nursery and craft showroom);
- Chris Waller Carpentry and Joinery
- Clare Palling Book Keeping
- Clark Lifting Solutions (Hire/supply of lifting/access equipment)
- Complete Barbers
- Country Mice Children's Nursery
- Cowfold Cottage Tandoori
- Cowfold Precision Engineering
- The Fowler Group (Building contractors and swimming pools);
- Geoff Hunt Garden Designs
- Hare and Hounds Public House
- HT Motor Services (mobile mechanic)
- Insitu South Coast Preservation
- Jeremys Two Farm Shop and Butchers
- JET Decorating
- L P Aerials (TV and satellite specialist)
- Little Bean Cafe
- P J Barrow and Partners (Garden machinery)
- Robin Lackford Motor Engineering (Classic car repairs)
- Rugwash (Horse rug cleaning an repairs)
- Saddlers Blinds
- Sara Rudkin RIBA – Architectural Services
- St Peter's Primary School
- Southern Motor Group
- The Co-Operative – General stores
- The Still Rooms – Beauty centre
- Trenchmore Farm – Beef and Silly Moo Cider
- Vazon Technology (IT Consultancy)
- Wheelwise Engineering
- Xtreme Restoration



- 2.5.2 Currently there is a 'pop up' Post Office twice a week in the centre of the village.

2.6 **Transport**

- 2.6.1 The Parish is well served by the road network with both the A281 and A272 bisecting the village centre. The No.17 bus serves Cowfold from the Stagecoach Company, which currently operates every 30 minutes until 20.00 between Horsham and Brighton. Compass Travel provides a free bus service on behalf of Tesco at Broadbridge Heath, on Thursdays only.
- 2.6.2 The nearest railway stations are Horsham, Haywards Heath and Burgess Hill, at 7 miles, 8.2 miles and 8.8 miles respectively.
- 2.6.3 Numerous public footpaths and bridleways serve the village.
- 2.6.4 There is a high reliance on car travel as a result of limited public transport; there is no East-West bus service and limited local employment opportunities. Over 60% of households have 2 or more cars.
- 2.6.5 The road network provides good connectivity but the natural restriction created by the staggered A272/A281 junction, combined with the volume of traffic using the A272 as a major link road, results in significant standing traffic during morning and evening peak periods. This is reflected in Air Quality and Pedestrian Safety being raised as key issues by the community.



3 Vision and Objectives

3.1 Initial Consultation

- 3.1.1 Early engagement included a printed questionnaire, delivered to each household in the Parish. The 134 completed questionnaires enabled the collation of views and established the basis for the Vision and Objectives. The initial draft was published at the Public Exhibition held in the Village Hall on the 23rd March 2018.

3.2 Parish Vision Statement

Maintain the village atmosphere and sense of Community that makes Cowfold a desirable place to live. Keep housing integrated within the village and balanced to meet current and future needs, ensuring that development is sustainable, is in balance with the appropriate infrastructure and the needs of the existing Community. Enhance the benefits of our rural location with its services, facilities, amenities and activities. Create an environment that reduces the impact of traffic focusing on the current and long-term health of residents and safety of pedestrians and cyclists.

3.3 Strategic Objectives

- i. Reduce the impact of traffic, volume and speed, on air quality and include through-traffic calming measures to reduce build up of standing traffic within the AQMA. Encourage proposals that support the use of Electric Vehicles.
- ii. Preserve and enhance Green Infrastructure, including open spaces, to maintain the look and feel of the parish as well as helping to mitigate the impact of traffic-induced pollution.
- iii. Build on local rural character by: preserving and enhancing access to the surrounding countryside; procuring a net gain in Biodiversity; and ensuring developments are sustainable, in areas of least flood risk, with any flood risk arising from development being fully mitigated.
- iv. Conserve and enhance historic aspects of the village; protect both the setting of the Conservation area and the settings of important local heritage assets.
- v. Keep the village feel and atmosphere; conserving open space, retaining the allotment provision and enhancing Cowfold as a village. Maintain the distinctive views and visual connectivity with the surrounding countryside and avoid urban sprawl. Recognise Cowfold's place within the district settlement hierarchy and enhance the village centre as a focal point.
- vi. Improve road crossings, footpaths, cycleways and bridleways to provide better quality and safer connections throughout the parish, to places of work and adjoining communities with a focus on pedestrian safety to reduce car dependency. This should in particular meet the needs of the disabled, elderly, parents with young children and children.



- vii. Ensure all sections of the Community have access to medical facilities, primary education, pub, place of worship, sporting amenities, cultural activities and village shop/post office. Support youth, sport and cultural facilities in order to meet the needs of the community.
- viii. Maintain and grow the sense of Community by supporting sympathetic integrated development, consistent with local housing need enabling residents to remain in the parish throughout their lifetime, with a suitable mix of homes and tenures.
- ix. Ensure all new homes meet and ideally exceed minimum standards for energy efficiency and build quality noting the unavailability of mains gas within the village. They should be built to a density appropriate to the location, provide adequate off-street parking and use local materials where appropriate.
- x. Facilitate employment opportunities within the Parish; enabling the necessary infrastructure, including adequate Mobile and Broadband connections, to encourage self-employment and working from home, and the associated reduction in commuting to work outside the Parish.
- xi. Support the enhancement of public transport connections to urban centres and places of work/education/medical facilities and the wider public transport system. This should include routes, frequency and safe bus stop pull in facilities.
- xii. Prioritise developments that provide improved road safety, encouraging solutions that result in improved sustainability, pedestrian and cycling facilities taking particular note of the needs of the disabled, elderly, parents with young children and children.
- xiii. Ensure developments take into account the local level of car ownership and off-street car parking requirements with Electric Vehicle charging facilities as appropriate.



4 Environment and Heritage

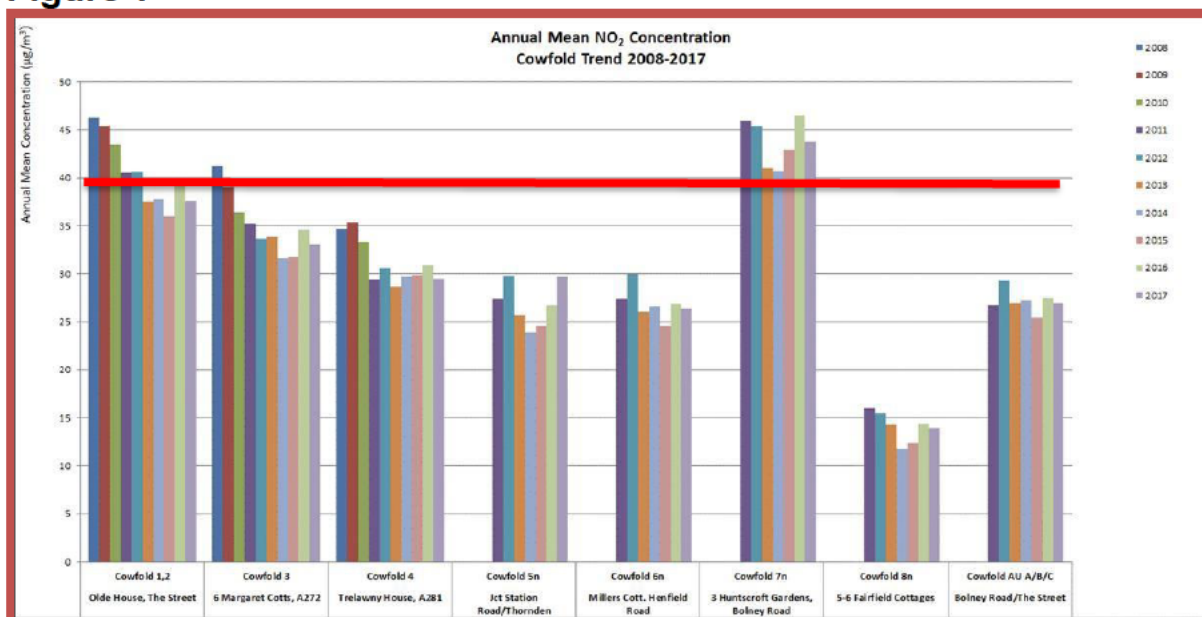
- 4.1 Cowfold is characterised by the conflict that exists between the heavy traffic passing through its centre, the resulting Air Quality issues and the beautiful countryside in which it sits. This rural environment is one of the most treasured aspects of this village, whilst the impact of the high volume and speed of the traffic are the biggest cause for concern to the health and wellbeing of the residents.

Objectives:

1. Reduce the impact of traffic, volume and speed, on air quality and include through traffic calming measures to reduce the build up of standing traffic within the AQMA. Encourage proposals that support the use of Electric Vehicles.
2. Preserve and enhance Green Infrastructure, including open spaces, to maintain the look and feel of the parish as well as helping to mitigate the impact of traffic-induced pollution.
3. Build on the local rural character by: preserving and enhancing access to the surrounding countryside; procuring a net gain in Biodiversity; and ensuring developments are sustainable, in areas of least flood risk, with any flood risk arising from development being fully mitigated.
4. Conserve and enhance historic aspects of the village; protect both the setting of the Conservation area and the settings of important local heritage assets.

4.2 Air Quality

- 4.2.1 Air Quality Management Areas are designated by local authorities because they do not comply with national air quality objectives.
- 4.2.2 The Cowfold Air Quality Management Area (AQMA) was designated in December 2011 by Horsham District Council and includes 8 measurement points. Cowfold is one of only two such designated areas within West Sussex. Cowfold AQMA consistently breaches the Environment Act 1995.
- 4.2.3 The high level of Nitrogen Dioxide within the AQMA directly affects all those using this area to go about their daily business. Of particular concern are the young, on their way to school, and the elderly. The chart in Figure 1 shows that one of these measurement points has consistently breached the national legal limits over the last 7 years. There is no clear downward trend despite the introduction cleaner diesel HGVs and increased electric vehicle usage.
- 4.2.4 CNP seeks to address this issue by ensuring that any new development does not further adversely impact the air quality by including appropriate traffic calming measures to conserve or improve traffic flow and by maximising non vehicular access to village facilities.

Figure 1

Aim 1: Air Quality Management

- i. CPC supports sustainable development proposals that do not have an adverse effect upon air quality and users within the Parish.
- ii. CPC supports development proposals that include measures to provide traffic calming and/or gating with the aim of reducing queuing traffic within the Air Quality Management Area.

4.3 Sustainability

- 4.3.1 Sustainable development has been defined as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”.
- 4.3.2 CNP seeks to achieve this with regard to energy use and emissions by ensuring developments not only meet the standards of today but also be built in such a way as to meet the likely standards of the future; this includes sustainable, non-fossil based heating systems, thermally efficient buildings and electric vehicle rapid charging points.
- 4.3.3 CNP seeks to achieve this with regard to transport by ensuring houses are located within walking distance of facilities and amenities so encouraging travel on foot instead of by vehicle. Cowfold’s pavements, particularly along the main roads, are narrow and uneven increasing the risk of accident. New developments need to include safe walkways linking them to the village centre.

**Aim 2: Sustainable Development**

- i. CPC supports development proposals that seek to incorporate:
 - a. efficient building standards and sustainability measures that are at least equal to National standards;
 - b. heating systems that minimise the use of fossil fuels and contribute positively to carbon reduction; and
 - c. rain/domestic water harvesting and recycling systems.
- ii. CPC supports developments that are within easy walking distance, ideally less than 500m, from the main village facilities to promote pedestrian access rather than vehicular.

4.4 Village Amenities

- 4.4.1 Proposals should include aspects that lead to the conservation of resources and provide the residents with the opportunities to buy locally and work from home or at least within cycling or walking distance. Village amenities may need to be enhanced to facilitate this.

Aim 3: Village Amenities

- i. CPC supports proposals that seek to enhance the amenities of the Parish. This will include, but is not limited to, proposals to enhance the public realm, open space, the parking environment and sustainable transport options.

4.5 Light Pollution

- 4.5.1 Encouraging non-vehicular traffic requires a good standard of suitable pathways that are suitable for use in all weathers, night and day. However, the use of inappropriate lighting, where a significant percentage of the light is wasted, is not compatible with an ethos of sustainability.

Aim 4: Light Pollution

- i. CPC supports proposals that seek to minimise light pollution in the Parish.
- ii. CPC supports additional and improved street and footpath lighting throughout the village where this can be achieved with minimal light pollution.

4.6 Flood Risk Mitigation

- 4.6.1 The Environment Agency has categorised all areas of the country by level of Flood Risk. Flood Zone 1 is considered to be low risk and most suitable for development. There are separate maps relating to risk from rivers and from surface water.



- 4.6.2 Cowfold sits predominantly on clay with poor natural drainage. Some natural watercourses have been lost, increasing the risk of groundwater flooding to residential areas, the village centre and areas of open countryside being considered for development. Two watercourses run in the vicinity of Cowfold village, the Cowfold Stream and the River Adur, these are fed by a network of drains and ditches. A network of ponds and flood plains form an important part in minimising the risk of flooding to adjacent residential areas and highways. Part of the Cowfold Stream system crosses the A281 along the southern boundary of the village.
- 4.6.3 Development will only be supported where it is proposed for areas designated as Flood Zone 1 and makes a positive contribution to groundwater management.

Policy 1: Groundwater and Surface-water Flood Risk

- i. Development proposals that incorporate sustainable drainage techniques to manage surface water and mitigate groundwater flood risks will be supported.
- ii. Development proposals that reduce the risk of flooding, either on site or to adjacent areas, will be supported.
- iii. Development proposals should be located in areas at the lowest risk of flooding in accordance with national and development plan policies.

4.7 Biodiversity: Protection and Enhancement

- 4.7.1 The Parish is predominantly rural in character with a rich biodiversity including many strips of assart woodland. The October 2017 Parish survey established that over 50% (69/134) of respondents valued the rural character of the Parish. There is a range of habitat within the Parish, this is important in providing habitats and/or corridors for the movement and general wellbeing of wildlife. The CNP seeks to ensure the protection and enhancement of these ecological assets of the Parish.

4.7.2 Green Infrastructure

- 4.7.3 The NPPF 2024 (Annex 2) defines Green Infrastructure as a “*A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.*”
- 4.7.4 The benefits that result from this Green Infrastructure include an enhancement in the visual appearance of the area, provide access for residents to sport, recreation and quiet enjoyment, connected networks for wildlife, helps to reduce flood risk, facilitates non-car modes of travel, and provides allotments.
- 4.7.5 Well-managed Green Infrastructure contributes to the wider economic and social aspects of the community including improved mental and physical health.



- 4.7.6 The CNP seeks to both conserve and enhance existing Green Infrastructure assets and ensure new development contributes to the enhancement of this network. The third part of the policy comments about proposals which would result in the loss of existing green infrastructure. In coming to judgment on any such proposals it is acknowledged that the District Council will need to reach a balanced decision based on the matters identified in this part of the policy. As part of this process, it will need to assess the existing value of the element of green infrastructure which would be lost if permission is granted for the development proposal.

Policy 2: Green Infrastructure

- i. Development proposals, which seek to conserve or enhance existing Green Infrastructure network will be supported.
- ii. Proposals that will deliver a net gain in Green Infrastructure will be supported.
- iii. Proposals that seek to improve access for pedestrians and cyclists through Green Infrastructure linkages will be supported.
- iv. Development proposals that would result in the loss of existing Green Infrastructure will not be supported unless it can be demonstrated that they secure new opportunities that:
 - a. deliver an overall net gain in Green Infrastructure;
 - b. incorporate provisions to deliver an equivalent carbon-sink capability in the short term; and
 - c. deliver a net gain in Biodiversity.

4.8 Local Green Space

- 4.8.1 The NPPF enables local communities, through Neighbourhood Plans 'to identify for special protection' green areas of particular importance to them. By designating land as Local Green Space (LGS), local communities are able to protect these spaces.
- 4.8.2 The NPPF 2024 (Paragraph 107) notes that *"The Local Green Space designation should only be used where the green space is:*
- a) in reasonably close proximity to the community it serves;*
 - b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and*
 - c) local in character and is not an extensive tract of land."*
- 4.8.3 Having regard to these criteria, it is considered that there are a number of green spaces in the parish that meet this test and merit special designation and protection. CPC have identified 13 areas within the parish where they wish to protect the special qualities of that area. Policy 4 follows the matter-of-fact approach in the NPPF. In the event that development proposals come forward on the local green spaces within the Plan period, they can be assessed on a case-by-case basis by the District Council. In particular it will be able to make an informed judgement on the extent to



which the proposal concerned demonstrates the ‘very special circumstances’ required by the policy.

Policy 3: Local Green Space

- i. Development proposals within the designated local green spaces will only be supported in very special circumstances:
 - a. complement the purpose of the designation;
 - b. are ancillary to the use of the land for a public recreational purpose;
 - c. have a positive impact on the biodiversity of the designated area; or
 - d. are required to fulfil a statutory utility infrastructure purpose.

LGS01 Bakers Shaw

LGS02 The Bowling Green

LGS03 Village Green

LGS04 Recreation Field

LGS05 Alley Groves Green

LGS06 Brook Hill Wood

LGS07 Brook Hill Strip

LGS08 Three Oaks Pond

LGS09 Alley Groves Pond

LGS10 Acorn Avenue Green

LGS11 Kicking Field

LGS12 Eastlands Wood (HDC TPO1520 – Mixed Woodland)

LGS13 Eastlands Lane (HDC TPO1519)

- 4.8.4 Cowfold is located at the crossroads of the A281 and the A272 hence traffic and Air Quality are key concerns. One of the key reasons that people chose to live in the area, despite the negative aspects of traffic, is the rural location of the village with its surrounding of open countryside as well as the many, albeit often small, green spaces within the village.
- 4.8.5 With the following designations we seek to maintain this very important aspect of the village and its surroundings without limiting appropriate development.
- 4.8.6 The following designated areas are important part of the setting of Cowfold and the daily recreational use of the adjacent agricultural field margins. Given the high volume of traffic flowing through the village, residents value the nearby fields as a tranquil environment and an opportunity to enjoy the rural location of the village. LGS06, LGS07 and LGS08 are particularly important in this respect and also have an important ecological value providing a suitable environment for insect and prey species as well as some rare species such as Nightingales. Modern farming methods make these areas of assart woodland a critical habitat for many species, once commonplace, but now becoming endangered.



4.9 Heritage

4.9.1 Heritage Assets

- 4.9.2 Heritage Assets are defined in the NPPF 2024 (Annex 2) as: *“A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).”*
- 4.9.3 There are 63 listed buildings within the Parish of Cowfold; the joint pressures of traffic and development can threaten both the assets themselves as well as their setting.
- 4.9.4 CNP seeks to protect these Heritage Assets by ensuring that any development is sympathetic and appropriate.

Aim 5: Heritage Assets

- i. CPC supports the protection of Heritage Assets and their setting in accordance with national and development plan guidance.
- ii. Particular support is given to the protection of the rural and semi rural setting of heritage assets where this positively contributes to their significance.

4.9.5 Conservation Area

- 4.9.6 A Conservation Area is an area of special historical interest that is protected by law. The local planning authority may designate Conservation Areas under the Planning (Listed Buildings and Conservation Areas) Act 1990. Conservation Areas can range from a small group of buildings to a whole town or village. Conservation Areas do not necessarily cover the whole settlement; normally only the historic core is designated.
- 4.9.7 The designated Cowfold Conservation Area covers the centre of the village.
- 4.9.8 The Conservation Area reflects the origins of the settlement that became Cowfold. There are 16 listed buildings within this area including the church, which is Grade I listed. Some buildings within the Conservation Area may not be considered to be individually or architecturally important but collectively they formed the historic core of the settlement that is now Cowfold.
- 4.9.9 CNP seeks to protect the Conservation Area by ensuring that proposals within the area or its setting are appropriate in nature and scale.

Development proposals that safeguard the following features:

- a. St Peter's Church and surroundings
- b. Church Patch cottages



- c. Margaret cottages
- d. St Peter's School
- e. The Gables, Huntscroft and Oakfield cottages
- f. Fairfield Court
- g. The Village Hall
- h. The Street
- i. Brook Hill
- j. Potters Green

Will be supported where such proposals would conserve or enhance the specific part of the Conservation Area and its immediate setting.

Policy 4: Conservation Area

- i. Development proposals within or affecting the setting of the Cowfold Conservation Area will be supported where they preserve or enhance the character or appearance of the Conservation Area and comply with the requirements in policy 34 (Cultural and Heritage Assets) of the HDPF.



5 Community Infrastructure

- 5.1 The Parish survey indicated that 78% (105/134) of responses valued the existing community and/or village feel leading to the conclusion that any development should be sympathetic to maintaining this. However, the growth in vehicular traffic has become a pervasive issue with 77.5% of responses indicating that this is the aspect they would most like to change.

Objectives:

1. Keep the village feel and atmosphere; conserving open space, retaining the allotment provision and enhancing Cowfold as a village. Maintain the distinctive views and visual connectivity with the surrounding countryside and avoid urban sprawl. Recognise Cowfold's place within the district settlement hierarchy and enhance the village centre as a focal point.
2. Improve road crossings, footpaths, cycleways and bridleways to provide better quality and safer connections throughout the parish, to places of work and adjoining communities with a focus on pedestrian safety to reduce car dependency. This should in particular meet the needs of the disabled, elderly, parents with young children and children.
3. Ensure all sections of the Community have access to medical facilities, primary education, pub, place of worship, sporting amenities, cultural activities and village shop/post office. Support youth, sport and cultural facilities in order to meet the needs of the community.

5.2 **Open Space**

- 5.2.1 Open Space is defined in the NPPF 2024 (Annex 2) as *"all open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity."*
- 5.2.2 Cowfold developed from a cluster of houses on a crossroads, now the busy A272 and A281. The rural nature of its surroundings and the open spaces within the village form part of its character.

Policy 5: Open Space

- i. Development proposals should provide a mix of high quality formal and informal open space to meet local needs.
- ii. Development proposals should be designed and arranged to respect, and where practicable connect to, existing open spaces in their immediate locality:
- iii. Development proposals including the replacement of open space will be supported where:
 - a. equivalent (in quantitative and qualitative terms) or enhanced open space is provided to serve local needs; and
 - b. the proposed replacement open space is made available before the loss of the existing.



- 5.2.3 Open spaces within the Parish are important to the general health and wellbeing of the residents as well as forming part of the village character.

5.3 **Community Services and Facilities**

- 5.3.1 Community services and facilities benefit the community as a whole and provide cohesion to what would otherwise be a collection of houses.
- 5.3.2 The Parish benefits from a range of key community services and facilities including the doctors' surgery/pharmacy, primary school, village hall, sports pavilion, recreational/playing field, public house, village shop, and churches.
- 5.3.3 There are numerous clubs and societies that enhance the sense of community and many residents rely upon one or more of these facilities. It is considered that loss of any of the existing services or facilities would be harmful to the social fabric of the community.
- 5.3.4 The Parish survey of October 2017, 38% (51/134) of the respondents indicated that the local infrastructure did not meet their needs confirms the need for policies to at least conserve the existing services and facilities.

Policy 6: Community Services and Facilities

- i. Development proposals that result in the net loss of community services or facilities will not be supported unless it can be demonstrated that the premises are not viable for community use.
- ii. Development proposals including the alteration and/or replacement of community services or facilities will be supported where:
 - a. they result in equivalent (in quantitative and qualitative terms) or enhanced services or facilities serving local needs;
 - b. any replacement service or facility is made available before the closure of the existing one;
 - c. any replacement service or facility is readily accessible by the community by non car modes of transport;
 - d. where necessary there is safe and adequate vehicular access with sufficient parking to meet the needs of the users;
 - e. there is no unacceptable adverse effect on any local amenity; and
 - f. heritage assets and their setting are protected.
- iii. Development proposals that bring redundant buildings back into use for the benefit of the community will be supported subject to conformity with other development policies.

5.4 **Medical Facilities**

- 5.4.1 The Cowfold Medical Practice has a maximum building capacity for 3 full time doctors plus support staff. Each GP has a maximum list size of 1,900 patients giving a maximum building capacity of 5,700 patients. The list size as at January 2019 was 4,820. The practice currently has 2 FTE GPs and has been recruiting for another partner since September 2018, without success. They have closed their list until another full time GP partner can be recruited. The practice calculates an average of 4 patients/household



therefore a further 70 houses would represent 280 patients. It is important to take into account the total catchment area; this includes a number of neighbouring parishes where significant housing development is planned.

Aim 6: Medical Facilities

- i. CPC support the retention of and/or expansion of medical facilities in the Parish. CPC support a holistic approach to parking provision on site to facilitate any expansion.

This means that the maximum building capacity is likely to be breached within 5 years. The Practice may be unable to accept new patients from the proposed developments within this plan.

5.5 School Provision

- 5.5.1 WSCC Planning for School Places 2019 indicates that St Peter's CoE Primary School has a maximum capacity of 140 places across 7 school years and 5 class groups (20 pupils per year group from Reception – Year 6). In October 2018 there were 120 pupils on role equating to 86% capacity. The proposed 70 new dwellings equate to approximately 2.5 children per year of age (17.5 primary aged pupils) depending on type & tenure of dwelling. The net result is that the extra 17.5 pupils anticipated from 70 new dwellings will take the school population to 138 and 98.5% capacity, this exceeds the 95% point at which it is considered at full capacity.

Aim 7: School Provision

- i. CPC support new housing development within the parish subject to satisfactory capacity at local primary and secondary schools.

5.6 Youth Facilities

- 5.6.1 The youth of Cowfold have playground facilities, a small skate park, a youth club based in the Allmond Centre and Beaver scouts. There are a number of clubs based in the village however any new facilities are always welcomed and have been traditionally supported by the Parish Council.

Policy 7: Youth Facilities

- i. Proposals to enhance or provide new facilities for the benefit of young people, including but not limited to, children's play areas, sporting facilities and youth club activities will be supported.

5.7 Electric Vehicle Charging



- 5.7.1 The Air Quality issues that are prevalent in Cowfold have raised the awareness of vehicle-derived pollution leading to increased support for low or zero emission transport.

Aim 8: Electric Vehicle Charging

- i. CPC support the provision of electric car charging points in the Parish:
 - a. in public spaces; and
 - b. on a per dwelling basis.

5.8 Allotments

- 5.8.1 Cowfold is well served with two allotment areas, one near the school at Potters and the other to the south of the village accessed by Eastlands lane. Development proposals for site CNP03, Potters, include the option to move the allotments to an adjacent area.

Policy 8: Potters Allotments

- i. Proposals for the development of the allotments at Potters (as identified on the Policies Map) will be supported where:
 - a. the development is required for community use;
 - b. equivalent (in quantitative and qualitative terms) or enhanced allotments are provided to serve local needs;
 - c. the replacement allotments are located in close proximity to the existing; and
 - d. the replacement allotments are made available for use at least one planting season before the loss of the existing.

5.9 Community Infrastructure Levy

- 5.9.1 The District Council have prepared an Infrastructure Delivery Plan (IDP) to support the emerging District Plan. This sets out and identifies the infrastructure required to support the growth identified within the emerging plan. The IDP in turn informs the Council's Community Infrastructure Levy (CIL). The purpose of CIL is to raise funds from developments to help pay for infrastructure that is required to support new development across the district.
- 5.9.2 Horsham District Council has adopted the Community Infrastructure Levy (CIL). In accordance with national requirements, those parishes

Aim 9: Community Infrastructure Levy

- i. CPC will financially support schemes with CIL funds that reduce the impact of traffic in terms of volume, speed or air quality and where this improves safety for pedestrians.
- ii. CPC will financially support schemes with CIL funds that improve pavements, footpaths, cycleways and bridleways where these improve the safety and/or access for residents.



within the district that have “Made” Neighbourhood Plans, will be allocated 25% of monies collected in that area.

6 Housing

- 6.1 The HDPF includes provision for at least 16000 homes and associated infrastructure within the period 2011 – 2031. This figure includes for the provision of at least 1500 homes throughout the district in accordance with the settlement hierarchy, allocated through Neighbourhood Planning. In addition to this number it is anticipated that at least a further 750 homes will be provided through windfall housing.
- 6.2 The Cowfold Housing Needs report, which forms part of the evidence base that supports the CNP, seeks to arrive at the appropriate number of new dwellings within the parish to meet both the local need and provide a fair share of the total district requirement. Cowfold has had 55 homes permitted or completed since 2011; these provide a significant contribution to overall housing supply.
- 6.3 The CNP seeks to meet the needs as set out in the Housing Needs report by careful examination of all development proposals that were promoted as part of the preparation of the CNP, ensuring the homes delivered are sustainable and appropriate.
- 6.4 To produce a Housing Need Consideration, Dowsett Mayhew was retained to support the process including the calculation of the number of additional dwellings required. This establishes a range from 40-70 new dwellings. The working group decided that the full quantity should be allocated with any additional housing being met through windfall developments.

6.5 Residential Development Principles

Objectives:

1. Maintain and grow the sense of Community by supporting sympathetic integrated development, consistent with local housing need enabling residents to remain in the parish throughout their lifetime, with a suitable mix of homes and tenures.
2. Ensure all new homes meet and ideally exceed minimum standards for energy efficiency and build quality noting the unavailability of mains gas within the village. They should be built to a density appropriate to the location, provide adequate off-street parking and use local materials where appropriate.

- 6.5.1 Cowfold has an established housing density, which is an inherent aspect of the look and feel of the environment. The built-up area consists of 560 dwellings (2011 census data) contained within an area of 28.4ha including green spaces, this equates to a housing density of 19.4 dwellings/ha. The Southeast quadrant of the village has the highest housing density with 288 dwellings occupying 11.6ha, including green spaces, giving a housing density of 24.8 dwellings/ha. However, it is important to note that this quadrant has inadequate off-street parking



provision. It is estimated that the area required to meet parking requirements would require an increased area of 10% which would result in a housing density of 22.6 dwellings/ha.

Policy 9: Residential Development Principles

- i. Residential Development proposals will be supported where they are within the built-up area of Cowfold and:
 - a. are of a sympathetic scale, relating positively to the character, function and layout of the area;
 - b. maintain appropriate distances between buildings to avoid unacceptable adverse impacts on existing facilities or amenity of adjacent residential properties;
 - c. Incorporate the use of high-quality building materials and finishes consistent with high thermal efficiency;
 - d. are of a density that is appropriate to its location and has regard to current levels in the immediate area;
 - e. are designed to account for the unavailability of mains gas; and
 - f. Provide appropriate infrastructure to facilitate EV charging for car parking spaces without the need for further groundworks.

6.6 Windfall Housing

- 6.6.1 The NPPF 2024 (Annex 2) defines windfall development as “sites not specifically identified in the development plan”.
- 6.6.2 Paragraph 73 of the NPPF acknowledges small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built out relatively quickly. In order to promote the development of a good mix of sites Local Planning Authorities should *“support the development of windfall sites through their policies and decisions, giving great weight to the benefits of using suitable sites within existing settlements for homes”*.
- 6.6.3 Policy 15 of the HDPF sets out the strategic policy for meeting housing need in the district. This states that housing supply will be met from a number of different sources, and that this includes at least 750 dwelling units delivered across the district over the plan period via windfall.
- 6.6.4 Cowfold has had a number of new homes approved and/or completed within the Parish, in particular within the defined settlement boundary over the last few years. These comprise windfall development. In accordance with NPPF and HDPF guidance, the CNP seeks to support further windfall development subject to compliance with certain criteria.
- 6.6.5 The new homes delivered through windfall will contribute to meeting the overall housing need of the parish and the wider need of the district.



Policy 10: Windfall Housing

- i. Development proposals, for residential development on unidentified sites within the defined built-up area boundary of Cowfold, will be supported subject to compliance with other development plan policies.
- ii. All development within the Sussex North Water Resource Zone (WRZ) will need to demonstrate water neutrality through water efficient design and offsetting of any additional water use by the development. All proposals should look to be compliant with Policy 17: Water Neutrality.

6.7 Selected Sites

- 6.7.1 The NPPF makes clear that the ambition of the parish should be aligned with the strategic needs of the wider local area. Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan; they should reflect these policies and plan positively to support them. Neighbourhood Plans should not promote less development than set out in the Local Plan.
- 6.7.2 CNPWG promoted a “Call for Sites” and considered all sites against a set of discussed and agreed with criteria in general agreement with Horsham District Council.
- 6.7.3 There were 11 sites proposed with one being withdrawn and two being amalgamated. The resulting 9 sites were appraised on the basis of their conformance to HDPF policies; the December 2018 SHELAA; pedestrian access to key village facilities; site accessibility; PRoWs; Flood Risk; their potential impact on Biodiversity; AQMA and local Heritage Assets and their settings. Note was also taken of the community ranking obtained via feedback at public meetings.
- 6.7.4 Sites CNP04, CNP05, CNP06, CNP08 and CNP09 were not selected due to their poor conformance to HDPF policy. Sites CNP01, CNP02, CNP03 and CNP07 were taken forward as the shortlist of candidate sites for allocation for housing development in the CNP. Detail on all 9 sites together with their conformance to appraisal criteria was first presented to Parish Council members on 13th April and then at a Public Exhibition on 1st March 2019. Sites CNP01 and CNP03 were finally selected as best meeting the criteria and the needs of the community.
- 6.7.5 **Brook Hill, CNP01**
- 6.7.6 This site has good compliance to HDPF policy, has limited visibility from other village areas while being within 500m of key amenities. Careful consideration needs to be given to the site’s access to the A281 to reflect the topography of Brook Hill and to ensure safe access and egress for all modes of transport. There is concern that the access to the A281, via a roundabout located on the brow of the hill, may not meet



safety needs; the Highways Authority consider that due to the unbalanced traffic flows a roundabout junction is unlikely to be considered an appropriate access solution.

- 6.7.7 The site is located on Flood Zone 1 agricultural land and has good conformance to HDPF policies, of particular note are policies 2, 3, 4, 25, 31, 35 and 40. The proposals preserve existing woodlands, trees and ponds. There are no undue impacts on heritage assets. The SHELAA December 2018 lists part of the site, SA083 as developable. SA076 is listed as not developable with concerns expressed regarding the ridgeline; the proposals seek to address this. All key village facilities, with the exception of the public house, are located in the order of 800m or less of the site, thus providing good accessibility. Proposals include a landscape buffer to the west, separating the development from the existing woodland and planted buffer to the north providing visual containment. A substantial tract of land to the north of this buffer is proposed as community land. As part of the planning application process a mineral resource assessment should be undertaken to ascertain whether economically viable mineral resources are present and whether extraction is practicable, as required by policy M9 of the West Sussex Joint Minerals Local Plan. Similarly, a Transport assessment should be prepared to assess any specific impacts of the development of the site and any mitigation required.



Policy 11: Brook Hill, CNP01 – see Policies Map

- i. Development proposals for up to 35 residential units on land at Brook Hill, as shown on the Policies Map, will be supported where:
 - a. the housing density reflects the character and setting of the site and its surroundings;
 - b. proposals provide safe and suitable access for vehicles, cyclists and pedestrians;
 - c. proposals provide traffic calming, as necessary, at the junction of the access with the A281;
 - d. proposals protect the landscape character of the ridgeline along the northern boundary of the site;
 - e. proposals allow for the retention and enhancement of existing mature trees and hedgerows within the setting of the site and its surroundings.
 - f. proposals provide a robust soft landscape buffer to protect the character of the area, particularly on the western and open northern boundary of the housing area;
 - g. there is no unacceptable adverse impact on the Bakers Shaw LGS;
 - h. the amenity of all existing residential properties bordering the site is protected;
 - i. proposals provide public open space, as detailed on the Policies Map, that is to be transferred to the ownership of the Parish Council or other specially created trust;
 - j. proposals allow for a high quality, illuminated, all weather, non-vehicular access to the existing PRow to the west of the site.
 - k. All development within the Sussex North Water Resource Zone (WRZ) will need to demonstrate water neutrality through water efficient design and offsetting of any net additional water use by the development. All proposals should look to be compliant with Policy 17: Water Neutrality.

6.7.8 Potters, CNP03

6.7.9 This site has good compliance to HDPF Policy, is particularly well situated with regard to the School and Church, is within 500m of key amenities and has the potential to provide a school drop of area. However, providing safe access and egress during peak traffic times, particularly with the additional school traffic, will need careful consideration. Special consideration needs to be given to the northern, A281, frontage to avoid an adverse impact on the streetscene.

6.7.10 This proposal is located on Flood Zone 1 agricultural land and has good conformance to HDPF policies, of particular note are policies 2, 3, 4, 25, 31, 35 and 40. The proposals preserve existing woodlands, trees and ponds. The site is adjacent to the Conservation Area although there are no other heritage assets giving cause for concern. The SHELAA



December 2018 lists SA609 as developable. Proposals include a landscape buffer to the west, separating the development from the existing woodland and planted buffer to the south providing visual containment. A substantial tract of land to the south of this buffer is proposed as community land.

- 6.7.11 There is a significant current issue relating to mixed vehicular and pedestrian access to the school and adjacent nursery. There is very limited parking for staff and parents at the school with the only access via a private road. For safety reasons it has been agreed that no vehicles shall use this road to access the school during children drop-off or collection times. As a result, parents are parking either on the main A272 or in the Thornden residential area. This poses a safety risk as well as significant disquiet for the residents of Thornden. The developer is aware of this and has proposed that they put in place a safe car parking facility sized and located to accommodate staff parking and the safe drop-off and collection of Primary aged school children as well as nursery aged children to the adjacent nursery.
- 6.7.12 The developer has agreed to incorporate an appropriate children's play space within the development boundary. As part of the planning application process a mineral resource assessment should be undertaken to ascertain whether economically viable mineral resources are present and whether extraction is practicable, as required by policy M9 of the West Sussex Joint Minerals Local Plan. Similarly, a Transport assessment should be prepared to assess any specific impacts of the development of the site and any mitigation required.

**Policy 12: Potters, CNP03 - see Policies Map**

- i. Development proposals for up to 35 residential units on land at Potters, as shown on the Policies Map, will be supported where:
 - a. the housing density reflects the character and setting of the site;
 - b. proposals provide safe and suitable access for vehicles, cyclists and pedestrians;
 - c. proposals provide for traffic calming at the junction of the access with the A272;
 - d. proposals include a safe and accessible 'drop-off' point to serve the adjacent school and children's nursery including an associated high-quality, illuminated, all-weather non-vehicular access from the drop off point to the school and nursery;
 - e. proposals allow for the retention and enhancement of existing mature trees and hedgerows within and around the edge of the site;
 - f. proposals provide a robust soft landscape buffer to protect the character of the area, particularly on the western and southern boundary of the housing area;
 - g. the amenity of all existing residential properties bordering the site is protected;
 - h. proposals provide appropriate children's play space to meet the needs of the development;
 - i. proposals provide public open space, as detailed on the Policies Map, to be available for use as such, in perpetuity, for example, by transfer of the ownership to the Parish Council or other specially created trust; together with mechanism/commitments for ongoing management and maintenance to ensure that the space remains of a high quality;
 - j. the layout results in a high-quality frontage with the A272;
 - k. the design of the development, including the layout of buildings and open spaces is demonstrably informed by an appropriate archaeological investigation to preserve and, where not possible, record in-situ remains; and
 - l. the design, layout and form of the development preserves or enhances the character of a Conservation Area and the contribution made by its setting.
- m. All development within the Sussex North Water Resource Zone (WRZ) will need to demonstrate water neutrality through water efficient design and offsetting of any net additional water use by the development. All proposals should look to be compliant with Policy 17: Water Neutrality.



6.8 Housing Mix

6.9 Policy 16 of the HDPF sets out the HDC approach to meeting local housing needs. Paragraph 6.7 of the HDPF notes that *“this policy seeks to achieve a mix of housing sizes, types and tenures to meet the district’s housing needs as identified in the Strategic Housing Market Assessment (SHMA) in order to create sustainable and balanced communities, including a need to meet the housing needs of an increasing elderly population. Consultation feedback and evidence suggests that there is a desire by some elderly residents to move out of their large homes which would free up family sized homes. However, there is a lack of homes that are attractive to the elderly for downsizing that could achieve this. Local communities may wish to identify sites for new elderly downsizing accommodation as part of their preparation of Neighbourhood Plans.”*

6.9.1 The changing demographic with more young adults remaining at home has increased the need for homes with 3 or more bedrooms but still within an attainable price bracket. Increasing the availability of such homes has the benefit of releasing smaller properties back onto the market.

6.9.2 The CNP reflects the need for a wide mix of housing from starter homes to larger family homes to facilitate both downsizing for older residents and upsizing as families grow.

Policy 13: Housing Mix

- i. Development proposals, which include a mix of dwellings, types and sizes as indicated in the latest housing needs survey, will be supported.

6.9.3 Affordable Housing

6.9.4 The Oct 2017 survey indicated the need for a wide mix of affordable and market price housing ranging from starter homes to those for growing families.

Aim 10: Affordable Housing

- i. CPC will support applicants, for the occupation of affordable housing who have a local connection with the Parish of Cowfold.
- ii. CPC will support developments that provide affordable rented accommodation.

6.9.5 Retirement Accommodation

6.9.6 The revised HDPF recognises the increasing elderly population in the region and the need for Neighbourhood Plans to reflect this.



- 6.9.7 Cowfold has some specific retirement accommodation; there is concern that any new development may not meet the needs of this sector of the community in particular, given that there is a general increase in the population of those of retirement age.

Aim 11: Retirement Accommodation

- i. CPC support the retention and/or the increase of existing housing stock for retired residents in line with population and demographic changes.



7 Economy and Employment

- 7.1 There are limited employment opportunities within the village with the majority of residents travelling outside the Parish for work or education. This results in transport being a significant factor in providing employment opportunities.

Objectives:

1. Facilitate employment opportunities within the Parish; enabling the necessary infrastructure, including adequate Mobile and Broadband connections, to encourage self-employment, working from home and the associated reduction in commuting to work outside the Parish.
2. Support the enhancement of public transport connections to urban centres and places of work/education/medical facilities and the wider public transport system. This should include routes, frequency and safe bus stop pull in facilities.

7.2 Local Economy

- 7.2.1 Many small businesses within the Parish have closed during the last few decades. Most of these have been of a retail nature and may reflect demographic change. The increase in home based employment provides a sustainable opportunity to re-invigorate the local economy. This will require both the place, small offices/workshops and the means to access these, including footpaths and cycleways. It may also require enhanced Broadband and Mobile connections and/or sufficient parking provision for an appropriate work-related car or van. These aspects are covered elsewhere by Policies/Aims in the appropriate sections.



Policy 14: Employment

- i. Proposals that enable the development or enhancement of small-scale businesses will be supported where schemes are:
 - a. within the built-up area boundary; or
 - b. contained within existing buildings; or
 - c. on previously developed sites;
 - d. in appropriate sustainable rural locations.
- ii. Proposals for business development will be supported where:
 - a. development does not involve the loss of dwellings;
 - b. they are in keeping with the character and vitality of the local area;
 - c. they safeguard local residential amenity; and
 - d. they would not have an unacceptable effect on the local road network in terms of highway safety or residual cumulative impacts.
- iii. Development proposals that would result in the loss of any land, currently in business or other employment use, in the Parish will not be supported unless it can be demonstrated that business use is no longer viable.
- iv. All development within the Sussex North Water Resource Zone (WRZ) will need to demonstrate water neutrality through water efficient design and offsetting of any net additional water use by the development. All proposals should look to be compliant with Policy 17: Water Neutrality.

7.3 Communications

- 7.3.1 The level of mobile/cellular infrastructure is generally of insufficient quality throughout the Parish. This does not support modern working methods or the improved sustainability that this could provide.
- 7.3.2 Much of the village centre has access to high-speed broadband; however, this is not available throughout the Parish.
- 7.3.3 To facilitate employment within the Parish, in particular working from home, all dwellings and business premises within the Parish would benefit from super-fast broadband and a high level of mobile/cellular connectivity. Policy 15 offers support for a wide range of telecommunication equipment in a balanced way which takes account of appropriate environmental matters. Some of the works captured in the policy may benefit from permitted development rights.



Policy 15: Communications

- i. Proposals that would provide access to super-fast broadband networks to serve the Parish will be supported.
- ii. Proposals that would provide a high level of mobile/cellular infrastructure to serve the Parish will be supported.
- iii. Proposals that would provide underground ducting to facilitate future communication networks will be supported.
- iv. Proposals for above ground network installations that would provide access to either a super-fast broadband network or a mobile/cellular network will be supported where their location is sympathetically chosen and designed to respect the character of the local area.



8 Transport

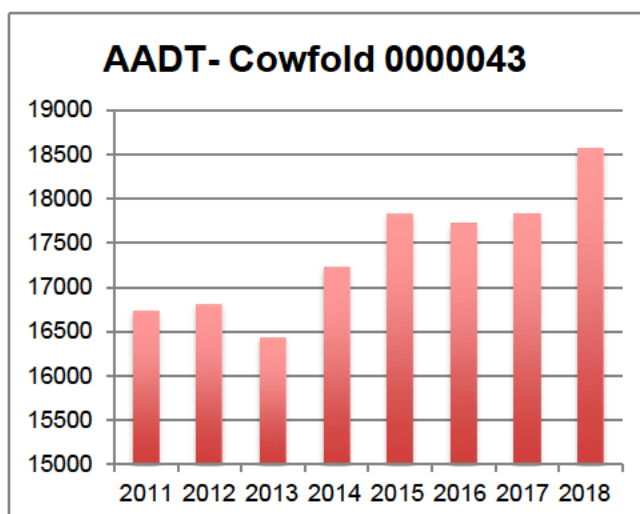
- 8.1 The NPPF 2024 notes within paragraph 109 that:
“Transport issues should be considered from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve: a) making transport considerations an important part of early engagement with local communities; b) ensuring patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places; c) understanding and addressing the potential impacts of development on transport networks; d) realising opportunities from existing or proposed transport infrastructure, and changing transport technology and usage – for example in relation to the scale, location or density of development that can be accommodated; e) identifying and pursuing opportunities to promote walking, cycling and public transport use; and f) identifying, assessing and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains..”
- 8.2 Cowfold is situated at the crossroads of the A281 and the A272, these divide the village into 4 quadrants. The key issue is to implement changes that can substantially reduce the impact of road congestion and pollution arising from both traffic volume and speed within the village and to ensure that all possible measures are incorporated to improve sustainable transport within the Parish.
- 8.3 Road traffic data is collected automatically and provides traffic flow information by vehicle type on an Annual Average Daily basis at a number of locations. As an example, Data Collection point 0000043, located on the A272 to the East of Cowfold provides the following: The table, figure 2, shows that although the percentage of HGV is nominally at 5% it is nevertheless growing. This is important as HGVs produce a disproportionate level of pollutants, in the order of 6 fold more per HGV than per passenger car. The table below shows that passenger car numbers in 2018 increased by 10.95% compared to 2011. HGV numbers increased by 14.74% over the same period.

Figure 2

	<u>Average Annual Daily Traffic, Site No. 0000043</u>							
Year	2011	2012	2013	2014	2015	2016	2017	2018
AADT	16743	16816	16438	17238	17841	17725	17828	18577
HGV	814	794	799	862	857	897	914	934
Growth	1.000	1.004	0.982	1.030	1.066	1.059	1.065	1.110
HGV %	4.86	4.72	4.86	5.00	4.81	5.06	5.13	5.03

- 8.4 The overall growth in vehicle flow is clear from the bar chart, Figure 3.

Figure 3



- 8.5 CNP seeks to limit the impact of queuing traffic that is the key cause of the illegal levels of NO₂ measured on this road as well as maximising the safety of all users whether vehicular, cyclist or pedestrian.

Objectives:

1. Prioritise developments that provide improved road safety, encouraging solutions that result in improved sustainability, pedestrian and cycling facilities taking particular note of the needs of the disabled, elderly, parents with young children and children.
2. Ensure developments take into account the local level of car ownership and off-street car parking requirements with appropriate Electric Vehicle charging facilities as appropriate.

8.6 Traffic Management

- 8.6.1 Delivering improvement to the existing transport network and associated public transport services, generally lies outside the scope of the CNP, and is reliant on other organisations. However, transport issues and measures to improve existing deficiencies are supported by CPC and therefore included in the CNP. Cowfold is designated as one of two Air Quality Measurement Areas in West Sussex; measured data indicates a consistent breach of maximum levels of Nitrogen Dioxide.

Aim 12: Traffic Management

- i. CPC support improvements to traffic management in the Parish including but not limited to traffic calming measures, reduction in HGVs routing through the Parish, improvements to road layouts and signalling.



8.7 Road Safety

- 8.7.1 The village is divided into 4 quadrants by the A272 running East/West and the A281 running North/South. The increase in traffic volume over many years has resulted in Cowfold becoming a traffic bottleneck with pollutant levels breaching National Legislation. In addition, the pavements that may have been of an acceptable standard for a rural/country lane are now inadequate to meet the needs of a busy arterial road running through a large residential population. This is particularly relevant for the disabled, elderly, parents with young children and children.

Aim 13: Road Safety

- i. CPC support developments which:
 - a. do not adversely affect road safety; and
 - b. ensure appropriate visibility splays.

8.8 Sustainable Transport

- 8.8.1 Sustainable development requires the enhancement of public transport connections to urban centres and places of work/education/medical facilities and the wider public transport system. This is a particular issue for those needing to visit the main hospital in Haywards Heath, as there is no East/West public transport availability.

Aim 14: Sustainable Transport

- i. CPC support proposals that seek to provide sustainable transport options that facilitate a reduction in motorised vehicle usage.

8.9 Pedestrian and Cycling Environment

- 8.9.1 Cowfold has many exceptionally poor pavements both in terms of width and surface quality. These subject disabled and parent/child pedestrians to an elevated level of risk especially given the level of HGV traffic on a relatively narrow road. A key aim is to enhance pedestrian safety by improving road crossings, pavements, footpaths and cycle ways to ensure pedestrian safety and to provide better connections to places of work and adjoining communities.



Aim 15: Pedestrian and Cycling Environment

- i. CPC support improvements, upgrades and additional infrastructure that will positively enhance the pedestrian and/or cycling environment. Whilst recognising the potential impact on traffic flow, improvements including, but not limited to, the following are sought, to optimise the safety and ease of movement:
 - a. Pedestrian crossings, particularly across the A272 to the West and across the A281 to the North, in order to facilitate safe interaction across the community;
 - b. hard surface footpaths/pavements and associated street lighting;
 - c. street lighting approaching and within the village;
 - d. safety barriers at crossings;
 - e. increased pavement widths to enhance safety for disabled residents and for adults with young children; and
 - f. pedestrian and cycle connections to places of work that may be within the Parish but outside the built up area.

8.10 Car Parking

8.10.1 The NPPF paragraph 112 states that *"if setting local car parking standards for residential and non-residential development, policies should take into account:*

- a) the accessibility of the development;*
- b) the type and mix of the development;*
- c) the availability and opportunities for public transport;*
- d) local car ownership levels; and*
- e) the need to ensure an adequate provision for charging plug-in and ultra low emission vehicles."*

8.10.2 Considering the above:

- a) any development within Cowfold has limited accessibility to places of employment; Gatwick Airport, for example, provides significant employment opportunities but only to those with a car, particularly when working unsocial hours;
- b) it is anticipated that the development mix would be broadly in line with the existing housing mix;
- c) the closest rail connections are 7 - 9 miles distant, there is a limited North/South Bus service but no East/West bus service which means no practical access to Haywards Heath or Burgess Hill for those without a car.
- d) local car ownership levels are shown below, being 160% above that of West Sussex; and
- e) whilst electric vehicle considerations are included in this plan, they do not alter the overall car requirement.

8.10.3 WSCC residential parking requirements are:

- 1-bedroom dwellings; 1.5 spaces
- 2-bedroom dwellings; 1.7 spaces
- 3-bedroom dwellings; 2.2 spaces
- 4-bedroom dwellings; 2.7 spaces



These figures are based on the West Sussex County Council Guidance on Parking at New Developments (August 2019) as applied to locations identified in Zone 1. West Sussex data from the 2011 census indicates that 38.8% of households have 2 or more cars.

- 8.10.4 The 2011 census data for Cowfold indicates that 62.7% of households have 2 or more cars. That represents 161.6% more cars per household with the average number of cars per household given as 2.96.
- 8.10.5 The 2018 Local Car Parking survey indicated that the combination of limited local employment and limited public transport have resulted in a local requirement that is significantly above that of WSCC. The survey confirmed that currently over 60% of households have 2 or more vehicles.
- 8.10.6 Significant on-street parking increases traffic issues and limits safe access to dwellings for emergency services.

Policy 16: Car Parking Provision

- i. Residential development proposals should provide off-street parking in accordance with the following minimum standards:
 - a. Residential 1 Bed dwellings; 2 spaces;
 - b. Residential 2 Bed dwellings; 3 spaces; and
 - c. Residential 3+ Bed dwellings; 4 or more spaces
- ii. Development proposals that demonstrate that off road parking provision is sufficient so as to minimise on-street parking will be supported.

8.11 Quiet Lanes

- 8.11.1 Quiet Lanes are defined as *“minor rural roads or networks of minor rural roads appropriate for shared use by walkers, cyclists, horse riders and other vehicles”* (West Sussex Transport Plan 2006-2016) Quiet lanes can contribute towards developing integrated transport systems through helping to broaden travel choice; by making journeys easier on local lanes by any mode of transport and providing people with the option to leave their cars at home.
- 8.11.2 Quiet Lanes can also contribute to improving the safety and the quality of life for residents in rural areas. CPC therefore wish to support the designation of Quiet Lanes by the Highway Authority in the area.
- 8.11.3 Lanes that could be considered for this designation within the Parish include Eastlands Lane and Picts Lane.

Aim 16: Quiet Lanes

- i. CPC support the identification and designation of Quiet Lanes in the Parish by WSCC in order to encourage safer use of the shared space between pedestrians, cyclists, horse riders and vehicles.



9 Water Neutrality and New Development

- 9.1 Water is an essential resource and has a critical part to play in providing ecosystem services, contributing to the overall health of the population and enabling development needs to be met.
- 9.2 Horsham District lies within the Sussex North Water Resource Zone (WRZ). This WRZ is supplied from groundwater abstraction, from the Folkestone bed of the Lower Greensand/Wealden Greensand semi-confined aquifer, close to Pulborough. As well as covering Horsham District, the WRZ covers part of Arun District, Crawley Borough, Chichester District and Mid Sussex District, including areas located in the South Downs National Park. Within the WRZ, water is mains distributed by Southern Water.
- 9.3 The abstraction site is located on the River Arun close to a group of nature conservation sites, known as the Arun Valley Sites, that are nationally or internationally designated as a Special Areas of Conservation, Special Protection Area, and Ramsar Site for their rare and protected habitats. On 14 September 2021, local planning authorities covered by the WRZ received a Position Statement from Natural England. This explained that it could not be concluded that extraction was not having an impact on the Arun Valley Sites and that development must not add to this impact. Given the high level of regulatory protection afforded to the Arun Valley Sites as a result of their designation, this requires local planning authorities to demonstrate that development plan documents or planning decisions will not have an adverse effect on the sites. To provide the necessary certainty, the most feasible approach is for development to be water neutral (i.e. not increase the demand for water above current rates of abstraction).
- 9.4 In order to ensure that water supplies can be maintained and the environment protected, the affected local authorities have worked with consultants, Natural England, Southern Water, the Environment Agency and others to produce a Water Neutrality Strategy. In order to deliver new development, the Strategy outlines why and how all new development must be highly water efficient to contribute to achieving water neutrality. This means that all development will need to be designed to achieve water efficiency standards above the requirements set by the optional requirements in Building Regulations – new residential development will be required to use no more than 85 litres per person per day and non-residential buildings required to achieve 3 credits within the BREEAM water issue category. This may include incorporating a range of measures, such as greywater recycling and rainwater harvesting into the design of new development, and fitting water saving fixtures such as flow regulators, low flush toilets, low volume baths, aerated taps and water efficient appliances (in particular, washing machines and dishwashers).
- 9.5 The Water Neutrality Strategy shows that water efficient design will not be sufficient alone to achieve water neutrality, as new development would still increase the demand for water above existing levels. As a consequence, this additional demand will need to be offset against existing supplies. It is envisaged that this will be achieved through demand management savings



identified in Southern Water's Water Resource Management Plan, together with measures to be identified in a joint local authority-led Sussex North Offsetting Water Scheme (SNOWS) being prepared. Achieving high level of water efficiency will enable the SNOWS to provide necessary offsetting more effectively, thereby reducing offsetting costs and ensuring viability for all development within the WRZ. Those using the SNOWS to offset water, will 'buy in' to the scheme at a level to ensure that their development achieves water neutrality.

- 9.6 The Water Neutrality Strategy evidence that the amount of development proposed in this Local Plan and in Local Plans of the other affected authorities would not increase abstraction at Pulborough and thus, would not negatively impact on the Arun Valley Sites. Recognising that offsetting capacity in SNOWS will be limited, access will be managed by the authorities to ensure that there is sufficient capacity in SNOWS to demonstrate water neutrality in schemes that are approved. The authorities (Chichester District Council, Crawley Borough Council, Horsham District Council, Mid Sussex District Council, South Downs National Park Authority and West Sussex County Council) will publish and keep regularly updated a Scheme Access Prioritisation Protocol (SAPP) to show how access to SNOWS will be managed. Infrastructure necessary to support planned growth, such as schools, will be prioritised in the SAPP.
- 9.7 Applicants will have to demonstrate that their scheme is water neutral within a water neutrality statement submitted as part of any application within the WRZ. The Council, together with its local authority partners, will seek to provide additional guidance to further assist applicants with water neutrality statements. Should applicants not seek to utilise SNOWS, the key principles of water efficient design and offsetting the additional demand created remain. Applications should also supply full details of the offsetting that their development would rely upon and demonstrate certainty of delivery of alternative offsets. For connection to an alternative water company, this could be achieved by confirming that the alternative water company has sufficient capacity and will take on supply to the development. For a private supply borehole or other source of supply, this will require evidence that sufficient water supply is available to meet demand arising from the proposed development, and demonstrating with certainty that the alternative supply source does not impact upon the Arun Valley sites.
- 9.8 It is expected that offsetting will be provided prior to occupation of new development and this will be enforced by conditions. Offsetting schemes can occur in any part of the WRZ, with the exception of the Bramber/Upper Beeding area identified in the Policies Map – unless the development is also proposed in this area. This is as water in this part of the WRZ is usually provided by a water source other than the Pulborough abstraction site.
- 9.9 **Water Stress**
- 9.9.1 Much of the South East, including Horsham District, is designated as an 'area of serious water stress' by the Environment Agency, with demand for water exceeding supply. In the event that the requirement for development



to be water neutral is no longer required, residential development should continue to be water efficient and will instead be required to meet the optional requirement as identified in Part G of the Building Regulations and be designed to utilise no more than 110 litres per person per day. This has been a requirement in Horsham District since the adoption of the Horsham District Planning Framework in 2015.

- 9.9.2 To meet the legal requirements placed on us, any Neighbourhood Plan that is not yet made must be able to show that it will not have a negative impact on the protected sites in the Arun Valley. Without considering Water Neutrality, any neighbourhood plan that reaches this late stage in the process would not meet the Basic Conditions. It follows: **All development within the Cowfold Neighbourhood Plan area will need to demonstrate water neutrality through water efficient design and offsetting of any net additional water use of the development. Cowfold Neighbourhood Plan is fully supportive in the implementation of water neutrality policies. All proposals should look to be compliant with Policy 17: Water Neutrality.**



Policy 17: Water Neutrality

All development within the Sussex North Water Resource Zone (WRZ) will need to demonstrate water neutrality through water efficient design and offsetting of any net additional water use of the development. This is to be achieved by ensuring that:

- i. **Water Efficient Design**
 - a. New residential development is designed to utilise no more than 85 litres of mains supplied water per person per day;
 - b. New non-domestic buildings to achieve a score of 3 credits within the water (WAT01 Water Consumption) issue category for the BREEAM Standard or an equivalent standard set out in any future update; and
- ii. **Offsetting Water Use**
 - a. Development proposals must demonstrate that having achieved water efficient design, any mains- supplied water use from the development is offset such that there is no net increase in mains-supplied water use within the WRZ compared with pre-development levels.
- iii. **Water Neutrality Statement**

A water neutrality statement will be required to demonstrate how policy requirements have been met in relation to water efficient design and offsetting. The statement shall provide, as a minimum, the following:

 - a. baseline information relating to existing water use within a development site;
 - b. full calculations relating to expected water use within a proposed development; and
 - c. full details of how any remaining water use will be offset.
- iv. **Offsetting Schemes**
 - a. A local authority-led water offsetting scheme will be introduced to bring forward development and infrastructure supported by Local and Neighbourhood Plans. The authorities will manage access to the offsetting scheme to ensure that sufficient water capacity exists to accommodate planned growth within the plan period.
 - b. Development proposals are not required to utilise the local authority-led offsetting scheme and may bring forward their own offsetting schemes. Any such development proposals will need to have regard to the local authority-led offsetting scheme and associated documents.
 - c. Offsetting schemes can be located within any part of the Sussex North Water Resource Zone, with the exception that offsetting will not be accepted within the Bramber/Upper Beeding area identified in the Policies Map, unless the application site is located within the Bramber/Upper Beeding area.



Policy 17: Water Neutrality - Continued

- v. **Alternative Water Supply**
Where an alternative water supply is to be provided, the water neutrality statement will need to demonstrate that no water is utilised from sources that supply the Sussex North WRZ. The wider acceptability and certainty of delivery for alternative water supplies will be considered on a case-by- case basis.
- vi. **Area of Water Stress**
Should the need to demonstrate water neutrality no longer be required, new residential development must be designed to utilise no more than 110 litres of mains supplied water per person per day, as per the Building Regulations optional requirement for tighter water efficiency. *For non- domestic buildings, the minimum standards for BREEAM 'Excellent' within the Water category will apply.* Should tighter national standards be introduced during the Local Plan period applicable for areas of serious water stress, they will be applied.

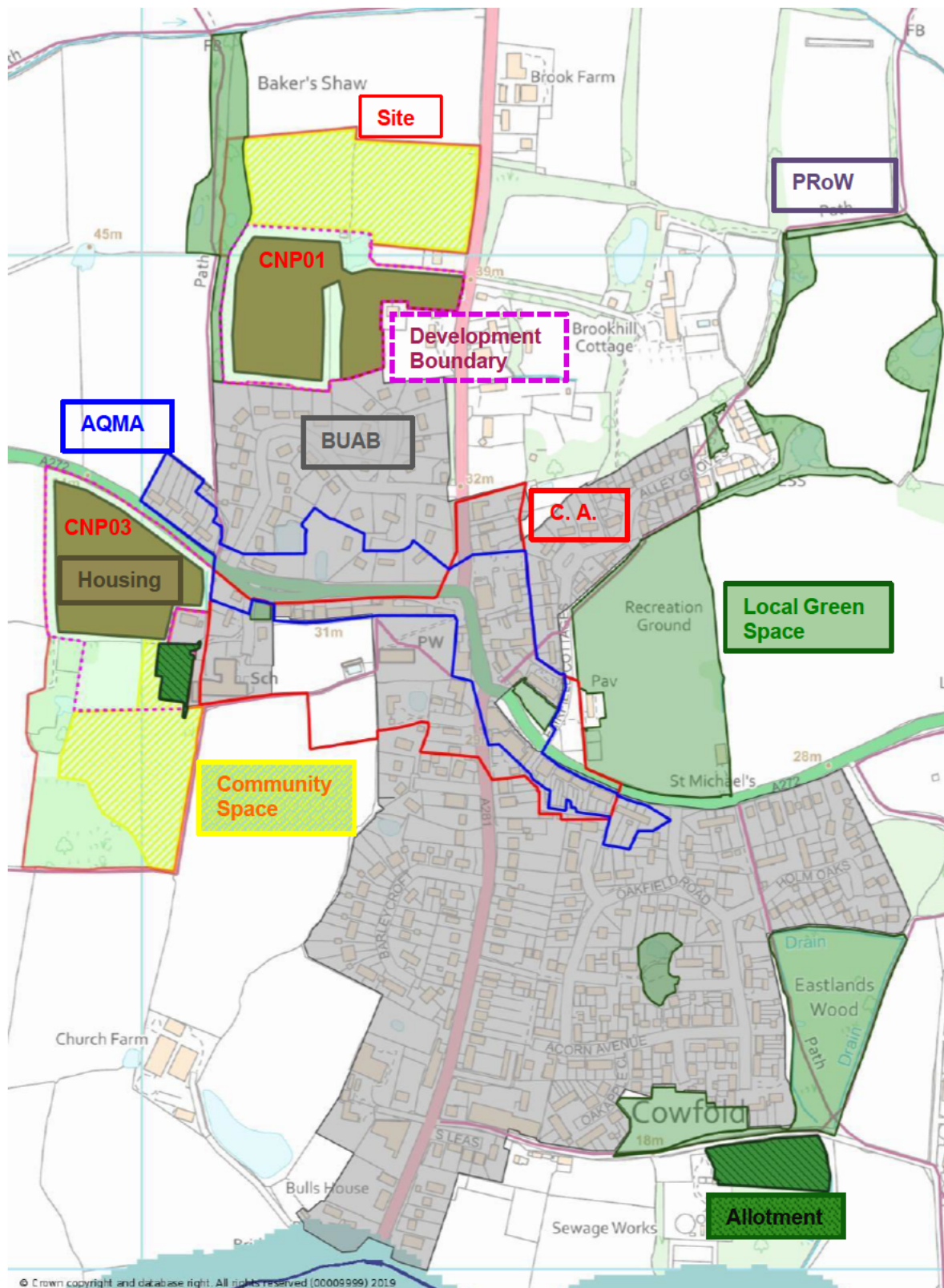


10 Monitoring and Review

- 10.1 The preparation of the CNP has taken place within the strategic context provided by the HDPF that was adopted in November 2015. It has also sought to take account of the emerging Site Allocation DPD
- 10.2 CPC recognises that the plan-making process is dynamic and that development does not always proceed at the pace that was originally intended. In other cases, development may come forward which was not predicted at the time that Development Plans were adopted or made as appropriate. In this context, CPC will monitor the effectiveness or otherwise of the implementation of the policies in the CNP on an annual basis.
- 10.3 Where monitoring of the CNP indicates that development is not proceeding as anticipated, CPC will consider undertaking a review of the wider CNP or specific parts of the CNP as appropriate.
- 10.4 Within the context of the monitoring and review process it is acknowledged that HDC is preparing a revised development plan that will establish the overall growth strategy beyond 2031. CPC recognize that in light of this the housing numbers may change. In this context, the Parish Council will commence a review of the neighbourhood plan no later than 12 months of the adoption of any review of the HDPF.

11 Policies Maps

11.1 Overview – Sites Allocated for Housing Development

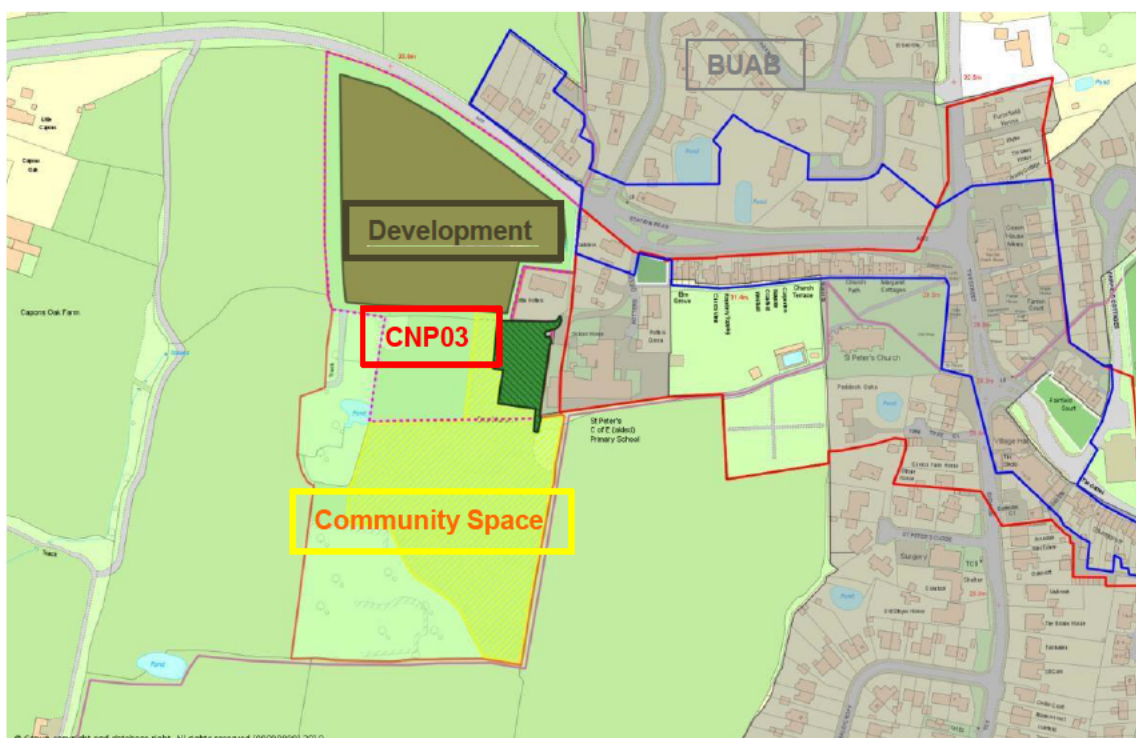


11.2 Proposed Development areas

11.2.1 Brook Hill, CNP01

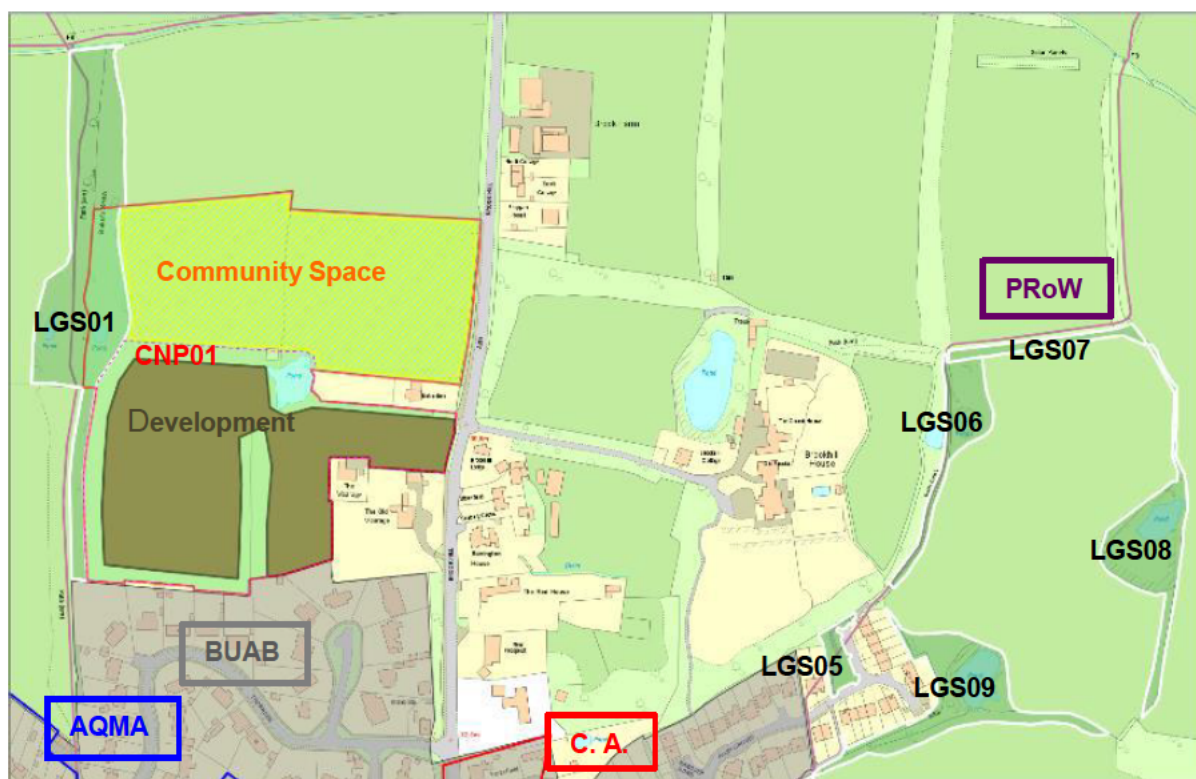


11.2.2 Potters, CNP03

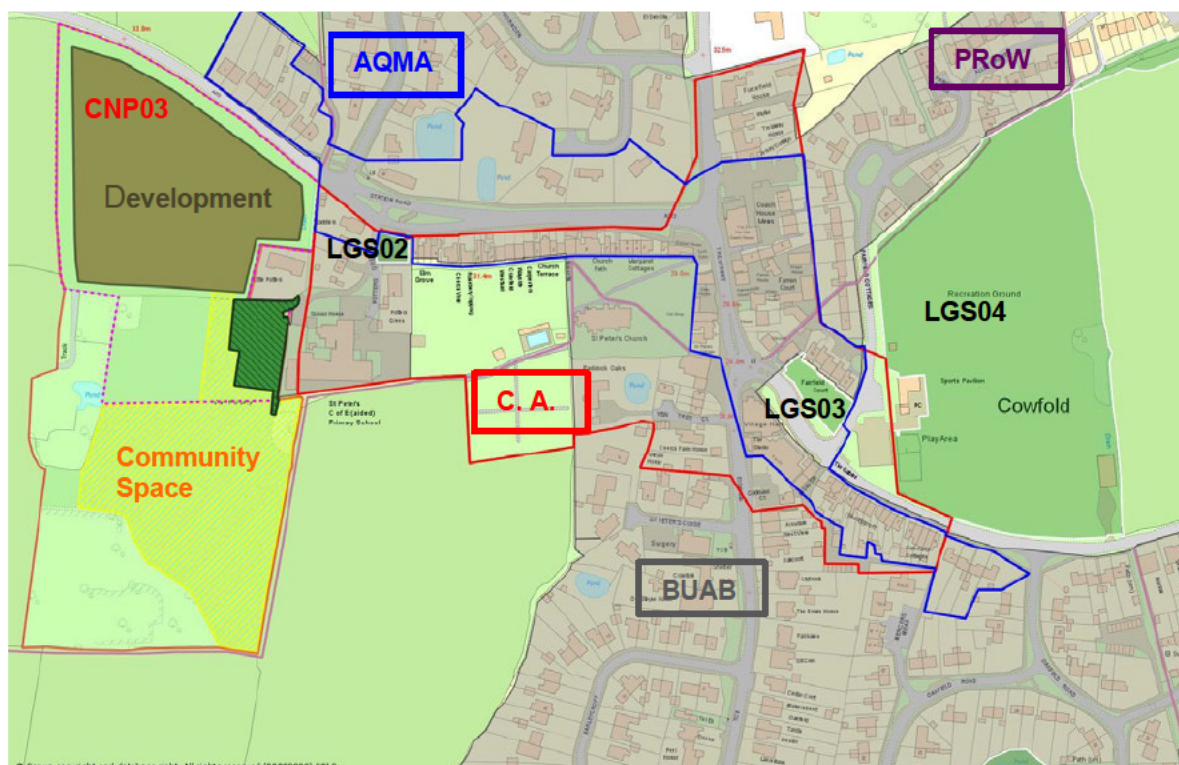


11.3 Local Green Space

11.3.1 Local Green Space – North

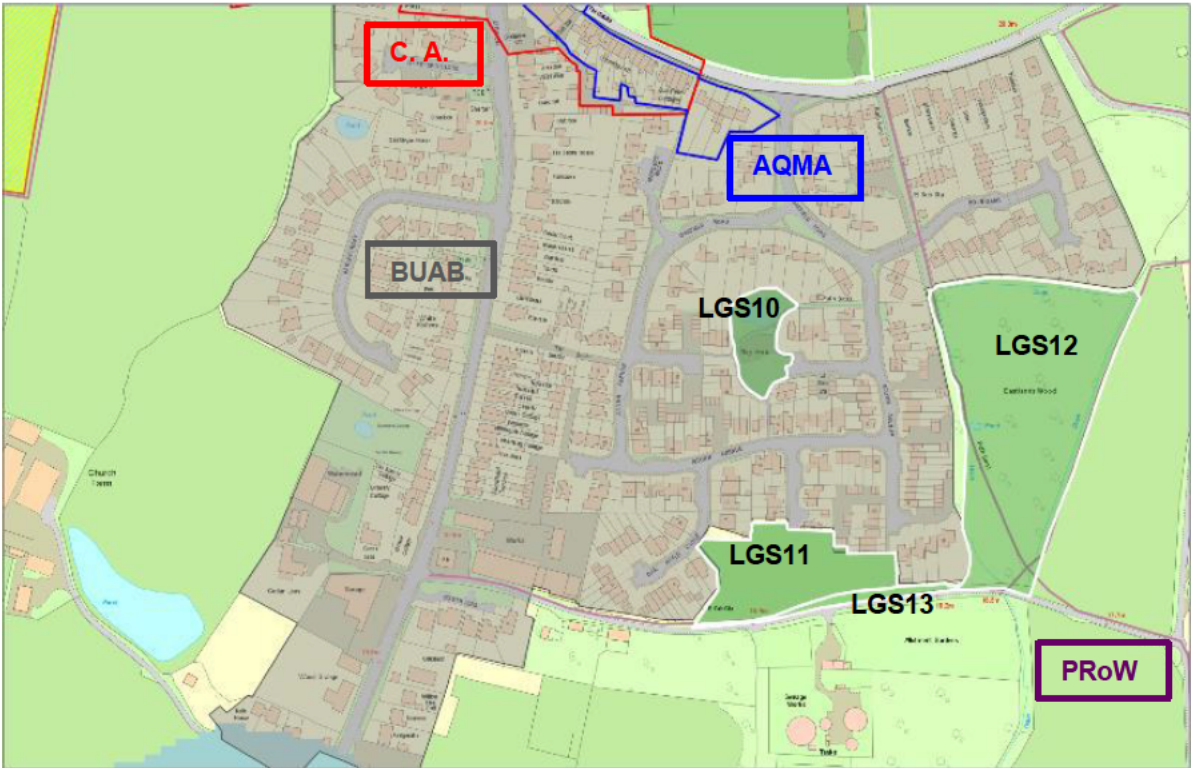


11.3.2 Local Green Space - Centre





11.3.3 Local Green Space - South





12 Schedule of Evidence

Schedule of Evidence	Date
General	
Localism Act 2011	
Neighbourhood Planning (General) Regulations 2012	
National Planning Policy Framework	
National Planning Policy Guidance: Neighbourhood Planning and Strategic environmental assessment and sustainability appraisal	
Neighbourhood Planning - RTP1	
Neighbourhood Planning - Locality Resources	
Neighbourhood Planning-CPRE	
Rural Services Network- What is neighbourhood planning?	
Neighbourhood Planning and the Historic Environment	
Neighbourhood Planning - West Sussex County Council guidance	
Neighbourhood Planning in the High Weald Area of Outstanding Natural Beauty	
South East River Basin District Management Plan	
South East Water, Water Resources Management Plan	2010-2035
Southern Water Resource Management Plan	
Thames Water Resource Management Plan	
West Sussex Waste and Minerals Plan	
West Sussex Public Health Plan	2012-2017
West Sussex County Council: Electric Vehicle Strategy	2019-2030
EU Directive 2001 - Strategic Environmental Assessments	
Environmental Assessment of Plans and Programmes Regulation 2004	
A Practical Guide to Strategic Environmental Assessment Directive	
Horsham Local Plan	
Horsham District Planning Framework	
Local Plan Review	
Horsham Planning Policy Evidence Base: Housing	
Strategic Housing and Economic Land Availability Assessment (SHELAA)	
Strategic Housing Market Assessment	May 2009
Strategic Housing Market Assessment Update	Oct. 2012
Strategic Housing Market Assessment Update	Oct. 2014
Crawley and Horsham Market Housing Mix Report	Nov. 2016
Crawley and Horsham Starter Homes Report	Nov. 2016
Housing Need in Horsham District	May 2015
Urban Housing Potential Study 2004-2018	Feb. 2005
Assessing Housing Need - Summary Paper	



Schedule of Evidence	Date
Horsham Planning Policy Evidence Base: Infrastructure, transport and healthy communities	
Sport, Open Space & Recreation Assessment	Feb. 2014
Horsham Transport and Development Study Addendum.	Apr. 2014
Horsham Transport and Development Study Technical Note	Apr. 2015
Horsham Transport and Development Study Appendices	Apr. 2015
Infrastructure Delivery Plan 2016	
Horsham Planning Policy Evidence Base: Economic development	
Employment Land Review (Part 1)	
Employment Land Review (Part 2)	
Retail Needs Study	
Market Appraisal on the Current and Potential Future Demand for Business Space	
Economic Growth Assessment	Apr. 2014
Economic Growth Assessment Appendices	Apr. 2014
Economic Growth Assessment Supplementary Report	
Employment Floorspace Review	
Hotel & Visitor Accommodation Study	
Hotel & Visitor Accommodation Study Technical Appendices	
Horsham Town Retail & Leisure Study 2017	
Horsham Planning Policy Evidence Base: Conserving and enhancing the natural and built environment	
Landscape Character Assessment	Oct. 2003
Settlement Sustainability & Greenfield Site Allocations, 2005	
Climate Change Strategy	Jun. 2009
Gatwick Sub Region Water Cycle Study	Jan. 2011
Cowfold Air Quality Action Plan	Mar. 2011
South Downs National Park Management Plan	2014-2019
Strategic Flood Risk Assessments	
Landscape Capacity Assessment Reports	Apr. 2014
Green Infrastructure Study	Apr. 2014
Habitat Regulation Assessment	Apr. 2014
Settlement Sustainability Review	
Sussex AQ Guidance	Jun. 2019
High Weald AONB Management Plan	2019-2024
Air Quality Management Areas	



Schedule of Evidence	Date
Horsham District Council: Resources to help make a Neighbourhood Plan	
Standard Screening Opinion	
SA/SEA Guidance Note 2015	
Evidence Base Guidance Note	
Environment Agency Consultation on Neighbourhood Plans & SA/SEA	
The Coal Authority Consultation Advice	
EA updated NP checklist Horsham	
Fact Sheet Main NPPF Changes	
Neighbourhood Planning Conference (Post It Notes Questions and Answers)	
2019 March SHELAA-Factsheet	
Contact Details of Statutory Consultees and Other Consultees	
Parish Based Evidence	
Office of National Statistics (NOMIS): Cowfold	
English Indices of Deprivation 2015-LSOA Level: Cowfold	
West Sussex Historic Environment Report: Cowfold	Nov. 2017
Sussex Biodiversity Record Centre: Cowfold	
Natural England-Land Classification Map	
Magic Map: Cowfold	
Environment Agency Flood Map for Planning: Cowfold	
Scoping Report	Mar. 2018
Background Paper: Parking	Apr. 2018
Background Paper: Local Green Space	
Housing Needs Consideration Report including Revision A	
Response to Regulation 14 Pre-submission Representation in Respect of Housing Matters	Jan. 2020
Response to Regulation 14 Pre-submission Representation in Respect of Heritage Matters	Jan. 2020
Site Assessment Pro-formas	
Exhibition Material	2018-2019



Glossary

AQMA: Air Quality Management Area

Carbon Sink : A natural environment viewed in terms of its ability to absorb carbon dioxide from the atmosphere.

CNP: Cowfold Neighbourhood Plan

CNPWG: Cowfold Neighbourhood Plan Working Group, the group of volunteers set up by the CPC to deliver the CNP

Conservation Area: The designated area within the centre of Cowfold

CPC: Cowfold Parish Council

DPD: Development Plan Document

Green Infrastructure: A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

HDC: Horsham District Council

HDPF: Horsham District Planning Framework, adopted November 2015 and currently undergoing review.

NPPF: National Planning Policy Framework, Revised February 2019.

SHELAA: The **S**trategic **H**ousing and **E**conomic **L**and **A**vailability **A**ssessment (SHELAA) is a process that is carried out to find possible land for development. The assessment of land availability is promoted and set out in National Planning Practice Guidance. The SHELAA is a high level assessment used as a starting point to decide whether sites could be developed for housing, business (economic) or other uses in the Local Plan or a Neighbourhood Plan.

SHMA: Strategic Housing Market Assessment.

Windfall: Sites not specifically identified in the development plan.

WSCC: West Sussex County Council

Appendix H – Cowfold Neighbourhood Plan 2019 – 2031 – Examiner's Report

Cowfold Neighbourhood Development Plan 2019-2031

**A report to Horsham District Council on the Cowfold
Neighbourhood Development Plan**

**Andrew Ashcroft
Independent Examiner
BA (Hons) M.A. DMS M.R.T.P.I.**

Director – Andrew Ashcroft Planning Limited

Executive Summary

- 1 I was appointed by Horsham District Council in December 2020 to carry out the independent examination of the Cowfold Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 24 February 2021.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on allocating two housing sites whilst safeguarding local character. It also proposes a series of local green spaces. In the round the Plan has identified a range of issues where it can add value to the strategic context already provided by the wider development plan.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Cowfold Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
19 April 2021

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Cowfold Neighbourhood Development Plan 2019-2031 (the 'Plan').
- 1.2 The Plan has been submitted to Horsham District Council (HDC) by Cowfold Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) 2012 and its updates in 2018 and 2019. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It has a clear focus on allocating sites for development whilst safeguarding its attractive rural setting. It proposes the designation of a package of local green spaces.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the Plan area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by HDC, with the consent of the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both HDC and the Parish Council. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan is submitted to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Sections 7 and 8 of this report.

Other examination matters

- 2.6 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report. I am satisfied that the submitted Plan complies with the three requirements.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the Submission Plan;
- the Basic Conditions Statement;
- the Consultation Statement and its various appendices;
- the Sustainability Assessment (including SEA);
- the non-technical summary of the Sustainability Assessment;
- the Housing Needs Consideration Report;
- the Local Green Space Report;
- Background Paper 1: Site Assessment (December 2020);
- Background Paper 2: SEA (December 2020);
- Background Paper 3: Policy 3 (December 2020);
- Background Paper 4: Other Sites (December 2020);
- the Parish Council's responses to the Clarification Note;
- the representations made to the Plan as originally submitted;
- the representations made to the Plan as revised;
- the adopted Horsham District Planning Framework 2015;
- the National Planning Policy Framework (2019);
- The Queen (on behalf of Lochailort Investments Ltd) and Mendip District Council [2020] EWCA Civ 1259;
- Office of the Deputy Prime Minister – 'A Practical Guide to the Strategic Environmental Assessment Directive' (September 2005).
- Planning Practice Guidance (March 2014 and subsequent updates); and
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 24 February 2021. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. I maintained the social distancing requirements that were in place at that time during the day in the neighbourhood area. The visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 Two rounds of Regulation 16 consultation have been undertaken on the Plan. This is reflected in the documents listed in paragraph 3.1 above. The particular circumstances which generated the need for the second consultation period are set out in paragraph 4.10 of this report.

3.4 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised HDC of this decision once I had received the Parish Council's responses to the Clarification Note.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. This Statement sets out the mechanisms that were used to engage the community and statutory bodies in the plan-making process. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan (August to October 2020).
- 4.3 The Statement is very detailed and is an excellent example of its type. It is particularly helpful in the way in which it captures the key issues in a proportionate way and is then underpinned by more detailed appendices
- 4.4 The Statement sets out details of the comprehensive range of consultation events that were carried out in relation to the initial stages of the Plan. The principal events were as follows:
 - the presentation of information about the emerging Plan at village fetes (July 2016 and July 2017);
 - the use of the parish magazine and social media to raise awareness;
 - the household questionnaire (October 2017);
 - the Call for Sites (November 2017);
 - the Parking Survey (March 2018);
 - the public exhibition (March 2018);
 - the meetings with the Cowfold medical practice (May 2018 and March 2019);
 - the public meeting (July 2018); and
 - the public exhibition (March 2019).
- 4.5 I am satisfied that the engagement process was detailed, proportionate and robust. It sought to engage in a balanced way with local residents, statutory bodies, local businesses and potential developers.
- 4.6 Section 5 of the Statement provides a helpful summary of the main issues which arose from the initial consultation exercises. The summary is well-presented around a series of topics. Section 6 of the Statement provides general information on the key comments received on the pre-submission version of the Plan. This section is also presented on a thematic basis. In addition, it is supported by a series of detailed appendices. In the round it identifies the principal changes that worked their way through into the submission version. This process is particularly addressed in appendices 19 and 20. In general terms this comprehensive process helps to describe the evolution of the Plan.

- 4.7 It is clear that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation.
- 4.8 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. HDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Representations Received

- 4.9 Consultation on the submitted plan was undertaken by HDC which ended on 12 August 2020. This exercise generated comments from a range of organisations as follows:
- Abingworth Developments Limited
 - Surrey County Council
 - Devine Homes
 - Surrey County Council (Minerals and Waste)
 - Highways England
 - Southern Water
 - NHS Property Services
 - Gladman Development Limited
 - West Sussex County Council
 - Horsham District Council
 - The Hunter Group
 - Historic England
 - Natural England
 - National Grid
- 4.10 Thereafter additional consultation took place between December 2020 and February 2021 on refinements/updates to the housing allocations and the Sustainability Appraisal based on new heritage-related information. This exercise generated comments from the following organisations:
- Devine Homes
 - The Hunter Group
 - Southern Water
 - Natural England
 - Surrey County Council
 - Environment Agency
 - West Sussex County Council
 - Highways England
 - Historic England
 - Horsham District Council

- 4.11 I have taken account of all the representations received. Plainly there were overlaps between the comments received to the two consultation processes. Where it is appropriate to do so, I refer to particular representations in my assessment of the policies in Section 7 of this report.

5 The Neighbourhood Area and the Development Plan

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parish of Cowfold. Its population in 2011 was 1904 persons living in 771 houses. It was designated as a neighbourhood area on 16 May 2016. The neighbourhood area is largely regular in shape and with Cowfold village at its centre. The parish lies in the Sussex Weald and is located between Billingshurst and Haywards Heath. It is 8.5 miles to the south-east of Horsham.
- 5.2 The principal settlement in the neighbourhood area is Cowfold. It is an attractive village based on the intersection of the A272 (running east to west) and the A281 (running north to south). This concentration of traffic has resulted in the designation of an AQMA in the middle of the village. The village centre has strong historical importance and is based on St Peters Church. It is a designated conservation area. At first glance the layout of the village appears to take on a traditional format facing onto the main roads. A more detailed observation highlights the very attractive concentration of buildings facing onto the Church both from the north and from the east. This results in key elements of the historic core having a more secluded and quieter environment. The village enjoys a range of retail, commercial and community facilities proportionate to its size.
- 5.3 The remainder of the neighbourhood area consists of a very attractive agricultural hinterland. It provides an attractive backcloth to the elements of built development. The A272 provides good access to the strategic highway network both to the west (A24) and to the east (A23). In turn these roads provide excellent access both to the north and to the south.

Development Plan Context

- 5.4 The development plan covering the neighbourhood plan area is the Horsham District Planning Framework (HDPF) and the South Downs Local Plan. The HDPF was adopted in 2015 and covers the period up to 2031. It sets out to bring forward new growth that is proportionate to the size of the various settlements in the District. Policy 2 (Strategic Development) focuses development in and around Horsham itself together with other strategic development in Southwater and Billingshurst.
- 5.5 Elsewhere it proposes an appropriate scale of development which would retain the overall settlement pattern in the District. Policy 3 establishes a settlement hierarchy. Within this context Cowfold is identified as a medium Village (the second category in the hierarchy). Policy 4 supports the expansion of settlements subject to various criteria being met. Policy 15 (Housing Provision) sets the scene for the strategic delivery of new housing. Beyond Horsham, Southwater and Billingshurst it identifies that 1500 homes should be delivered collectively across the District through neighbourhood plans in accordance with the settlement hierarchy.

- 5.6 In addition to the policies set out above the following policies in the HDPF have been particularly important in influencing and underpinning the various policies in the submitted Plan:

Policy 7	Economic Development
Policy 9	Employment Development
Policy 16	Meeting Local Housing Needs
Policy 26	Countryside Protection
Policy 32	Quality of New Development
Policy 43	Community Facilities, Leisure and Recreation

- 5.7 HDC is now well-advanced in terms of its preparation of a new Local Plan. A draft Regulation 18 Local Plan was published for consultation between February and March 2020. It is anticipated that the Plan will be submitted for examination in the Autumn of 2021 and with adoption in Autumn 2022. In process terms this Plan is not at a stage at which it can have any significance in the examination of the submitted neighbourhood plan. Nevertheless, HDC has helpfully provided advice to qualifying bodies on how it anticipates that the emerging Plan will have a bearing on the well-developed neighbourhood planning agenda in the District. The two councils have agreed that the Parish Council will address strategic housing matters in the parish within the context of the emerging neighbourhood plan. The submitted Plan has been prepared within this context and has assessed a range of potential housing allocations.
- 5.8 The submitted Plan has been prepared correctly and properly within this current adopted development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing planning policy documents in the District and in the National Park. This is good practice and reflects key elements in Planning Practice Guidance on this matter. It is also clear that the submitted Plan seeks to add value to the different components of the development plan and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement.

Unaccompanied Visit

- 5.9 I visited the neighbourhood area on 24 February 2021. I maintained appropriate social distancing measures in force at that time.
- 5.10 I drove into the neighbourhood area along the A272 from the west and from its junction with the A24. This gave me an initial impression of its setting and character in general terms. It also highlighted its connection to the strategic road system and to Horsham to the north.
- 5.11 Given the compact nature of the village I was able to undertake the majority of the visit on foot. I looked initially at the northern part of the village. I walked to the north along Brook Hill and to the crest of the hill. I saw the proposed development site to the west of Brook Hill (CNP01) and the way in which it would relate to the properties on either side of Brook Hill. I saw the traffic levels along Brook Hill and the importance of securing

a safe access into the proposed site both in general terms, and given the wider topography of the village.

- 5.12 I then walked back to Station Road. I saw the Co-op foodstore and its car park. I saw its importance to the sustainability of the village. I saw the very attractive way in which several vernacular buildings looked towards St Peter's Church in the very attractive historic core of the village. I walked through the Church grounds to look at the proposed development site to the west of Potters Green. I looked carefully at its proposed relationship with the A272, and to its relationship both with Potters Green and the Primary School.
- 5.13 I then walked to the south of the village along the Henfield Road (A281). I saw several fine Edwardian dwellings on the western side of the road. I walked down to the Volkswagen commercial garage. I then retraced my steps and walked along the footpath into the Acorn Avenue development. I then looked at the four proposed local green spaces in this part of the village.
- 5.14 I then walked back along Oakfield Road into the village centre. I looked at the Village Hall and the pavilion at the recreation ground. I saw the general traffic movements and the spells of congestion as identified in the Plan.
- 5.15 I then walked along Fairfield Cottages and Alley Groves. I saw the changing nature of the properties. I found my way to the proposed local green space at the end of Alley Groves. Thereafter I followed the footpath towards the wooded areas to the north east (and as proposed variously as Local Green Spaces 6/7/8/9)
- 5.16 I finished my visit by driving through the outlying parts of the parish to the north and to the south along the A281. In doing so I saw the various watercourses which eventually feed into the River Adur. I left the neighbourhood area to the east along the A272. This highlighted into relationship with the strategic A23.

6 The Neighbourhood Plan and the Basic Conditions

6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document. Its relevant tables are exemplary in the way in which they relate the policies in the Plan to national and local planning policies respectively. The wider Statement is also proportionate to the Plan itself.

6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan in the area;
- be compatible with European Union (EU) obligations and the European Convention on Human Rights (ECHR); and
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).

6.3 I assess the Plan against the basic conditions under the following headings.

National Planning Policies and Guidance

6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in 2019. This approach is reflected in the submitted Basic Conditions Statement.

6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are of particular relevance to the Cowfold Neighbourhood Plan:

- a plan-led system– in this case the relationship between the neighbourhood plan and the adopted Horsham District Planning Framework;
- delivering a sufficient supply of homes;
- building a strong, competitive economy;
- recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
- taking account of the different roles and characters of different areas;
- highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
- conserving heritage assets in a manner appropriate to their significance.

- 6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a golden thread running through the planning system. Paragraph 16 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a vision for the future of the neighbourhood area. It includes a series of policies to safeguard and enhance its character and appearance whilst proposing the allocation of two housing sites. In addition, it proposes a series of local green spaces. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.10 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes policies general housing, for two proposed housing allocations and for employment development (Policies 9-12 and 14-15 respectively). In the social role, it includes policies on community and youth facilities (Policies 6 and 7 respectively) and local green spaces (Policy 3). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on water and flooding (Policy 1), on green infrastructure (Policy 2), and on the conservation area (Policy 4). The Parish Council has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.12 I have already commented in detail on the development plan context in Horsham District in paragraphs 5.4 to 5.8 of this report.
- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. Subject to the incorporation of the recommended modifications in this report I am satisfied that the submitted Plan is in general conformity with the strategic policies in the two development plans.

European Legislation- Sustainability Appraisal (including Strategic Environmental Assessment)

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement HDC issued a 'standard' screening for all neighbourhood plans within the District. It comments that if a neighbourhood plan is allocating sites for development, then it could have a significant environmental impact and a Strategic Environmental Assessment (SEA) is required.
- 6.16 In this wider context the Parish Council commissioned a Sustainability Appraisal (SA). The work undertaken incorporates Strategic Environmental Assessment. The Plan comments that the purpose of the Appraisal is to determine the sustainability criteria against which the Cowfold Neighbourhood Plan should be assessed, to ensure that it contributes to the achievement of sustainable development.
- 6.17 The SA also includes an appraisal of the policy options against the sustainability framework and a very comprehensive appraisal of the potential housing sites. The work and assessments were further consolidated with the production of four background papers. They formed part of the updated package of information which was the subject of the second round of consultation.

European Legislation - Habitat Regulations

- 6.18 HDC has produced a Habitats Regulations Assessment (HRA) of the Plan. It builds on the equivalent work undertaken on the HDPF. It concludes that the Plan is not likely to have significant environmental effects on a European nature conservation site or undermine their conservation objectives alone or in combination taking account of the precautionary principle. As such Appropriate Assessment is not required.
- 6.19 The Assessment takes appropriate account of the significance of the following sites within close proximity of the neighbourhood area:
- Arun Valley Special Protection Area (SPA);
 - Arun Valley Special Area of Conservation (SAC);
 - The Mens Special Area of Conservation (SAC); and

- The Ashdown Forest Special Area of Conservation (SAC).

- 6.20 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.
- 6.21 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. In addition, there has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On the basis of all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.22 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that they have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the Parish Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (Section 41-004-20190509) which indicates that neighbourhood plans must address the development and use of land. It also includes a series of non-land use Aims.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. Where necessary I have identified the inter-relationships between the policies. The Aims are addressed after the policies.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial section of the Plan (Sections 1-3)

- 7.8 These initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan highlights the links between the Plan's objectives and its resultant policies.
- 7.9 The Introduction provides helpful information about the context of the Plan. It correctly identifies the Plan period, when the neighbourhood area was designated and the neighbourhood area itself. It goes on to describe both the national and the local planning policy context within which the Plan has been prepared. It also comments about the way that the Plan has been prepared and the stages through which it has progressed. Overall, it is a particularly effective introduction to a neighbourhood plan.
- 7.10 Section 2 sets out a Parish Profile and a range of matters which have influenced the preparation of the Plan. In particular it addresses the following matters:
- Environment and Heritage;
 - Community Infrastructure;
 - Health;
 - Education;

- Housing;
- Economy and Employment; and
- Transport

A key strength of the Plan is the way in which the issues in Sections 2 and 3 filter into the Plan's policies.

- 7.11 Section 3 comments about the Parish Vision Statement and the associated objectives. It is well-constructed.
- 7.12 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy 1: Groundwater and Surface-water Flood Risk

- 7.13 This policy takes a general approach to this important matter. As the Plan helpfully describes, Cowfold sits predominantly on clay with poor natural drainage. Some natural watercourses have been lost, increasing the risk of groundwater flooding to residential areas, the village centre and areas of open countryside being considered for development. Two watercourses run in the vicinity of Cowfold village - the Cowfold Stream and the River Adur. In turn they are fed by a network of drains and ditches.
- 7.14 The policy sets out to develop a local iteration of the approach in the NPPF on this matter. In particular it seeks to concentrate any new development in areas of lowest risk and to support sustainable drainage techniques. It does so to good effect.
- 7.15 I recommend a detailed modification to the third part of the policy to avoid the potential unintended consequences which might otherwise arise from the wording used in the submitted policy. Otherwise, the wider policy meets the basic conditions.

In the third part of the policy replace 'that are' with 'should be' and 'standards will be supported' with 'policies'

Policy 2: Green Infrastructure

- 7.16 This policy takes a general approach to green infrastructure. It sets out to safeguard existing green infrastructure and the support proposals for new green infrastructure.
- 7.17 The third part of the policy sets out a flexible approach towards proposals which may involve the loss of existing green infrastructure. In its response to the clarification note the Parish Council acknowledged that the policy does not identify any specific elements of green infrastructure. As such the consistent application of the policy by HDC may be challenging to achieve. On balance I am satisfied that the policy will be capable of being delivered throughout the Plan period. However, I recommend that the supporting text is expanded to provide a further degree of clarity. Otherwise, the policy meets the basic conditions.

At the end of paragraph 4.7.6 add:

'The third part of the policy comments about proposals which would result in the loss of existing green infrastructure. In coming to judgement on any such proposals it is acknowledged that the District Council will need to reach a balanced decision based on the matters identified in this part of the policy. As part of this process, it will need to assess the existing value of the element of green infrastructure which would be lost if permission is granted for the development proposal'

Policy 3: Local Green Space

- 7.18 This policy proposes the designation of a series of local green spaces (LGSs). They are listed in the policy and shown on the Policies Map. The proposed LGSs reflect the character and the nature of Cowfold. In many cases they are traditional open recreation areas. The supporting text comments about the tests in the NPPF for the designation of LGSs.
- 7.19 The proposed LGSs came forward as a result of a detail audit of green spaces. The Local Green Spaces report provides detailed commentary on the way in which the Parish Council considers that the various proposed LGSs meet the criteria for such designation in the NPPF. It is an excellent document of its type and provides a local interpretation about the way the various spaces meet the criteria in the NPPF. I looked carefully at the proposed LGSs when I visited the neighbourhood area.
- 7.20 On the basis of all the information available to me, including my own observations, I am satisfied that the proposed LGSs comfortably comply with the three tests in the NPPF and therefore meet the basic conditions. In several cases they are precisely the types of green spaces which the authors of the NPPF would have had in mind in preparing national policy. The Village Green (LGS03) and the Acorn Avenue Green and Kicking Field (LGSs10/11) are particularly good examples of formal and local amenity LGSs respectively.
- 7.21 In addition, I am satisfied that their proposed designation would accord with the more general elements of paragraph 99 of the NPPF. Firstly, I am satisfied that their designation is consistent with the local planning of sustainable development. They do not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, they are an established element of the local environment and, in most cases, have existed in their current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed local green spaces would not endure beyond the end of the Plan period.
- 7.22 The policy itself has two related parts. The first sets out the implications for LGS designation and seeks to follow the approach as set out in paragraph 101 of the NPPF. However, it goes beyond that approach to the extent that it seeks to identify examples of the very special circumstances where development would be supported on identified LGSs.

- 7.23 Given the number and diversity of proposed LGSs I can understand the circumstances which have caused the Parish Council to design the policy in this way. Nevertheless, I recommend a modification so that the policy takes the matter-of-fact approach in the NPPF. The recommended modification also takes account of the recent case in the Court of Appeal on the designation of local green spaces and the policy relationship with areas designated as Green Belts (2020 EWCA Civ 1259).
- 7.24 In the event that development proposals affecting designated LGSs come forward within the Plan period, they can be assessed on a case-by-case basis by HDC. In particular HDC will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy. I recommend that the supporting text clarifies this matter.
- 7.25 The second part of the policy lists the proposed LGS. This part of the policy is very clear. Nevertheless, in terms of the overall clarity of the policy I recommend that the order of the two parts is reversed.

Reverse the order of the two parts of the policy. At the beginning of the schedule of the proposed LGSs insert the first sentence of the submitted policy.

Replace the first part of the policy (as submitted) with:

'Development proposals within the designated local green spaces will only be supported in very special circumstances'

At the end of paragraph 4.8.3 add: 'Policy 4 follows the matter-of-fact approach in the NPPF. In the event that development proposals come forward on the local green spaces within the Plan period, they can be assessed on a case-by-case basis by the District Council. In particular it will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy'

Policy 4: Conservation Area

- 7.26 This policy addresses the Cowfold Conservation Area. The first part of the policy responds in a general sense to its architectural and historic importance in the village. It meets the basic conditions.
- 7.27 The second part identifies a series of buildings and wider features where development proposals for their conservation and enhancement would be supported. In its response to the clarification note the Parish Council commented that:

'the features listed are of local and historical interest as they link directly to the formation of the village even if they might not otherwise have particular architectural or heritage value. We recognise that the Conservation status provides protection but included the list to inform and clarify. We appreciate that it could be felt that this list is inappropriate as part of this policy and would be better included as part of an Aim'

- 7.28 I have considered this matter carefully. The ambition in the policy is land-use rather than non-land use as incorporated within the other Aims in the Plan. As such I
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recommend that the specific buildings as listed in the second part of the policy are removed from the policy and repositioned into the supporting text. This would identify them as particular buildings within the wider context of the policy.

Delete the second part of the policy

At the end of paragraph 4.9.9 add the deleted second part of the policy

Policy 5: Open Space

- 7.29 This policy addresses open spaces within the parish. As the Plan comments ‘the rural nature of its surroundings and the open spaces within the village form part of its character. Open spaces within the Parish are important to the general health and wellbeing of the residents as well as forming part of the village character’
- 7.30 The policy has three related parts as follows:
- the need for development proposals to provide high quality formal and informal open space;
 - a policy context for development proposals involving the loss of open space; and
 - a context for development proposals involving the replacement of open space.
- 7.31 I recommend a modification to the first part of the policy so that its effect is clear. As submitted, it would have an unintentional effect of supporting development in inappropriate locations which otherwise provided open space.
- 7.32 I also recommend a modification to the second part of the policy so that it relates existing open spaces more closely to development proposals. As submitted its effect would be to apply a LGS approach to unspecified open spaces and which themselves do not meet the criteria to be designated as LGSs.

In the first part of the policy replace ‘that’ with ‘should’ and delete ‘will be supported’

Replace the second part of the policy with: ‘Development proposals should be designed and arranged to respect, and where practicable connect to, existing open spaces in their immediate locality’

Policy 6: Community Services & Facilities

- 7.33 This policy celebrates the importance of community facilities within the parish. It has three related parts as follows:
- resisting the loss of existing community facilities;
 - a context for development proposals which involve the alteration or replacement of existing community facilities; and
 - a context for development proposals involving the reuse of redundant buildings for community use.

- 7.34 In its response to the clarification note the Parish Council advised that it had deliberately kept the policy general rather than attempting to identify specific facilities to which the policy would apply. It also advised that this approach reflects the small size of the village and the informal structures of several of the established community facilities.
- 7.35 The first part of the policy on the loss of community facilities is written in an absolute fashion. I recommend that it is modified so that it takes account of potential viability issues. In this wider context the development of replacement facilities is already addressed in the second part of the policy.
- 7.36 I also recommend a modification to the third part of the policy to ensure its broader relationship to the development plan and to avoid unintentional consequences. Otherwise, the policy meets the basic conditions. The wider approach has the ability to assist in the delivery of the social dimension of sustainable development in the Plan period.

At the end of the first part of the policy add: ‘unless it can be demonstrated that the premises are not viable for community use’

At the end of the first part of the policy add: ‘subject to conformity with other development plan policies’

Policy 7: Youth Facilities

- 7.37 The policy offers support to proposals to enhance or provide new facilities for the benefit of young people, including children’s play areas, sporting facilities and youth club activities. By way of context the Plan comments about the playground facilities, the skate park, the youth club based in the Allmond Centre and the Beaver scouts. Similarly, it comments that whilst there are a number of clubs based in the village any new facilities are welcomed and have been traditionally supported by the Parish Council.
- 7.38 The policy takes a positive approach to this important matter. It meets the basic conditions. The wider approach has the ability to assist in the delivery of the social dimension of sustainable development in the Plan period.

Policy 8: Potters Allotments

- 7.39 Development proposals for the allocated site at Potters (Policy 12) include the option to move the allotments to an adjacent area. The policy sets out a broader context within which this can take place. In general terms, Cowfold is well served with two allotment areas, one near the school at Potters and the other to the south of the village accessed by Eastlands lane.
- 7.40 The policy is balanced and well-considered. It meets the basic conditions.

Policy 9: Residential Development Principles

- 7.41 This policy sets out a series of general development principles for new residential development. The criteria relate well to the character and appearance of the neighbourhood area.
- 7.42 As submitted the policy could inadvertently support the development of new homes which met the criteria in the policy but which conflict with the wider spatial policy approach in the development plan. I recommend the inclusion of an additional element within the policy to remedy this issue. Otherwise, the policy meets the basic conditions. In particular it will provide clarity to developers and landowners and will contribute towards the delivery of the environmental dimension of sustainable development.

At the end of the opening element of the policy add: ‘are within the built-up area of Cowfold and:’

Policy 10: Windfall Housing

- 7.43 This policy comments about windfall housing. As the Parish Council comments in its response to the clarification note the policy has been designed to add value to the approach already taken in Policy 15 of the HDPF.
- 7.44 On balance I am satisfied that the policy adds value to Policy 15 of the HDPF. In addition, it provides a wider context to potential development opportunities which may arise in the village in the Plan period. This broader issue is addressed in the supporting text of the Plan. On this basis the policy meets the basic conditions.

Housing Allocations

- 7.45 Policies 11 and 12 of the Plan allocate land at Brook Hill and Potters respectively for residential development. I comment on each policy in turn in the following sections of this report. This section deals with common issues to both sites on the site selection process, the wider sustainability appraisal (SA) process and the additional information which was the subject of the second round of consultation on the submitted Plan.
- 7.46 The two sites are included in the Plan as a result of an extensive process to assess the suitability of a range of potential development options. Nine potential development sites were assessed in the SA. In order to respond to detailed matters raised by Historic England during the initial submission plan consultation phase four additional background papers were prepared. This work refined the assessment of the two selected sites in general terms and in relation to heritage matters in particular. This work resulted in Historic England confirming its support to the amendments proposed in the additional documents, and in particular to Background Paper 3. It also confirmed its view that the amendments are necessary to ensure the plan meets the basic requirements and confirm that they would address earlier concerns with regard to the plan's potential impacts for heritage assets, the need for appropriate assessment and, where necessary, mitigation of potential for harm.
- 7.47 As I have already commented in paragraphs 6.16 and 6.17 of this report the assessment of the development options sits within the wider context of the SA of the

Plan. The broader SA process has attracted representations from both Gladman Developments Limited (as part of its promotion of site CNP08) and the Hunter Group (as part of its promotion of sites CNP06/07/09). The representations variously comment on the overall housing needs for Cowfold and the site selection process incorporated in the Plan and its accompanying SA. I address these points in turn.

- 7.48 The overall work and approach of the Plan on this matter is underpinned by the Housing Needs Consideration (May 2019) which was commissioned by the Parish Council. That study looked at the baseline data and the policy requirements of the adopted HDPF. It looked at seven methodologies for assessing housing needs and compared their requirements with existing completions and commitments in the parish.
- 7.49 The study also took account of the changing basis of how housing provision is calculated nationally. Paragraphs 5.4 and 5.5 comment that:

'However, the application of market signals has been superseded in national planning guidance. In particular see National Planning Policy Guidance Paragraph: 019 Reference ID: 2a-019- 20140306. This was archived in national planning guidance following the revisions to the National Planning Policy Framework published in July 2018. The use of the application of the standard methodology to calculate housing need has been discussed with HDC. They have advised that, at this stage, they are not able to provide a housing requirement figure for the district, and so therefore they are also not able to provide a figure for designated neighbourhood areas, in accordance with the approach set out in paragraph 65 of the NPPF. This figure has yet to be calculated and the District have advised that Parishes do not wait for this information, but instead progress the preparation of neighbourhood plans based on a proportionate housing needs assessment, that reflects the requirements and spatial strategy of the Development Plan'

- 7.50 The study looked in detail at the outcomes of the different methodologies. In paragraphs 5.12 to 5.16 it concludes that:

'... the minimum number of houses that should be allocated in the Plan is 29 - 44 homes. This would comply with the minimum requirements of Policy 15 of the HDPF. In the interests of being robust it is considered prudent to plan for the upper end of this range, (i.e., 44 homes). However, other methodologies, that should also carry significant weight, indicate that residual housing need is up to 70 dwellings. This can be met by a mix of allocations and policy support for certain windfall development. On this basis, it is recommended that the housing need for Cowfold Parish, to be facilitated in the Cowfold Neighbourhood Plan should be 44 - 70 dwellings. Given that no allowance has been made for market signals or the standard methodology, noting the first has been superseded, and the latter is not yet available, it is considered prudent to seek to plan for the upper end of the range'

- 7.51 Gladman Developments Limited suggest that a different approach is taken to this matter. Gladman commissioned Savills a consultant to provide a technical note on the housing needs of Cowfold. The resulting representation comments as follows:

'The report considers various scenarios for housing needs in Cowfold over the 20- year period 2011-2031, indicating an average requirement of 215 dwellings across the scenarios. Once completions and consents since 2011 have been discounted (55 dwellings) this results in a residual requirement to deliver 158 dwellings. As is indicated in the report, the introduction of the standard methodology in Horsham will mean that these needs will almost certainly be higher and as such Gladman suggest that the CNP should be planning for a minimum of 160 new dwellings through the neighbourhood plan'

- 7.52 The representation from The Hunter Group takes a similar approach. It comments that:

'the two housing allocations proposed within the CNDP at sites known as Brook Hill and Potters would fail to deliver the necessary housing required for the Parish and District and that this approach to housing delivery was short-sighted. This short-sighted approach comes into more focus, in particular light of the emerging evidence base in respect of the review of the HDPF. This evidence, based on Government guidance on housing delivery, is considering a substantially higher amount of housing across the district, as a whole, than currently set out within the existing HDPF and upon which the CNDP has been based. We have separately made written representations to HDC in respect of the Regulation 18 consultation on the HDPF Review'

- 7.53 I have considered these different approaches very carefully. On the balance of the evidence, I am satisfied that the approach taken in the submitted Plan is both evidence-based and robust. In particular it is underpinned by a professionally-prepared assessment of housing needs. In addition, it takes account of the local arrangements which HDC has put in place with local councils to assist in bringing forward neighbourhood plans whilst it is preparing the emerging Horsham Local Plan.

- 7.54 These arrangements are reflected in the proposed monitoring and review arrangements for the Plan (Section 9). They acknowledge the changing nature of the development plan context in the District and the need for the Plan to be reviewed once the Local Plan has been adopted. Whilst I recommend modifications to the timing of the review process later in this report, I am satisfied that the overall approach taken is appropriate and meets the basic conditions. In addition, I am satisfied that the approach taken, including the two sites selected as allocations, would not prevent other sites coming forward in the future if the need for further residential development in the parish is identified in the emerging Local Plan.

- 7.55 The representation from the Hunter Group sets out details about the way in which the three sites concerned perform well on the sustainability assessment criteria.

- 7.56 The representation from Gladman Developments provides commentary about the site assessment process in general, and in particular the way in which the Bolney Road proposal (CNP08) has been considered and then not pursued in the Plan. It comments that:

'It would appear that site under promotion from Gladman was discounted at an early stage, for poor conformance with HDPF policies, yet in the Sustainability Assessment the site scores just as well, if not better, than the sites selected for allocation. Further,

Gladman raises concerns about some of the scoring of the Bolney Road site, as detailed in response to the Sustainability Appraisal. Minimal reasoning is provided to justify Land at Bolney Road's poor conformance with HDPF policy. It is not clear how this conclusion has been derived, and precisely which policies the site would not conform with. The HDPF supports expansion of settlements where the site is allocated in a Neighbourhood Plan and adjoins the settlement edge, is appropriate to the scale and function of the settlement, meets housing needs and is contained within a defensible boundary'

- 7.57 Taking account of all the information I am satisfied that the Parish Council has made an appropriate and balanced judgement on this matter. It has selected modest sites which can be sensitively incorporated into the fabric of the village in general, and respect its heritage assets in particular. In both cases the development of the sites would be accompanied by broader community benefits (and which are detailed on a policy-by-policy basis in the sections of this report which comment on Policies 11 and 12).
- 7.58 In general terms the approach taken has had regard to the Office of the Deputy Prime Minister - A Practical Guide to the Strategic Environmental Assessment Directive (September 2005). In particular the sustainability appraisal work undertaken has been used to assist the Parish Council in its wider plan-making process and the site selection in particular. In this context it relates well to the Practical Guidance which comments:
- 'It is not the purpose of the SEA to decide the alternative to be chosen for the plan or programme. This is the role of the decision-makers who have to make choices on the plan or programme to be adopted. The SEA simply provides information on the relative environmental performance of alternatives, and can make the decision-making process more transparent' (Paragraph 5.B.7)*
- 7.59 In addition paragraph 6.7.4 of the submitted Plan comments about the wider community engagement that was associated with the site selection process. This demonstrates the iterative approach taken and which was underpinned with a balance of technical evidence and community engagement.
- 7.60 In summary I am satisfied that the allocated sites represent a very positive local response to the delivery of new housing in the parish. The development of the two sites will assist significantly in the delivery of the economic dimension of sustainable development in the neighbourhood area. They are sensitively-located on the edge of the village. In both cases they have active developer engagement which supports the policy context set out for their development in the submitted Plan and provides assurance on their availability for development and eventual delivery.

Policy 11: CNP01, Brook Hill

- 7.61 This policy proposes the allocation of land for up to 35 homes on land to the west of Brook Road (A281). The site is located on the northern edge of the village. The Policies Map identifies that the site is associated with the development of open space to its immediate north.

- 7.62 I looked carefully at the site when I visited the neighbourhood area. I saw the rising nature of the land to the north of the village and the sylvan nature of Brook Road.
- 7.63 The allocation of the site in the Plan is supported by Abingworth Developments Limited, the intended developer of the site. The representation advises that the proposed entrance to the site would provide an opportunity for traffic calming measures for vehicles approach the village centre from the north. This will not only act as a means to slow traffic but could improve the flow of traffic to the benefit of the air quality within the village.
- 7.64 I am satisfied that the allocation of the site would constitute sustainable development. In particular it is within walking distance of the principal community and commercial facilities in the village. The policy itself includes a series of factors which will result in the sensitive and high-quality development of the site. In this context the following matters are particularly noteworthy:
- that the vehicular access of Brook Hill provides traffic calming measures (criterion c);
 - the site respects the ridgeline to the north of the proposed built development (criterion d);
 - the package of measures to retain existing planting, to introduce new landscaping and to retain the trees in the proposed Bakers Shaw LGS to the immediate north and west (criteria e/f/g); and
 - the provision of associated open space to the immediate north of the development part of the site (criterion i).
- 7.65 In general terms the overall package of criteria in the policy is both appropriate and distinctive to the development of the site. However, the final two criteria on mineral assessment and transport assessment are procedural matters rather than land use criteria which directly relate to the site's development. In these circumstances I recommend that they are deleted from the policy and repositioned into the supporting text.
- 7.66 I also recommend that the supporting text in relation to the access into the site is modified so that it takes on a more neutral approach. In any event criteria b and c in the policy provide the necessary assurances on vehicular access.

Delete criteria k and l

Insert 'and' at the end of criteria i

Replace the second sentence of paragraph 6.7.6 with: 'Careful consideration needs to be given to the site's access to the A281 to reflect the topography of Brook Hill and to ensure safe access and egress for all modes of transport'

At the end of paragraph 6.7.7 add: 'As part of the planning application process a mineral resource assessment should be undertaken to ascertain whether economically viable mineral resources are present and whether extraction is practicable, as required by Policy M9 of the West Sussex Joint Minerals Local Plan. Similarly, a Transport

assessment should be prepared to assess any specific impacts of the development of the site and any mitigation required'

Policy 12: CNP03, Potters

- 7.67 This policy proposes the allocation of land for up to 35 homes on land to the south west of Station Road (A272). The site is located on the western edge of the village. The Policies Map identifies that the site is associated with the development of open space to its immediate south.
- 7.68 I looked carefully at the site when I visited the neighbourhood area. I saw its open and level access and its relationship with built development to its west and the wider countryside to the east. I paid particular attention to the site's relationship with the conservation area and other heritage assets to the west.
- 7.69 The allocation of the site in the Plan is supported by Devine Homes, the intended developer of the site.
- 7.70 I am satisfied that the allocation of the site would constitute sustainable development. In particular it is within walking distance of the principal community and commercial facilities in the village. The policy itself includes a series of factors which will result in the sensitive and high-quality development of the site. In this context the following matters are particularly noteworthy:
- that the vehicular access to Station Road provides traffic calming measures (criterion c);
 - the provision of a safe and accessible 'drop-off' point to serve the adjacent school and children's nursery including an associated high-quality, illuminated, all-weather non-vehicular access from the drop off point to the school and nursery (criterion d);
 - the provision of associated open space to the immediate south of the development part of the site (criterion i); and
 - ensuring that the design, layout and form of the development preserves or enhances the character of the Conservation Area and the contribution made by its setting (criterion n).
- 7.71 In general terms the overall package of criteria in the policy is both appropriate and distinctive to the development of the site. However, criteria k and l on mineral assessment and transport assessment are procedural matters rather than land use criteria which directly relate to the site's development. In these circumstances I recommend that they are deleted from the policy and repositioned into the supporting text.

Delete criteria k and l

At the end of paragraph 6.7.12 add: 'As part of the planning application process a mineral resource assessment should be undertaken to ascertain whether economically viable mineral resources are present and whether extraction is practicable, as required by Policy M9 of the West Sussex Joint Minerals Local Plan. Similarly, a Transport

assessment should be prepared to assess any specific impacts of the development of the site and any mitigation required'

Policy 13: Housing Mix

- 7.72 This policy reflects the work which has been carried out on housing needs in the parish. It comments that development proposals which include a mix of dwellings, types and sizes as indicated in the latest housing needs survey will be supported.
- 7.73 The policy is both evidence-based (the Cowfold Housing Needs Report) and non-prescriptive. As such it meets the basic conditions.

Policy 14: Employment

- 7.74 This policy addresses a series of employment issues in the parish. In particular it comments about its needs as a rural parish and the importance of sustaining existing businesses.
- 7.75 The policy has three related parts as follows:
- identifying the types and locations of new businesses which would be supported;
 - identifying a series of general matters which business development should meet; and
 - setting out an approach towards proposals which would result in the loss of existing business accommodation.
- 7.76 In general terms the policy meets the basic conditions. It will make a significant contribution to the delivery of the economic dimension of sustainable development in the Plan period. However, to bring the clarity required by the NPPF I recommend a detailed modification to the first part of the policy and to the wording used in third part of the policy.

In the first part of the policy add 'or' after criteria a. and b.

In the third part of the policy replace 'be resisted' with 'not be supported'

Policy 15: Communication

- 7.77 The supporting text to the policy provides an interesting context to the policy. It comments that the level of mobile/cellular infrastructure is generally of an insufficient quality throughout the Parish and that this does not support modern working methods. In order to consolidate the Parish Council's approach to facilitating employment within the Parish, in particular working from home, the Parish Council considers that all dwellings and business premises within the Parish would benefit from super-fast broadband and a high level of mobile/cellular connectivity.

- 7.78 The policy offers support for a wider range of telecommunication equipment in a balanced way which takes account of appropriate environmental matters. I recommend that the supporting text identifies that some of the works captured in the policy may benefit from permitted development rights. Otherwise, the policy meets the basic conditions.

At the end of paragraph 7.3.3. add: 'Policy 15 offers support offers support for a wide range of telecommunication equipment in a balanced way which takes account of appropriate environmental matters. Some of the works captured in the policy may benefit from permitted development rights'

Policy 16: Car Parking Provision

- 7.79 The policy comments about car parking provision. The first part is general in effect. The second part provides detailed guidance on residential parking standards.
- 7.80 The Parish Council provided helpful guidance in its response to the clarification note on its thinking on the order of the policy and the way in which the two elements of the policy overlapped. Taking account of all the information I recommend that the order of the two parts of the policy is reversed to bring the clarity required by the NPPF.
- 7.81 West Sussex County Council (WSCC) makes technical comments on the accuracy of the parking standards in paragraph 8.10.3 of the policy. I recommend modifications to ensure that the standards quoted in the Plan properly reflect those in the WSCC Parking Guidance Document (2019).
- 7.82 WSCC also comment that it is not satisfied that the higher standards proposed in the Plan are evidence-based. In this context I have looked carefully at Appendix 24 of the Consultation Statement which responds to early comments from WSCC and Gladman Developments on this matter. It provides detailed information on car ownership, access to other forms of public transport in general, and the distances between the parish and railway stations in Horsham, Haywards Heath and Burgess Hill. On the balance of the information available to me, I am satisfied that the policy approach is evidence-based and meets the basic conditions. I recommend that the detailed wording of this part of the policy is modified so that it more clearly sets out its requirements.

Replace the order of the two elements of the policy

Replace the opening element of the second part of the policy (as submitted) with: 'Residential development proposals should provide off-street parking in accordance with the following minimum standards:'

In paragraph 8.10.3 replace the bullet points with the following:

- 1-bedroom dwellings 1.5 spaces
- 2-bedroom dwellings 1.7 spaces
- 3-bedroom dwellings 2.2 spaces

- 4-bedroom dwellings 2.7 spaces

After the bullet points add: 'These figures are based on the West Sussex County Council Guidance on Parking at New Developments (August 2019) as applied to locations identified within Zone 1'

The Plan Aims

7.83 The Plan includes a series of Aims as follows:

- Aim 1: Air Quality Management
- Aim 2: Sustainable Development
- Aim 3: Village Amenities
- Aim 4: Light Pollution
- Aim 5: Heritage Assets
- Aim 6: Medical Facilities
- Aim 7: School Provision
- Aim 8: Electric Vehicle Charging
- Aim 9: Community Infrastructure Levy
- Aim 10: Affordable Housing
- Aim 11: Retirement Accommodation
- Aim 12: Traffic Management
- Aim 13 Road Safety
- Aim 14 Sustainable Transport
- Aim 15: Pedestrian and Cycling Environment
- Aim 16: Quiet Lanes

7.84 Paragraph 1.1.5 correctly identifies that they are matters which have arisen during the preparation of the Plan but which cannot be incorporated as land use planning policies. The Aims are weaved into the relevant topic areas in the Plan rather than being captured in a separate section as advised by national policy. However, on balance I am satisfied that the approach is appropriate. I have reached this conclusion for two reasons. The first is that the Aims are distinguished from the policies by the use of different colours. The second is that the arrangements in the Plan ensure that the overlaps between the policies and the Aims are immediately clear on a topic-by-topic basis.

7.85 I am satisfied that the Aims take an appropriate and balanced approach to the various matters which have arisen as the Plan has been prepared. They are distinctive to the neighbourhood area and, in some cases, complement the approach in the related land use policies in the Plan.

Monitoring and Review of the Plan

7.86 Section 9 of the Plan comments about how a 'made' Plan would be monitored and eventually reviewed. In particular it acknowledges that the planning policy context in the District is fluid (paragraphs 9.2/9.3) and that there would be merit in reviewing a 'made' neighbourhood plan once the emerging local plan has been adopted

(paragraph 9.4). In this context the Plan comments that it is proposed to commence a review of the Plan within three years of it being 'made' or following the adoption of the Local Plan, whichever is the later.

- 7.87 In paragraphs 7.45 to 7.60 of this report I have commented about the way in which the neighbourhood plan addresses housing needs in the parish. In this context the eventual review of a 'made' neighbourhood plan is particularly important. As such I recommend that the review period is modified so that it becomes more closely-aligned with the adoption of the Local Plan. Whilst I accept that the approach in the submitted Plan was designed to be flexible it could result in a significant gap between the adoption of the emerging Local Plan and a review of the neighbourhood plan starting.
- 7.88 Section 1.5 of the Plan largely overlaps with Section 9. A wider commentary about monitoring and review would sit better at the end rather than at the beginning of the Plan. As such I recommend modifications to Section 1.5 of the Plan so that it simply signposts the reader to the details contained in Section 9.

Replace the final sentence of paragraph 9.4 with: 'In this context, the Parish Council will commence a review of the neighbourhood plan within twelve months of the adoption of the Horsham Local Plan'

Replace paragraph 1.5.1 with: 'The CNP is prepared within the context of the overall development strategy set by Horsham District Council. At the current time, this is set out in the HDPF. A review of this plan is underway. It is due to be completed by 2022. Section 9 of this Plan sets out the way in which a made neighbourhood plan will be monitored and then reviewed once the emerging Local Plan has been adopted'

Delete paragraphs 1.5.2 and 1.5.3.

Other matters – General

- 7.89 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However, other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for HDC and the Parish Council to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies.

Other matters – Specific

- 7.90 HDC has suggested a series of specific amendments to the Plan. They are very helpful within the wider context of the examination process. I recommend a series of modifications to the Plan insofar as they are necessary to ensure that it meets the basic conditions.

In the Foreword – third paragraph – insert ‘2011’ after ‘Localism Act’

In the Foreword – seventh paragraph – after ‘Biodiversity’ add: ‘unless adequate mitigation is secured through the planning process to compensate for such impacts’

In paragraph 1.1.3 replace ‘Pre-submission Plan’ with ‘Submission Plan’

At the end of paragraph 1.1.5 add: The Aims within the Plan will not become part of the development plan. Nevertheless, they will form the basis for the Parish Council to work with other bodies to secure their ambitions within the Plan period. The various land use policies and the associated Aims are included within each of the themed chapters of the plan. They are distinguished by the use of separate colours

At the end of paragraph 1.2.4 add: ‘The District Council is now preparing a new Local Plan which will eventually replace the HDPF’

At the end of paragraph 1.3.10 add: ‘These various matters are captured in the submitted Consultation Statement’

In paragraph 2.2.6 delete ‘the data gathered.... Nitrogen Dioxide’

In paragraph 4.2.1 replace ‘are not.... Deadlines’ with ‘do not comply with national air quality objectives’

- 7.91 The Plan includes several policies maps in Section 10. In general terms they are helpful and self-explanatory. However, they do not include keys. I recommend that appropriate keys are added to each map to bring the clarity required by the NPPF for a development plan document.

Introduce an appropriate key to each of the Policies Maps.

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2031. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Cowfold Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

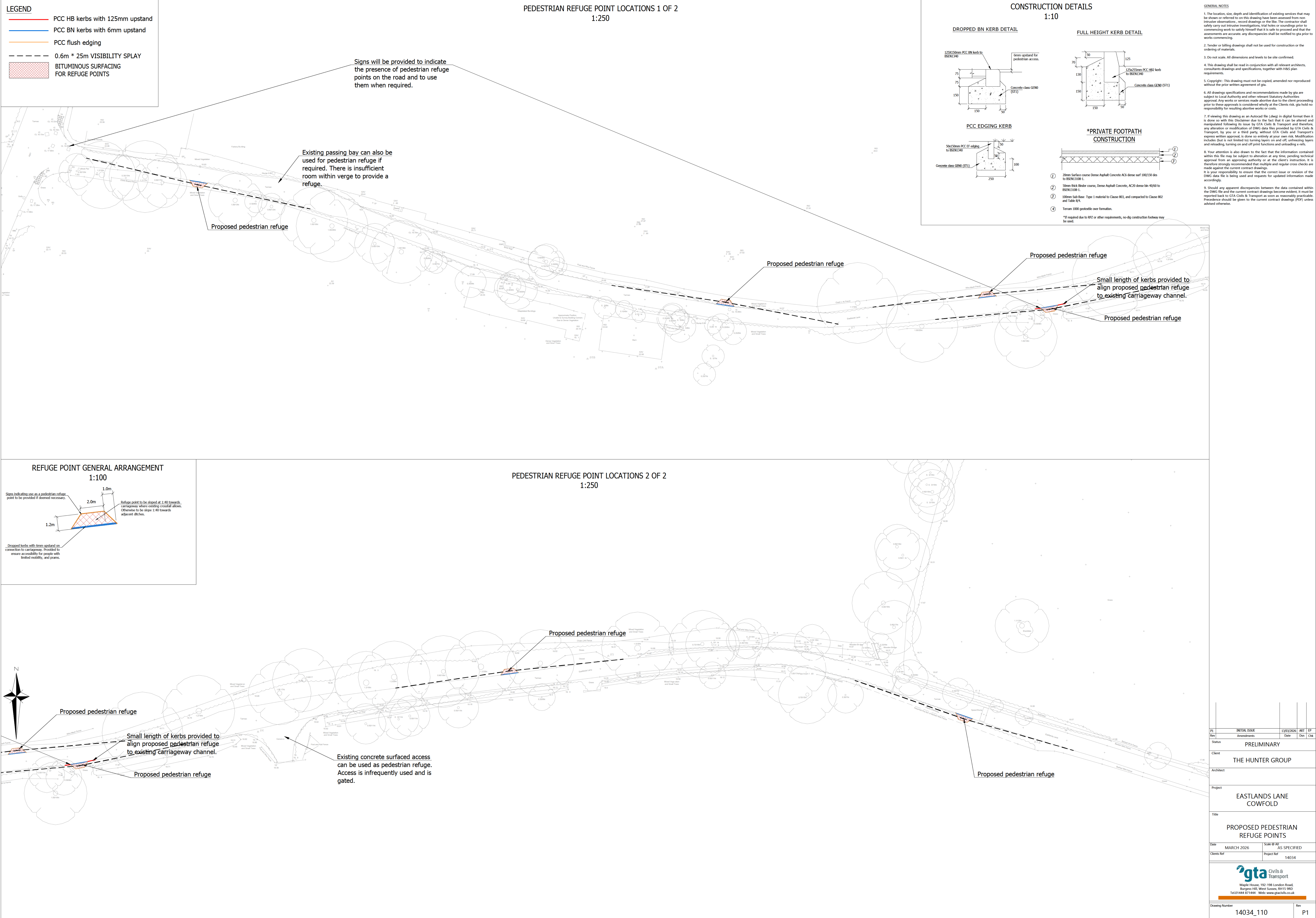
- 8.3 On the basis of the findings in this report I recommend to Horsham District Council that, subject to the incorporation of the modifications set out in this report, the Cowfold Neighbourhood Development Plan should proceed to referendum.

Referendum Area

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by Horsham District Council on 16 May 2016.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in an efficient manner.

Andrew Ashcroft
Independent Examiner
19 April 2021

Appendix I – Proposed Pedestrian Refuge Points Plan 14034_110 P1

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