



TO: Planning Committee

BY: Head of Development and Building Control

DATE: 4th August 2026

DEVELOPMENT: Proposed development of 68 dwellings with vehicular and pedestrian accesses, public open space, hard and soft landscaping and associated works including supporting foul and surface water drainage works, and works to existing culverted watercourse on site.

SITE: Land North of Little Slaughterford, Chapel Road, Barns Green, West Sussex

WARD: Itchingfield, Slinfold and Warnham

APPLICATION: DC/25/2057

APPLICANT: **Name:** Miller Homes Limited and Miller M2 (Barns Green) Ltd **Address:** Unit 3, Faraday Office Park, Rankine Road, Basingstoke, Hampshire RG24 8QB

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 Councillor Youtan.

RECOMMENDATION: To approve full planning permission subject to appropriate conditions and the completion of a Section 106 Legal Agreement within 4 months of the decision of this committee, or such longer period as is required 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. This application seeks full planning permission for 68 no. residential dwellings comprising of dwelling houses and maisonettes (24 of which would be affordable homes), creation of a new vehicular access onto Chapel Road, public open space, hard and soft landscaping and associated works including supporting foul and surface water drainage works and works to a diverted existing culvert on site.

- 1.2. The application is supported by a suite of technical documents including a Transport Assessment and Addendum, Biodiversity Net Gain Statement, Flood Risk and Drainage Strategy, Tree Assessment, and Air Quality Assessment.
- 1.3. The site layout details a central spine road running through the site with roads branching off to the north and south. Dwellings are primarily orientated to face the road that would provide access, with parking to the side. The proposed maisonettes face the spine road, with a parking courtyard to the rear.
- 1.4. A new junction with Chapel Road is proposed to provide access, with a road width of 5.5m banked with 2m pavements either side. These pavements extend into and out of the site to end along Chapel Road to the south and to join Smugglers Lane to the north. Visibility splays are provided for both proposed pedestrian crossings over Chapel Road and vehicle users of the site access. The carriageway of Chapel Road is proposed to be widened to allow for two-way free-flowing traffic and informal on-street parking.
- 1.5. The proposal includes a total of 174 car parking spaces within the site of which 24 are within garages. Outside the site, along Chapel Road, the proposed plans show space for the existing street parking to be largely retained, but now to be set between two new pedestrian build-out crossing points. To address the loss of spaces as a result of the pedestrian crossing build-outs, the applicants have included four visitor spaces in a small car park immediately within the site.
- 1.6. The plans detail an open area of public amenity space set between the dwellings and Chapel Road set either side of the access road. This area is to comprise amenity grassland, a drainage basin, and a Local Area of Play (LAP).
- 1.7. During the course of the application, the following amendments have been secured:
 - Four additional visitor parking spaces (as referred to above) in close proximity to Chapel Road, for those using village amenities such as the village shop.
 - A contribution of £35,000 for Barns Green Recreation Ground improvements.
 - A contribution to improve the public bridleway ITC-1600 which runs along the north of the site, from Chapel Road to Barns Green Recreation Ground.
 - Reduction in massing from flats to maisonettes to better reflect the character and scale of Barns Green.
 - Improvements to the site layout for a more organic and representative appearance.
 - Changes to the play equipment to provide opportunities for a wider range of children to use play equipment in Barns Green.
 - Amendments to the housing mix.
 - Part retention of the existing hedge fronting Chapel Road.
 - Additional hedge planting on the eastern part of the site.
 - Additional chimneys have been added to improve the roofscape.

DESCRIPTION OF THE SITE

- 1.8. The application site comprises of a single agricultural field (approx.3.2 ha), bordered on all sides by vegetation, positioned east of Chapel Road and the Built Up Area Boundary (BUAB) of Barns Green. The existing field is relatively flat in nature rising gradually to the north/northeast. As existing the site is accessed via field gates located at the north east on Chapel Road and north west, from the public right of way.
- 1.9. The site is bound to the north by Smugglers Lane which is a public bridleway. Ancient Woodland lies to the west of the site and continues along the site's boundary ultimately

wrapping around Bettys Lake/the fishing platforms at Sumners Ponds to the south. A public right of way follows the western boundary providing a route through the Ancient Woodland. Beyond Smugglers Lane to the north lies an open field (allocated for 25 homes within the Regulation 19 Horsham District Local Plan (Strategic Policy HA6 (BGR2)).

- 1.10. The built-up area of Barns Green lies immediately to the east of the site. The Queens Head Pub, Barns Green Village Store and Post Office are located opposite the site (to the east across Chapel Road). Both the pub and village store/Herons Reach are Grade II Listed Buildings. In addition, Blacksmiths Cottage which adjoins the pub and Bennetts which lies opposite the cottage are also Grade II Listed Buildings. Little Slaughtertford, also a Grade II Listed Building, is located to the south of the site.
- 1.11. Barns Green Primary School is set close to the junction between Chapel Road and Two Mile Ash Road to the northeast of the site. Beyond the school and Chapel Road, Barns Green is predominantly residential, spreading to the east of the site until it meets the railway track.
- 1.12. Sumners Lakes runs to the south of the site, comprising a campsite and fishing site and business with a lawful development certificate permitting the stationing of 29 static or touring caravans for holiday purposes only (ref. DC/24/0587). In 2023 permission (ref. DC/21/2697) was granted to erect 32 dwellings, six commercial units and one reception building on part of the lakes site. This is now under construction.
- 1.13. The site is located within Flood Zone 1 with very low risk of fluvial flooding. The EA flood risk mapping details that the site frontage onto Chapel Road is at a medium and high risk of surface water flooding, with the rest of the site where the dwellings are proposed falling outside of any flood risk zone. The proposed site access does though cross this area of surface water flood risk. A Flood Risk Assessment and Drainage Strategy are included within the suite of submission documents.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1. The Town and Country Planning Act 1990.

RELEVANT PLANNING POLICIES

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

National Planning Policy Framework

Horsham District Planning Framework (HDPF 2015):

- Policy 1 - Strategic Policy: Sustainable Development
- Policy 2 - Strategic Policy: Strategic Development
- Policy 3 - Strategic Policy: Development Hierarchy
- Policy 4 - Strategic Policy: Settlement Expansion
- Policy 15 - Strategic Policy: Housing Provision
- Policy 16 - Strategic Policy: Meeting Local Housing Needs
- Policy 24 - Strategic Policy: Environmental Protection
- Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
- Policy 26 - Strategic Policy: Countryside Protection
- Policy 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
Policy 42 - Strategic Policy: Inclusive Communities
Policy 41 - Community Facilities, Leisure and Recreation

Barns Green and Itchingfield Neighbourhood Plan (2025):

Policy 1: Green Infrastructure Conservation
Policy 3: Biodiversity Conservation
Policy 3: Heritage Assets And Itchingfield Conservation Area
Policy 4: Protection of Open Spaces
Policy 5: Protection of Green Infrastructure
Policy 8: Broadband and Mobile Phone Provision
Policy 11: Windfall Development
Policy 12: Design of Housing
Policy 13: Sustainable Design Requirements
Policy 14: Housing Mix
Policy 15: Off-Street Parking
Policy 16: Water Neutrality

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

Strategic Policy 1: Sustainable Development
Strategic Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 10: Flooding
Strategic Policy 11: Environmental Protection
Strategic Policy 12: Air Quality
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 16: Protected Landscapes
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
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

West Sussex Joint Minerals Local Plan (2018) (Partial Review March 2021)

Policy M9 - Safeguarding Minerals

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)

PLANNING HISTORY AND RELEVANT APPLICATIONS

None relevant

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 Arboricultural Officer:** No Objection

[Summary] Four responses were provided by the Arboricultural Officer.

The final and fourth response confirms the revised Arboricultural Implications Assessment and Method Statement (Ref. 25-1907-Report-C) and updated Tree Protection Plan (Ref. 25-1907-TTP-C) are satisfactory and clearly identify the retained section of H1. Conditions have been recommended.

The third response is supportive of the retainment of part of hedgerow H1 and confirms the creation of new hedgerow near the site access would help restore a sense of enclosure as the hedge reaches maturity. The hedgerow (H1) is not an ancient hedge. The provision of a 15m buffer between the ancient woodland and the proposed development is considered appropriate.

'The buffer is largely free from built form and is intended to function as a transition zone between the development and the woodland. The proposed pedestrian path within this buffer utilises an existing agricultural access point, which limits the extent of new disturbance. The use of a no-dig construction methodology, cellular confinement systems and soil de-compaction measures is proposed. Subject to compliance with the advised methodology, these works are not considered to adversely impact Tree T26. Furthermore, subject to the footway being contained by permanent fencing running parallel to its route to prevent any incursion into the Ancient Woodland Buffer post-development, this aspect of the proposals would be acceptable in arboricultural terms.'

- 3.3. **HDC BNG:** No Objection

[Summary] Four comments have been provided by the officer. The proposal would result in:

- 30.30% net gain (+2.19 units) in area habitat.
- 19.58% net gain (+1.87 units) in hedgerows.
- 104.06% net gain (+0.17 units) in watercourses

Concerns raised previously in the officer's comments have been resolved; however the partial loss of the existing hedge remains undesirable.

- 3.4. **HDC Conservation:** Objection

[Summary] The Officer has provided three comments.

The land proposed to be developed may have been farmed by the occupants of Bennets and of Little Slaughterford, and the Officer believes there is a visual and functional link between these historic farmhouses and the site. The Officer believes the proposal would result in an erosion in the rural character of both farmhouses. The west side of Chapel Road retains the rural character of the historic village compared to the more densely developed east side. The rural setting of Little Slaughterford has been diluted through the residential development at Sumners Ponds.

The open space buffer proposed goes some way at mitigating harm to the setting of Little Slaughterford, experienced as a separate from the proposed housing. The Officer is '*content that the harm will be at the lowest end of the scale and that public benefit will be provided if this is deemed a sustainable location for development in planning policy terms*'.

The Officer raises objection to the individual house design seeking a higher quality provision to reflect the site's location in the historic core of the village. The shallow roofs, lack of roof embellishment and junctions between tile and brick have been raised as concerns.

3.5. **HDC Environmental Health:** Comment

[Summary] Six comments have been provided by the Environmental Health Team. Contamination controls have been recommended by condition. Following amendments the Air Quality Officer has raised no objection to the proposal and has sought a CEMP and sustainable travel vouchers by condition. A condition has been recommended for rainwater harvesting.

3.6. **HDC Housing:** Comment

[Summary] Three comments have been provided; the most recent comment seeks further information on the registered provider for the affordable housing units.

3.7. **HDC Refuse and Recycling:** No Objection/Comment

[Summary] No objection has been raised regarding the site layout. Dwelling storage space and bin-store capacity should consider the need to provide for food waste.

3.8. **HDC Parks and Countryside:**

[Summary] Following amendments the officer is '*satisfied that the revised LAP detailed in 'DD715A106 Rev C' is appropriate for the development. The play equipment included can be used by children aged 2 to 18 and will encourage longer 'stay and play'. The associated mounds and boulders provide an additional element of play in this area.*'

A condition securing the provision of a grass mat under the somersault bars has been recommended.

OUTSIDE AGENCIES

3.9. **Archaeology Consultant:** Comment

[Summary] The application is supported by a desk based assessment which concludes further archaeological works are required to clarify the nature, extent and significance of any archaeological deposits. It is reasonable in this instance to secure the work by condition.

3.10. **Ecology Consultant:** No Objection

[Summary] Three comments have been received.

There is no ecological objection subject to recommended conditions and Natural England's formal comments on the LPA's Appropriate Assessment. Sufficient ecological information has been provided and with the securing of appropriate mitigation by condition the development is acceptable.

3.11. **Environment Agency:** Comment

[Summary] No objection subject to the attachment of a piling condition.

3.12. **Natural England (bats):** Comment

[Summary] No comment and refers to standing advice.

3.13. **Southern Water:** Comment

Southern Water have provided a number of responses to consultations from January to July 2026. The most recent comment is set at the top and the rest following in date order:

[Summary]

22nd of July 2026

At this stage, we are unable to confirm with confidence whether there is sufficient capacity at Barns Green WTW. The site is undergoing a detailed review, which remains ongoing.

I am unable to provide a definitive timescale for completion at present; however, I can confirm that this has been prioritised and the relevant teams across Southern Water are aware and actively involved in the assessment.

[summary]

22nd of January 2026

There is currently adequate capacity in the local sewerage network to accommodate a foul flow of 0.6 l/s for the above development at manhole reference TQ12265901.

Our investigations indicate that Southern Water can facilitate water supply to service the proposed development. Southern Water requires a formal application for a connection to the water supply to be made by the applicant or developer.

9th of February 2026

Confirmation that manhole reference TQ12265901 aligns with the site.

11th of March 2026- EIR response

Based on the available historical data for Barns Green Wastewater Treatment Works (WwTW), the average Dry Weather Flow (DWF) is 146,000 litres/day (l/d) and has not exceeded 291,000 l/d. Therefore, we don't have available historical effluent data for DWF values within this higher range. The modelled results indicate that, under current site conditions and the existing permit, there will be an approximate 10% shortfall in primary and secondary treatment capacity if the DWF exceeds 291,000 l/d. Compliance with the Environment Agency (EA) discharge permit limits will depend on operational performance, weather conditions, and actual influent loading at the time.

This catchment is currently serving a total population equivalent (PE) of 1,210. Historically, the population served has not exceeded 1,630 PE. The modelled results indicate that, under current site conditions and the existing permit, there would be adequate treatment capacity if the population served were to exceed 1,630 PE. Compliance with the EA discharge permit limits will depend on operational performance, weather conditions, and actual influent loading at the time.

The most recent "Reasons for Not Attaining Good" (RNAG) data, from 2022, does not attribute reasons for failure to any individual WwTWs. Four WwTWs, Itchingfield, Barns Green, Coolham and Shipley discharge into this catchment.

Of the 13 RNAGs listed for the waterbody, four relate to continuous wastewater discharges; however, only one (phosphate) is confirmed. The remaining indicators (dissolved oxygen, fish, and macrophytes/phytobenthos) are classified as probable. Other sectors, including agriculture, also contribute to water quality pressures.

Barns Green is a relatively small site and will be operating to the most stringent phosphorus standard achievable (0.25 mg/L) by the end of this regulatory period. Based on this context,

an increase in DWF and resulting nutrient load from Barns Green is unlikely to cause a significant deterioration in overall water quality within the Adur West waterbody. However, only the Environment Agency can assess and confirm this through its source-apportionment modelling.

29th of April 2026

Following the review of the newly submitted documents, Southern Water comments remain valid to our previous letter sent on the 22nd of January 2026.

18th of June 2026

There is currently adequate capacity in the local sewerage network to accommodate a foul flow of 0.6 l/s. Comments were also made on the connection to the water mains and confirmation was provided that no soakaways should be connected to the public surface water sewer. The adequacy of the discharge of surface water to the local watercourse should be commented on by the councils technical staff and the relevant authority for land drainage consent. New connections to the public sewerage system will require a S106 connection.

3.14. **WSSC Fire and Rescue:** Comment

[Summary] Conditions have been recommended to secure fire hydrants.

3.15. **WSSC Highways:** No Objection

[Summary] On the 13th of July 2026 the Local highway Authority provided their most recent comment. This comment considers the Transport Appraisal from Itchingfield Parish Council.

Access Strategy (as proposed) and Network Capacity

The access strategy forming part of the original submission has been reviewed again since the January 2026 consultation response. For clarity this includes the Herons Reach (DC/19/2052- restoration of Herons Reach, erection of a new detached shop building with flat above and erection of a dwelling) development as outlined in the Parish Council's TA.

The LHA raised no objection to this application in 2019. The application was subsequently allowed at Planning Appeal in June 2020. The application proposed 6 parking spaces off site which could be housed off site within land under the applicant's control. The Planning Inspector noted that 'Given the lack of pressure for on-street parking in the surrounding roads, I can identify no harm from the proposal to highway safety'.

Given the small scale of the proposals at Herons Reach the relationship with this proposal and the Herons Reach access are not likely to result in any detrimental impacts on the network or any increase in parking that would be detrimental to highway safety. As outlined later in this response the parking requirements for this site are within the LHA parameters therefore no concerns would be raised that this proposal will directly add to additional on street parking demands. In summary the LHA are satisfied that the two sites access points can come forward together in a safe manner.

The access to the proposed development as shown meets the requirements for visibility and it has been demonstrated previously the access strategy works in principle. No changes are made to the LHA response.

In terms of the Stage 1 Road Safety Audits (RSA) these are undertaken at the completion of preliminary design and normally before planning consent is granted, as this is usually the last occasion at which land requirements may be increased and the basic design principles can be altered. The RSA provides an assessment of the sites access strategy and any off-site highway works associated with this. The specific purpose of a Road Safety Audit is to assess the safety implications of proposed changes to the adopted highway. The Road Safety Audit, therefore, does not include the highway or pedestrian network in the wider area.

As LHA we have to assess the proposals as submitted by the developer and determine, in our professional judgement, whether the proposals as designed are acceptable or not from

a planning perspective. The existing footway arrangement adjacent of the site meet the minimum guidance within Manual for Streets (MfS) and provide connections to nearby local facilities. As outlined previously this has been accepted and agreed and is considered to be acceptable in planning terms.

Vehicular trip generation was agreed as part of the pre-application. Accounting for the above, it's apparent that trips generated by the site quickly disperse across the nearby road network. The modelling assessments clearly demonstrates that the junction would work within theoretical capacity.

Speed Calming Measures as proposed in PC's TA

We have undertaken internal discussions on the proposed traffic calming measures specially the Raised Table/Compact Roundabout which it is suggested could form an alternative access into the site. We have assessed the information provided and utilising drawing CHA-P-01 P3, the suggestions by the PC's TA have been discussed internally with a Highway Agreements Project Manager. It should be noted this option of an alternative access strategy is not before the LHA for consideration and has been put forward for consideration by a 3rd party not the Developer.

For a road of this class and size, a roundabout is considered excessive; traffic flows are likely too low to require the compact roundabout. The compact roundabout would equalise movements on all arms (side roads access main road), but our view is that traffic would be too low on all arms to warrant the compact roundabout as shown.

Other Comments:

- The deflection on the main north-south route looks marginal, raising risk of vehicles running straight across the roundabout without reducing speeds.
- Entry path radii on all approaches appears to be straight
- The compact roundabout is less convenient for cyclists, although this is mitigated by the fact that the roads on all arms are likely to be lowly trafficked

In conclusion the LHA view is that the addition of a Compact Roundabout is excessive for the location and anticipated traffic flows and not required to make the application acceptable under National Planning Policy Framework polices (NPPF) policies.

Accessibility

Whilst the site location has been previously acknowledged by the LHA. The TA's critique focuses on the site's location and the Department for Transport's Connectivity Tool findings. Of note is the site's central village location which provides access to essential day-to-day services within the village. These include a shop, post office, public house, school, village hall, and community facilities, all within a short walking distance. The LHA has sought sustainable transport improvements to the proposals that are proportionate to the development proposed, these are being discussed currently as part of the s106 agreement. Additionally, the site is connected to the Public Right of Way (PRoW) network, with walkable routes providing links to the village centre. PRoW connections have been committed to as part of the internal layout. However, these routes may only provide a fully accessible route seasonably.

Whilst the site does benefit from having amenities within walking distance from the village, future residents would be reliant on the use of the private car for services and amenities further afield.

It is also important to note that the document stated above are guidance and therefore should be read in that context with each application site. In some circumstances there is a degree of professional judgement that needs to be taken to assess the proposals in each location and in this instance the proposals are appropriate given the likely use.

Ultimately, it is the LPA's decision to consider aspects of sustainability/accessibility as part of their decision-making process, though the LHA does not consider an objection should be raised on these grounds in line with NPPF guidance.

Parking and Layout

Much of what was previously advised on the 30th January 2026 would still stand in terms of advice in relation to the proposed layout. The LHA has reviewed the updated parking information as submitted in the SLR Note from 2nd April 2026 and would not have any concerns with what is proposed in terms of internal modifications or parking numbers. Internal footpaths should have a minimum of 1.5 metres in width in line with MfS parameters, this should be confirmed by the Design Team.

Previous comments from the Highways Officer have raised no objection to the proposal. The comment confirms a site visit was carried out by the Local Highway Authority on the 15th of January 2026. The comments confirm the LHA's Road Safety Team has not raised objections to the proposals. They also confirm the LHA have signed off the Road Safety Audit and that a Travel Plan is to be secured by a S106. In regard to layout and parking the LHA have sought clarity as to whether the internal roads are offered for adoption under a Section 38 agreement, the minimum dimensions of the footways and the securing of bus stop improvements.

- 3.16 **WSCC Lead Local Flood Authority:** No Objection
[Summary] Three comments have been received. No objection subject to recommended conditions and update to the conditions with the most recent plans.
- 3.17 **WSCC Minerals and Waste:** Comment
[Summary] No objection subject to the assessment of the determining authority as to the level of weight to afford the non-mineral development when considered against the potential sterilisation of the safeguarded mineral resource.
- 3.18 **WSCC Rights of Way:** No Objection
[Summary] No objection subject to improvements to public Bridleway 1600 & Footpath 1596_1 to mitigate increased use from the development, to be agreed via s106 agreement.
- 3.19 **HDC Landscape Architect:** No Objection
[Summary] Following amendments, after the submission of previous comments, the landscape officer confirms there are no landscape objections subject to the attachment of their recommended conditions. The retainment of part of the existing hedge (H1) respond to the previous concerns the officer raises. The additional hedgerow being set back allows for a filtered approach to the character and street scene from Chapel Road. In the west of the site it is unclear if clustered planting is still proposed.
- The Officer raises concerns about the security of the boundary and potential for encroachment into the ancient woodland for Plot 55; however, considered the details of this boundary could be secured by condition. Previous concerns about the passive surveillance of the LAP can be addressed through appropriate management of the hedgerow and can be secured by condition to be within a Landscape Management Plan.
- 'Overall, we are satisfied that the retention of the section of hedgerow along Chapel Road will provide a better street scene along Chapel Road and retain some of the rural, verdant character when approaching the village.'*
- 3.20 **Sussex Police:** Comment
[Summary] *'Despite the levels of crime and anti-social behaviour in Horsham district being below average when compared with the rest of Sussex, additional measures to mitigate against any identified local crime trends and site-specific requirements should always be*

considered.' The proposal has considered the Secured by Design Principles which is welcomed as its incorporation will be effective in reducing the opportunity and fear of crime.

'The development has a good active frontage with the streets and the public areas being overlooked.'

Advice on safety of the apartments, postal arrangements, parking security, EV charging, footpath and bicycle routes, planting, construction securing and play area have been included.

PUBLIC CONSULTATIONS

3.21 Representations:

513 letters of Objection have been received, one of these was anonymous. The letters of Objection have been received from 294 addresses, objecting to the application on the following grounds:

- The proposal would result in overdevelopment and is disproportionate to the size of the parish.
- Development at Sumners Ponds largely remains unsold.
- The site is outside of the BUAB and encroaches on the countryside.
- The proposal is contrary to HDPF Policy 26 and no development should be permitted outside the BUAB.
- The process is undemocratic.
- The council's SHELAA Housing and Land Report (2018) found the site 'Not Currently Developable', what has changed regarding the site since this assessment.
- The site is not allocated in the neighbourhood plan and was identified as the least suitable site for development.
- The proposal is speculative and development on greenfield land should not be prioritised.
- The proposal is non-essential development and therefore contradictory to the countryside policy.
- While the applicant claims the site has no flooding the Southern Water works reference WCS5271990 disproves this. Further the flood risk assessment identifies the area is prone to flooding and highways drainage is not maintained.
- A sandbank to the south of the site should be secured to protect properties.
- The proposal would fail to comply with NPPF para 178b and HDPF Policy 38 which states new development cannot increase flood risk elsewhere.
- Existing properties/businesses are already flooded, including the village shop.
- Southern Waters response is inaccurate, addressing only the immediate connection point and not the documented sewage overflow issues, downstream network capacity of cumulative impacts.
- Barns Green experienced 43 sewage overflow events over 17 days of discharge in 2022.
- The manhole referred to by Southern Water is not in Barns Green.
- The Flood Risk Assessment refers to the site being within the Arun management catchment when it actually falls within the Adurs, meaning it would effect the Knepp Rewilding Estate.
- Barns Green wastewater treatment works may not comply with the required standards and Southern Water should investigate the capacity of the treatment works.
- The cumulative impact of the proposal alongside DC/26/0366 raises many concerns.
- There are no improvements planned to the sewer catchment and this is already operating at 139% capacity with the proposed development this would rise.
- Lack of sewage treatment capacity would be exacerbated further by development in Southwater
- The capacity assessment details a maximum capacity of 1,400 people and the development would result in Barns Green exceeding this.
- The sewage treatment plant is undersized and would not be able to cope with the capacity required from the development.

- Southern Waters comments do not account for everyday reality.
- Southern Water has confirmed the development would increase flows to the public sewer system which may increase risk of flooding.
- There are many sewage overflow events.
- Concerns about the accuracy of Southern Waters responses and the calculations, including population size that have been carried out.
- The Conservation of Habitats and Species regulations Act 2017 details that proposals must not increase water abstraction, proposal does not detail an offsetting strategy.
- The untreated sewage in Parsons Brook is a public health risk.
- The removal of the hedgerow will result in worse flooding.
- A management plan to tackle SUDS failure should be created.
- The site is unsuitable due to the flooding risks adjacent to the site which have not been recognised. The water table is very near surface level and the site is located on Weald Clay which causes drainage challenges.
- An independent assessment is required to review the suitability of the culvert works.
- The mitigation methods are not suitable.
- Highways access, parking and safety.
- The assessments do not consider correctly the impact of the development on junction capacity and nearby sites, granted and allocated should be assessed.
- Traffic will also impact areas beyond Chapel Road.
- The access location is dangerous for all users as they meet on narrow lane, in particular for the pick up and drop off of the school bus in an area with no pavement.
- Visibility for pedestrians and vehicles is reduced and Hordons Road has a blocked line of sights.
- Additional traffic calming methods should be added.
- A roundabout or other access in a different location should be considered.
- The further parking reduces green space.
- The access should be moved and a different layout needed.
- Not enough car parking spaces have been provided and the future needs of residents have not been considered.
- Proposed parking plan states there will be 10 spaces for the centre but plans only show nine. This may result in reduced foot traffic for the village shop, leading to its closure. This may leave vulnerable residents with no access to facilities.
- There is a reliance on car use as there is no realistic public transport.
- Sumners field development requires backup generators, and the wider village has an existing supply issue. No assessment of grid capacity by UKPN has been provided for this proposal. Residents of Barns Green are unable to use their EV chargers when ovens or pumps are on.
- Water Supply issue there has been a recent 6-day outage in East Grinstead.
- EV charging ports are not suitable additional environmental mitigation.
- Local infrastructure cannot handle the additional pressures (eg. Doctors' surgeries, Hospital facilities, local school oversubscribed).
- Concern regarding noise and light pollution in rural area, as well as dust, vibrations, and increased emissions arising from construction.
- Proposed properties would be visually intrusive when viewed from surrounding public vantage points and footpaths. Proposed homes would also look down onto listed buildings.
- LVIA was taken in the summer months leaf cover provides the most screening, should be repeated in the winter.
- Pollution from sewage system ends in a SSSI classified saltmarsh.
- The Air Quality Assessment is inaccurate.
- The removal of the ancient hedgerow will result in detrimental impacts to ecology and will release carbon.
- Natural habitats will be lost and a full winter and breeding bird survey should be carried out.
- Detrimental impact and loss of Ancient Woodland and Ancient Semi Natural Woodland.

- Hedgerow Regulations 1997 details a strong presumption in favour of protected important hedgerows. NPPF p186(c) states that development resulting in the deterioration of irreplaceable habitats should be refused, representations state there is no exceptional reason to overrule this.
- Loss of TPO Trees.
- Damage and loss of the southern boundary trees at the site due to reliance with trees within the site.
- The ancient woodland buffer zone is not sufficient, nor would it protect people from tree collapse.
- Justification for the path within the ancient woodland is not sufficient.
- Concerns over the BNG and there is a need for a 30 year BNG delivery plan to be provided prior to determination.
- The proposal is incompatible with the Itchingfield Neighbourhood Plan including policies 1, 5, and 12 and Aim 10.
- Design of homes is suburban and not in keeping with the surrounding area or properties which is characterised by lower density housing, the proposed density is too high at 35.9dph. Contravenes Policy 32 of the HDPF.
- The proposal would have a detrimental impact on listed buildings.
- There is no defensible boundary to the west of Barns Green.
- The LVIA is inaccurate and Sumners Ponds is incorrectly described as having significant visual clutter.
- The proposal would have a detrimental impact on nearby listed building and these would be harmed through construction.
- The housing mix does not represent local needs.
- Landscape concerns are raised including concerns about the need for a buffer with Smugglers Lane.
- The proposed dwellings are poorly designed with dominate massing and scaling and are out of character with the area, lacking compliance with HDPF Policy 33.
- DD715LVIA is inaccurate showing two trees that have since been removed.
- The proposal may struggle to find a registered provider like the development at Sumners Ponds has.
- The village Pub and shop/PO are community assets, relying on on-street parking for customers and deliveries. The loss of parking and disruption of construction may result in the loss of these facilities.
- Loss of green space residents' wellbeing and community-led events.
- Loss of general amenity, including visitors to Sumners Ponds, Bettys Lake, Bluebell Park and Smugglers Lane.
- Users of the bridleway will be at risk if there is disruption.
- Appeals have noted development near village centres detract from their character.
- Concerns about crime rates
- The energy statement includes an incorrect postcode.
- The LVIA is inaccurate and refers to a site in Wimbledon.
- There is a lack of water neutrality.
- A pre-condition survey of Blacksmiths Cottage should be carried out.
- Old Itchingfield school site remains undeveloped and there are more suitable sites to develop that that proposed under this application.
- GI report has not considered all the implications and further investigation is needed.
- The proposal would further restrict access to sports and recreation.
- The existing recreation ground/play space is adequate.
- The extension of the consultation period and process is not acceptable.
- Amendments do not address the concerns raised.
- No consultation with UK power networks or assessment of grid capacity.
- Consideration has not been given to the impact of the development next to the site at Smugglers Lane.
- Water supply demand already too high and the system cannot cope with more
- Wildlife is under threat already and the loss of habitat and the ancient hedge is a concern.
- The proposal will result in increased runoff, increasing existing flooding.

- Public transport is not well connected and shouldn't be described as such.
- The field used for community and charity events will be lost.
- Detrimental impact on the village character, listed building and heritage pastoral fields.
- Privacy, light and noise.
- The road layout is confusing.
- Housing mix and deliverability concerns, as stated by HDC's Housing Officer.
- Housing design is larger than the surrounding properties.
- Calculations carried out show the potential for raw sewage flows being transferred may be in excess of 19.5m³ per day.
- The Itchingfield sewage treatment facility is to be closed putting additional pressure on Barns Green.
- Southern Water have not accounted for all development in the area.
- The proposed works to Barns Green village shop has not been considered alongside the sites access.
- Southern Waters comments refer to the wrong area and the wrong river.
- No confirmation as to whether the trees around the site have received TPO Orders as requested.
- The field is a village green.
- The proposal in Emms Lane will already cause more traffic and this proposal will result in additional traffic.
- There are pinch points to access the proposed development and 90 degree corners.
- The proposal will result in additional CO² emissions from cars.
- The Itchingfield sewage treatment plan is to be de-commissioned and this has not been considered by Southern Water.
- Erosion of the rural character of Barns Green, urbanising an existing green field site.
- Southern Water comments are not correct and can not be trusted.
- Residents will use the parking spaces not people using the shop.
- Shanley homes development should be considered alongside this application.
- Southern Water commented on application DC/15/0029 confirming there was not the capacity to accommodate flows from this development. Works that have taken place since have not increased the actual treatment capacity of the Barns Green Sewage Treatment Works. The letter from Southern Water in April 2025 confirmed there were no plans to improve capacity. The claim there is now sufficient capacity is invalid.

4 letters have been received neither Supporting nor Objecting to the application on the following grounds:

- Full winter and breeding bat survey should be carried out and is required prior to determination.
- There are errors in the Flood Risk and Drainage Statement and issues with it being checked.
- Southern Water have referred to the incorrect manhole.
- The energy statement refers to an incorrect postcode.
- A pre-condition survey of Blacksmiths Cottage should be carried out.
- Concerns about Southern Waters response to the application including lack of addressing sewage overflow issues, cumulative network capacity and inadequacy; no assurance the proposal would not exacerbate sewage discharge issues; capacity has not been adequately addressed such as downstream network capacity and overall ability of the network; reference to the manhole is incorrect; incorrect claims as to capacity from Southern Water; any new development would push capacity beyond what Southern Water has stated is capacity.

Parish Comments:

Itchingfield Parish Council: Objection

Further comments 1st of July 2026

- The absence of solar photovoltaic panels, battery storage, meter access panels and other infrastructure is a surprise and concerning. If panels are proposed the plans are misleading. The scheme would not be sustainable without solar photovoltaic generation.
- Concerns over the proposed closure of the Itchingfield Wastewater Treatment Works and transfer to Barns Green. This may place additional pressure on infrastructure considered by local residents to be at or close to capacity. There are continued concerns over the reports of sewage incidents impacting local watercourses and the environment. It is not appropriate to assume existing or proposed infrastructure would accommodate the proposed wastewater from the development. Concerns specifically related to an increase in sewer surcharge, sewage flooding and pollution.
- HDC should require clear and robust evidence that adequate wastewater treatment and sewerage capacity exists not and in the lifetime of the development, without an increase in the risk of sewage capacity exists, untreated discharge and environmental harm. Without this evidence it is considered the necessary infrastructure to support the proposed development is not available.
- Land adjacent to the site has been submitted but not validated. The application is relevant to the wider planning context and should be considered if made valid during the consideration of this application. There is concern that access issues for BGR2 site (Reg 19 Local Plan Land South of Muntham Drive). A combined strategy would seem appropriate due to nuisance during development, road safety and traffic flow. HDC should if the application is made valid consider the relationship between the two proposals and assess appropriate cumulative impacts.
- The proposal has not demonstrated the style, layout and appearance of the proposed dwellings would be suitable for the central village location and the submitted material is not suitable to demonstrate the proposal would reflect the local character and vernacular. The Parish Council requests the Applicant undertake further consultation with the Parish and local community.
- A technical note has been submitted alongside the representation:
 - o The connectivity metric is a national metric and is the appropriate measure for assessing the connectivity for individual sites. The LPA score is to support LPAs during the early stages of plan making.
 - o It is assumed the Applicant agreed with paragraphs 5.4 to 5.18 of the IPC Transport Report. Paragraphs 5.4 to 5.18 of the IPC Transport Report conclude that "the limited and impractical public transport provision, together with the absence of suitable cycling infrastructure, fails to provide a genuine choice of transport modes".
 - o The iTransport report states 'The planning permission from 2019 was never implemented and has now lapsed. There is therefore no extant permission in place.' The planning permission has been implemented. The IPC Transport Report remain valid.
 - o The Highways deficiencies identified in the IPC Transport Report have not be addressed. The CHA response does not adequately consider key aspects of highway safety and design.
 - o Mini and compact roundabouts have the potential to improve conditions for cyclists and enhance overall highway safety.
 - o The concerns within the IPC Transport Report remain valid.

Subsequent comments 28th of May 2026

- There has been a lack of engagement with the developer.
- The position on the development plans remains and the proposal would continue to conflict with the relevant plans as set out in the previous comment.
- The draft plan has not been adopted and the proposal is a draft allocation only.
- The loss of the hedgerow would have a detrimental impact on the landscape and the ecology/environment of the area.
- The applicant should respond to Place Services concerns regarding the hedge and site safety.

- The development does not provide sufficient open space and its too cramped, with too many houses.
- The inclusion of drainage features as natural green space is a weakness in the design approach.
- Support for the play provision to be for a wider age range is provided and this is a key factor to whether the development provides suitable infrastructure.
- The mown paths would not provide sufficient access to the LAP.
- The review carried out by the Parish Council demonstrates the site is lowest 10th percentile nationally for sustainable transport connectivity and walking and public transport connectivity are particularly poor with real work route safety or quality for cycling not accounted for. It also notes a high car dependence in Barns Green directed relevant to NPPF paragraph 110.
- The redevelopment of the village shop has not been considered by the proposal and there is conflict identified in the report between the proposed access for both developments as well as a material change in the assessment carried out for the shop redevelopment.
- The car-park does not resolve concerns and raises concerns about maintenance, surfacing and preservation for village rather than overflow.
- The parking demonstrated on-street by the applicant is unrealistic.
- The proposal has not demonstrated it is acceptable, safe and suitable on highway grounds and is contrary to policy and the NPPF.
- The proposal does not provide a suitable housing mix and the affordable housing may not be deliverable. The houses at Sumner's Ponds are largely unsold. This is particularly important given the sites poor connectivity which can increase costs for households. More reassurance is needed to demonstrate registered providers interest. Until this evidence has been provided the benefit should be afforded limited weight.
- The proposal has not suitably assessed the impact on local businesses.
- The drainage strategy relies upon the removal of the hedge and is not suitable or acceptable.
- The benefits of the proposal would not outweigh the harm having regard to NPPF paragraph 14 and the conflict with the recently made neighbourhood plan.
- A technical note has been provided alongside the comment a brief summary is available below and the full document is available as part of the Parish Council's comment:
 - o The department for transport connectivity tool shows the site has a score of 31.
 - o There would be a high reliance on private car use.
 - o The proposal does not improve sustainable transport.
 - o Concerns over highways and access safety and lack of consideration for other developments on Chapel Road.
 - o Concerns about the accuracy of West Sussex County Councils comments and the Applicants submitted information.
 - o Further recommendations.

Initial comments: 6th of February 2026

- The proposal does not comply with policies contained in Itchingfield Neighbourhood Plan, Horsham District Planning Framework and the West Sussex Joint Minerals Local Plan.
- The site was considered during the making of the neighbourhood plan and was deemed the least suitable site based on the scoring criteria provided by HDC.
- The proposal would not comply with Policies 2,3,4 and 26 of the HDPF.
- The proposal would be contrary to the neighbourhood plan, the plan allocated where housing is intended to be accommodated up to 2031 and where it is not, it also re-confirms the BUAB. The development would be a departure from the up-to-date development plan.
- The shaping Development in Horsham District Planning Advice Note does not form part of the statutory development plan and is a material consideration only. Section 2 discusses the weight of the HDPF and other documents. The titled balance of NPPF paragraph 11 applies and HDC conclude that there is not justification for applying great

weight to the policies of the emerging plan. The advice note concluded to give limited weight in most cases to the plan. There has been no further material progress to the examination of the emerging plan since the advice note was issued.

- The neighbourhood plan satisfies the requirements set out in section 3 of the advice note and NPPF paragraph 14 would apply.
- The appeals mentioned in the Applicants Planning Statement do not apply in this instance, with one plan not being made and the benefits of the scheme at Horsham Gold Club would not apply in this instance.
- The benefit of 68 dwellings would not carry sufficient weight of out weigh conflict with the neighbourhood plan.
- The site is affected by surface water flood risk low – high and there are concerns the development with exacerbate flooding already experience in the village, the proposed drainage strategy may introduce risks that are not evidenced to be acceptable.
- National Policy requires a sequential risk based approach and HDPF Policy 38 requires development to ensure it does not increase flood risk off-site.
- The FRA refers to Arun and Western courses, undermining the confidence that the assessment is robust.
- The proposal given the flood risk and pending comment from the LLFA fails to demonstrate compliance with HDPF Policy 38 and the NPPF, were the LLFA to identify issues this would justify refusal.
- Works on Chapel Road are outside the red line, reliance on off-site works that are not clearly secured are an unacceptable risk.
- A future TRO would not be a suitable substitute for an acceptable access and parking solution at the point of determination.
- The development would need to demonstrate compliance with HDPF policy 40 and 41.
- The proposal would put additional pressure on a drainage and sewerage system which has a history of overflows. The overall impact on whether the wider system can accommodate the development has not been provided.
- HDPF Policy 39 requires sufficient capacity in existing infrastructure or the delivery of suitable mitigation over time and studies may be required to determine if a proposal would result in an overload.
- Any increased risk of pollution to water courses would be inconsistent with HDPF Policy 24 as development is required to avoid unacceptable environmental impacts. The NPPF requires decision making to ensure development is appropriate for its location and considered environmental affects and amenities.
- HDPF Policy 39 should be applied and not place great weight on generic capacity statements. If adequate capacity and/or deliverable mitigation cannot be evidenced this weighs materially against the proposal and should be a reason for refusal.
- Robust confirmation that key utilities can be provided, including electricity as the lack of connection at Sumners Ponds is an ongoing local concerns.
- The proposals design is out of keeping with Barns Green, tall and suburban in form. The village context makes the scale, massing, roof form, plot patterns, boundary treatments and materials central to whether local distinctiveness is maintained and to avoid harm to the rural character and townscape.
- HDPF 33 and the NPPF require a high standard of design which reflects the local area. The scheme does not demonstrate sufficient contextual response to Barns Green's character, weighing against the proposal.
- The loss of hedgerow to the front of the site is not supportable, and there are concerns about the impact on the ancient woodland, both would result in detriment to the wider ecological network contrary to HDPF Policy 31 and the NPPF. Any loss of ancient hedgerow and risks to ancient woodland should be treated as substantial weight against the proposal, unless evidence of avoidance or satisfaction of relevant policies can be provided.
- The build out and longer term of the development may result in the loss of the local shop. post office and pub, having a significant negative impact on the local community.

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. Sussex Police have provided detailed comments on the proposal at this stage, referring the applicant to guidance on crime prevention and 'secured by design' measures outlined in their website. It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

Principle of Development:

Development Plan Policy Context

- 6.1. The relevant development plan in this context comprises the Horsham District Council Planning Framework (HDPF, 2015), the 'made' Barns Green and Itchingfield Neighbourhood Plan (INP, 2025) and the West Sussex Joint Minerals Local Plan. 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.
- 6.2. HDPF Policies 2 (Strategic Development), 3 (Development Hierarchy) and 4 (Settlement Expansion) identify the settlement hierarchy and establish the development strategy across the district. HDPF Policy 3 supports development within Built Up Area Boundaries (BUAB). The site is not located within any defined BUAB.
- 6.3. HDPF Policy 4 supports development outside of the BUAB where all of the following criteria are met:
 1. *'The site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.'*
 2. *The level of expansion is appropriate to the scale and function of the settlement type.*
 3. *The development is demonstrated to meet the identified local housing needs and/or employment needs or will assist the retention and enhancement of community facilities and services.*
 4. *The impact of the development individually or cumulatively does not prejudice comprehensive long term development, in order not to conflict with the development strategy; and*
 5. *The development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.'*

- 6.4. The site is not allocated within the Barns Green and Itchingfield Neighbourhood Plan, therefore the proposal does not accord with HDPF Policy 4 despite compliance with the remaining four criteria.
- 6.5. HDPF Policy 26 (Countryside Protection) is also of relevance and supports development that is essential to its countryside location subject to a number of criteria. The proposal would not be essential to its countryside location and therefore would not be supported by HDPF Policy 26 also.
- 6.6. The Barns Green and Itchingfield Neighbourhood Plan (INP) was 'made' in 2025 and carries full weight as part of the development plan for this part of the district. The application site is not identified as one of the six areas of Open Space designated for protection under INP Policy 4.
- 6.7. INP Policy 11 (Windfall Development) is of key relevance and provides express support for windfall development within the BUAB. The Policy is though entirely silent on how development outside the BUAB is to be considered, with the pre-text referring only to the synergy of the policy with Policy 3 of the HDPF (which supports development within BUAB).
- 6.8. Considering the INP as a whole, it remains somewhat ambiguous as to whether housing development outside of the Barns Green BUAB should be considered as being in conflict with the Plan given there is no express reference to how such development should be considered. Case law provides no clear steer, with each decision to be reached based on the particular phrasing of the plan in question. In such circumstances where a neighbourhood plan is silent on how housing outside of BUAB is to be considered, decisions defer back to the HDPF and in particular Policies 4 and 26 referred to above.
- 6.9. Officers have carefully considered the structure and content of the INP and consider there to be reasonable argument that given the absence of explicit wording addressing how development outside of the BUA should be considered, the development proposals do not conflict with the INP. However, reasonable argument could also be made that INP Policy 11 creates an implicit restriction on housing development outside the BUAB because it chooses only to support housing within the BUAB. Taking a precautionary approach, it is this latter interpretation that Officers have chosen to pursue, meaning the development proposals are considered to conflict with INP Policy 11.
- 6.10. Accordingly, Officers consider that the proposals would conflict with HDPF Policies 2, 4 and 26 and INP Policy 11. Whether there are material reasons to outweigh this conflict are discussed below and in the Planning Balance.

Horsham District Local Plan

- 6.11. The Horsham District Local Plan 2023-40 (the emerging Local plan or 'eLP') is at examination stage with the first hearings having taken place in April 2026. A series of main modifications have been subject to cabinet approval ahead of public consultation in July/August and further hearing sessions in October. The eLP is a material consideration that carries limited weight at this stage of its progress. In addition, the background evidence base to support the eLP also carries limited weight given the Examining Inspector's comments at paragraph 95 of his Interim Findings letter (April 2025). This background evidence base includes the site assessments that informed the site allocations.
- 6.12. The application site forms a draft allocation within the eLP under Strategic Policy HA6 (BGR1):

'The following sites are allocated, as shown on the Policies Map, for the provision of at least 95 homes:

- *BGR1: Land South of Smugglers Lane, 3.3 hectares (50 homes)*

- *BGR2: Land South of Muntham Drive, 1.85 hectares (25 homes)*
- *BGR3: Land at the Old School Site, Itchingfield, 0.8 hectares (20 homes)*

In addition to meeting national and Local Plan requirements, development will be supported where proposals:

BGR1

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

- 6.13. The proposed development seeks the provision of 68 homes, which exceeds the figure of 50 set out in the draft policy. However, the draft policy provides for a minimum figure only, allowing for individual applications to provide a high number of homes provided matters such as layout and landscape impact are acceptable in accordance with other development plan policies. As explained below, the layout, landscape impact, buffer to the adjacent ancient woodland and the impact on the nearby heritage assets are considered acceptable as a whole. The proposal is therefore considered to be in accordance with eLP Strategic Policy HA6. This carries limited weight in favour of the proposal.
- 6.14. It is noted that public and parish representations raise concerns about the site's allocation within the eLP due to its low ranking in the site assessments carried out when preparing the Neighbourhood Plan. The Council's Strategic Planning Officers have undertaken a detailed site assessment in allocating the site, and as a result the allocation of the site for housing is now Council Policy as expressed within the eLP. Having reviewed the site assessment and having considered the concerns raised, Officers have no reason to recommend a departure from this advice.

Shaping Development in Horsham District (SDPAN 2025)

- 6.15. In recognition of the Council's inability to demonstrate a 5-year supply of deliverable housing sites the Council has provided an advice note which forms a material planning consideration in decision making. The advice sets out key principles for when and where housing development may be supported. This document is advice only, not policy, and therefore only holds limited weight.
- 6.16. Paragraph 5.6 of the SDPAN confirms that the eLP draft allocations seek to meet additional housing needs to 2033 and housing requirements to 2040, going beyond the allocations in a number of emerging and made Neighbourhood Plans.
- 6.17. At Paragraph 5.7 the SDPAN advises that the proposed site allocations are based on robust evidence and are capable of accommodating sustainable development. As such the SDPAN states that the Council will consider positively proposals on sites identified in the eLP. The paragraph goes on to encourage applicants to have regard to site specific quantum of development and site specific matters identified in the eLP policies.
- 6.18. The SDPAN reflects the requirements of HDPF Policy 4 and states:

'The Council recognises that it is likely to receive applications outside of defined BUABs and on unallocated sites as it is unable to demonstrate a five-year housing land supply. Given this position and the principles behind HDPF Policy 4, it will consider positively applications that meet all of the criteria below:

- *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.'*

6.19. The proposals are considered to meet all of these criteria. The site adjoins the defined BUAB of Barns Green, which sits immediately opposite Chapel Road to the east, whilst the addition of 68 homes, in addition to the site allocations within the INP, is considered to represent an appropriate level of expansion for Barns Green, which is a 'medium 'village' within the settlement hierarchy. The proposal will help meet local housing need by providing a range of market and affordable homes, and will assist in supporting local services and facilities (such as the Village Shop and Post Office, Primary School, Village Hall, Public House and sports facilities) through increased footfall and trade. The proposals would not prejudice long-term development and are contained within the defensible boundaries of the host field. Accordingly the proposal is considered to meet all parts of the above SDPAN criteria.

Five Year Housing Supply and Presumption in Favour

- 6.20. NPPF paragraph 78 sets out that that for local plans which are more than five years old from their date of adoption, local authorities should identify and update annually a supply of sites to provide a minimum of a five years' worth of housing provision, including an additional 5% buffer or a 20% buffer if the most recent Housing Delivery Test score is below 85% delivery over the last three years.
- 6.21. The Council's latest Authority Monitoring Report details a housing land supply of only 1.7 years. This shortfall forms a material consideration in decision making and triggers the application of the 'tilted balance' included within Paragraph 11(d) of the NPPF. The application of this balance results in a presumption in favour of sustainable development, and permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, taking account of national policies. A full assessment of how this impacts the application, including the INP, is set out in the Planning Balance below.

Principle of Development Summary

- 6.22. As the site is set outside the BUAB within the countryside and is not allocated for development within the adopted development plan the proposal conflicts with HDPF Policies 2, 4 and 26 and INP Policy 11. The principle is therefore not supported within the adopted development plan. Notwithstanding this, the council is unable to demonstrate a five year housing land supply, which a significant material factor in the planning balance. The site is also a draft allocation within the eLP (HA6 (BGR1)) and the proposal is compliant with the requirements of the SDPAN.
- 6.23. The planning balance requires consideration of the proposal and all material considerations as a whole. An assessment is carried out in the following sections of this report and considers all other detailed planning considerations. The final part of the report considers the overall planning balance.

Housing Mix and Affordable Housing:

- 6.24. HDPF Policy 16 requires residential development to 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 (SHMA). For a development of the size proposed the policy requires 35% of the proposed homes to be affordable.

- 6.25. INP Policy 14 states development proposals should provide a mix of predominantly one, two, three, bedroom houses, subject to any particular development needs of the site concerned.
- 6.26. The Council's Housing Officer has confirmed that there are 151 households on the Housing Register that are in need of accommodation within Itchingfield/Barns Green, with 26% requiring one bedroom accommodation; 14% requiring two bed accommodation; 45% requiring three bed accommodation; 15% requiring four bed or larger accommodation.
- 6.27. The Housing Officer highlighted the proposal would help address some of the identified need for two-bed houses; however, there is great need for three and four-bed homes. Following this consultation response changes were made to the housing mix to provide more three-bed properties for affordable rent and a four-bed house for shared ownership.
- 6.28. The overall housing mix is shown below, alongside comparisons with the Council's current SHMA (2019):

Affordable Rented	SHMA 2019 (units)	Proposal (units)	Over/under supply
1-bed	6	2	-4
2-bed	5	7	2
3-bed	4	6	2
4+ bed	2	1	-1
Total	16	16	0

Shared Ownership	SHMA 2019 (units)	Proposal (units)	Over/under supply
1-bed	2	0	-2
2-bed	3	5	2
3-bed	2	2	0
4+ bed	1	1	0
Total	8	8	0

Open Market	SHMA 2019	Proposal (units)	Over/under supply
1-bed	2	3	1
2-bed	13	9	-4
3-bed	18	18	0
4+ bed	11	14	3
Total	44	44	0

- 6.29. The proposal would provide a policy compliant provision of affordable housing (35%). The affordable tenure would be provided as 67% affordable rented and 33% shared ownership, achieving a slight excess provision for shared ownership homes. Overall, Officers advise the proposal would result in a policy compliant affordable housing provision with a suitable tenure split that focuses on the provision of two and three-bed affordable rent homes where need is greatest.
- 6.30. An Accessibility Plan (S103, B) has been provided which shows that 28 of the proposed dwellings, inclusive of all the affordable units, would be M4(2) compliant. Whilst not required by policy, the inclusion of these dwellings is welcomed.

- 6.31. Public representations have raised concerns about a registered provider having not yet been found to take on the affordable homes. The Housing Officer has also commented on this matter. In response to the Housing Officer's comments the Applicant has provided assurance that the affordable housing has been subject to market testing and two formal bids have been received from registered providers, indicating that there has been market interest in the affordable homes. At this stage it is not unusual that a final registered provider has not been secured and Officers have no reason to believe that this housing quantum and mix would not be attractive to a registered provider. The affordable housing would be secured as part of the S106 agreement requiring the securing and then delivery of the affordable homes at agreed stages, as is commonplace.
- 6.32. Subject to the s106 agreement, the proposals would provide for a suitable market and affordable housing mix in compliance with Policy 16 of the HDPF and Policy 14 of the INP.

Landscape, Trees and Open Space

- 6.33. HDPF Policy 25 seeks to preserve, conserve and enhance the landscape and townscape character of the district, taking into account individual settlement characteristics, and maintaining settlement separation. HDPF Policy 31 seeks to protect the natural environment of the district against inappropriate development and encourage opportunities to enhance green infrastructure and biodiversity.
- 6.34. INP Policy 1 Green Infrastructure Conservation seeks where appropriate, practicable and consistent with other policies measures to conserve, maintain or enhance green infrastructure, create additional green infrastructure and improve access for pedestrians and cyclists should be incorporated into developments. The policy does not support proposals which would result in a loss of existing green infrastructure unless the proposal would provide new opportunities which mitigate or compensate loss, while protecting the existing ecosystem and achieving a net gain in biodiversity.
- 6.35. INP Policy 2 sets out that where appropriate, practicable and consistent with other policies measures to ensure and enable protection, enhancement and conservation of biodiversity and ecology should be incorporated within development. Developments on greenfield sites are required to provide a project-level Habitats Regulations Assessment, supported by up-to-date bat survey data.
- 6.36. INP Policy 5 seeks to protect green infrastructure and valued landscape features, including: The Downs Link; public rights of way and their setting; hedgerows; copses and woods, ancient woodlands, veteran trees; orchards and river corridors. INP Policy 6 supports development proposals which provide new community facilities or expand existing facilities to support the needs of the community.
- 6.37. The site as existing forms an open field with Ancient Woodland to the western boundary and a hedgerow (H1) along the eastern site frontage with Chapel Road. The proposals detail the inclusion of a minimum 15m buffer to the Ancient Woodland which will ensure no loss or deterioration to the woodland would occur in compliance with paragraph 193(c) of the NPPF. Following submission of an updated Tree Protection Plan and Arboricultural Impact Assessment, the Council's Arboricultural Officer raises no objection to the proposal
- 6.38. In respect of the hedgerow, the original plans detailed its entire removal, to be replaced by a series of new hedgerows set within the site to the western side of the proposed open space. The removal of the entire hedgerow was argued to be necessary to provide the site access and visibility splays, widened carriageway on Chapel Road, and to allow for the stopping up and diversion of a culverted watercourse beneath it. A large number of public representations raised significant objection to the ecological and landscape harm that would result from the removal of this hedge, supported by similar objections from the Parish Council and the Council's Landscape Consultant. The Council's Arboricultural Officer has confirmed that the

existing hedge is not an ancient hedge, however nevertheless Officers agree that it should be retained as far as is reasonably possible.

- 6.39. Following discussions with the Highways Authority and negotiation with the applicants, Officers have secured the retention of the southern part of the hedge (approximately 1/3rd of its total length). It is not though possible to retain any more as it would otherwise interfere with visibility splays for the site access. Amended planting has been secured to provide some additional hedge planting next to the re-diverted culvert.
- 6.40. Following these amendments, the Council's Landscape Consultant has raised no objection to the amended landscape plans. The Landscape Consultee has also confirmed that suitable surveillance, boundary treatment details and hard and soft landscaping conditions for the rest of the site can be secured by condition; these have been recommended.

Open Space Play Space

- 6.41. Following comments from the Parks and Countryside Team the Local Area of Play (LAP) has been updated to provide for a wider range of ages. Details of the hard and soft landscaping of the open space including LAP are secured by condition; this would include the area under the somersault bars, as requested by the Parks and Countryside Team.

Recreation Ground Contribution

- 6.42. The site is located in close proximity to Barns Green Recreation Ground which provides an open area for play and amenity. A contribution of £35,000 is included within the S106 to provide improvements to the recreation ground. This enhancement is considered a positive benefit of the development for the wider public in line with INP Policy 6 which supports development proposals which expand existing facilities which support the needs of the community.
- 6.43. Subject to conditions securing landscaping and a S106 securing a contribution to the recreation ground the proposal is considered to accord with HDPF Policies 25 and 31 and INP Policies 1,2,5 and 6.

Design and Appearance:

- 6.44. Policies 32, and 33 set out that proposals should consider development seeking to provide an attractive, functional and accessible environment that complements locally distinctive character. Buildings should contribute to a sense of place, and should be of a scale, massing, and appearance that is of a high standard or design and layout which relates sympathetically to surroundings.
- 6.45. INP Policy 12 supports development which as appropriate to their scale, nature and location are of high-quality design and layout; positively contribute to private/public realm to create a sense of place, respecting the character and scale of surrounding buildings and landscape; protect the identity of the area including existing landscape features, open spaces and gardens; create safe, accessible and well connected environments; incorporate the use of local materials, appropriate to the existing housing stock and respond to the local vernacular character of the parish.
- 6.46. The site would be set out from a main spine road, with partly retained existing hedge and newly planted hedge situated around a diverted culvert along the eastern site boundary. A 15m buffer is provided with the ancient woodland to the east of the site. Dwellings would be a mixture of detached, semi-detached, terrace and maisonette units. The proposed material palette consists of red brick, brown brick, hanging tile, black boarding, white boarding, timber

framing and red roof tile. The site boundary materials are primarily 1.8m close boarded fence for gardens with areas of garden boundary including 2m brick wall along the spine road.

- 6.47. The site level plan shows the difference across the site from the southeastern level of Chapel Road to the north west corner to be approximately 7.21m over an approximate distance of 220m. Whilst there is some increase in land levels and therefore heights of buildings within the site this is expected to result in a line of houses gradually increasing in height across the site, rather than the creation of a prominent set of overbearing buildings.
- 6.48. Officer's note that public and parish representations have raised objection to the proposal's design citing massing and a poor visual relationship with the existing area. It is also acknowledged the Conservation Officer has also raised concerns about the shallow roofs, lack of roof embellishment and junctions between tile hanging and exposed brickwork.
- 6.49. Amendments have been made to the application to add further roof embellishments in response to the Conservation Officer's comments. The buildings either side of the entrance have been altered to provide points of interest when entering the site and reflect the black bargeboards and white paint of a mock Tudor property, echoing the nearby Grade II listed Blacksmiths Cottage. Reductions have been made to the site's massing, reducing scale of the proposed block of flats to maisonettes, better reflecting the countryside location of the site. Following continued concerns raised by the Conservation Officer, the applicants have added further chimneys to provide greater interest at roof level.
- 6.50. While the concerns of the designs are recognised, Officers are of the view that the proposals are appropriately detailed to provide visual interest to each building, with an overall composition that is suitably varied, particularly at roof level. Whilst it is recognised that the proposal is located within the setting of Chapel Road and the nearby listed buildings it should be noted that the wider area comprises a large post-war housing estate (the Hordons and surrounding roads) of inferior design quality to the current proposals, comprising modern redbrick dwellings each with white UPVC windows and gable end roofs. The proposals, in contrast, provide a broader design variety and use of materials, with street trees and other areas of planting also serving to create a soft and pleasant environment set back from the heritage buildings opposite.
- 6.51. Whilst the Council's Conservation Officer has recommended steeper roof pitches, in this instance Officers do not consider this to be necessary. The plans indicate the roof pitches to range between 30°, 35° and 45° which is comparable to the roof pitches predominant in the area such as 25°, 30° and 35° pitches opposite within The Hordons estate. Whilst the roof pitches to the heritage buildings opposite the site are steeper, given the separation between the proposed houses and these buildings, and the presence of shallower pitches in the immediate vicinity, it is not considered necessary or justifiable in design terms to require that the shallower roof pitches to some of the properties within the proposal be made steeper.
- 6.52. Overall, whilst acknowledging the desire in the community for a better designed development, Officers are of the view that the proposals provide for a good quality development that will suitably enhance the built environment of Barns Green.

Heritage:

- 6.53. S.66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers to have special regard to preserving a listed building or its setting. This statutory duty is reflected in the requirements of the NPPF which, amongst other provisions, requires that great weight be given to the conservation of a designated heritage asset (para 212) and that any 'less than substantial' harm should be weighed against the public benefits of the proposal (para 215).

- 6.54. HDPF Policy 34 states that development should be reinforce the special character of the historic environment through appropriate siting, scale, form and design; and should make a positive contribution to the character and distinctiveness of the area. Proposals should preserve and ensure clear legibility of locally distinctive vernacular building forms and their settings, features, fabric and materials.
- 6.55. INP Policy 3 expects proposals to include measures which seek to conserve heritage assets in a manner appropriate to their significance. The policy goes on to confirm special regard shall be given to the desirability of preserving any heritage building.
- 6.56. The site is set along Chapel Road where a number of Grade II Listed Buildings are located, as explained in section 1 above. The Conservation Officer has confirmed the harm to the setting of these buildings would be at the lowest end of the 'less than substantial' scale, a matter which Paragraph 215 of the NPPF requires be weighed against the public benefits of the proposal. These public benefits include the provision of 68 market and affordable homes to local housing supply, increased local trade and spend. Overall, Officers consider these public benefits would clearly outweigh the identified less than substantial harm to the heritage assets that would result, thereby ensuring no conflict with Policy 34 or the NPPF when read together.
- 6.57. The County Archaeologist has raised no concerns about the proposal, recommending a condition to secure a scheme of archaeological investigation as is normal practice.

Highway Safety, Access and Parking

- 6.58. 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 which reduce the need for major infrastructure and cut carbon emissions.
- 6.59. HDPF Policy 41 states that adequate parking and facilities must be provided within developments to meet the needs of anticipated users. HDPF Policy 41(3) goes on to state development which involves the loss of existing parking spaces will only be allowed if suitable alternative provision has been secured elsewhere or the need for the development overrides the loss of parking and where necessary measures are in place to mitigate against the impact.
- 6.60. HDPF Policy 33(8) requires proposals incorporate where appropriate convenient, safe and visually attractive areas for the parking of vehicles and cycles. These should not dominate the development or its surrounding.
- 6.61. INP Policy 15 states development shall include provision of off-road parking for residents of, and visitors to, the development in compliance with West Sussex County Council requirements.
- 6.62. Chapter 9 of the NPPF seeks to ensure that sustainable transport modes are prioritised taking into account the vision for the site, the type of development and its location as well as cost effective mitigation of any significant impacts from the development on the transport network (para 115). Paragraph 117 further states that applications for development should give priority first to pedestrian and cycle movements.
- 6.63. The site access is proposed to be from Chapel Road with pedestrian accesses stretching both north and south along Chapel Road. Two uncontrolled pedestrian crossings are proposed to adjoin with these areas of pavement and allow safe access to the eastern part of Chapel Road. Within the site, pedestrian access is set out alongside the central spine

road, with shared access spread out in areas across the site. A further pedestrian access is to be provided to the PROW in the northwest corner of the site.

- 6.64. The Applicant's agent has confirmed the internal footpaths would be 2m wide in accordance with manual for streets guidance.

Site Access and Visibility

- 6.65. The proposed site access road, onto Chapel Road, would be 5.5m in width with a 2.4m x 40m and 2.4m x 37m visibility splay. Both pedestrian crossings would have visibility splays of 1.5m x 40m and 1.5m x 37m. The Local Highway Authority have reviewed the proposal and confirm the visibility splays for the are acceptable.
- 6.66. Following concerns raised in public and parish representations the Highways Officer has confirmed they reviewed the access strategy alongside the site access allowed at appeal under DC/19/2052 for Herons Reach. The Highways Officer has confirmed the relationship between the proposed application site access and that at Herons Reach is not likely to result in detrimental impacts on the highway networks or increase parking to a level which would be detrimental to highway safety. The Officer specifically states "*LHA are satisfied that the two sites access points can come forward together in a safe manner*".
- 6.67. The proposal would result in the widening of Chapel Road allowing for two-way traffic to better pass alongside the parked cars fronting the local shop and public house opposite. A Road Safety Audit has been submitted as part of the application and the Local Highway Authority have reviewed this, confirming they have signed off the audit and the matters raised have been addressed. There is therefore no indication that the proposals would create a highway safety concern, with Officers noting the good visibility in all directions for all users, even with the presence of parked cars.

Traffic/Highways Capacity

- 6.68. Chapel Road is subject to a 30mph speed limit in the area adjacent to the site. The Transport Statement identifies that average southbound speeds are 22.4mph outside the site, with the 85th percentile speed 27.6mph. These figures are lower for northbound traffic. A 24hr 7-day automatic traffic count survey was carried out outside the site in May 2025, identifying an average of 188 two-way movements in the AM peak (119 northbound, 69 southbound), and 164 two-way movements in the PM peak (71 northbound, 93 southbound).
- 6.69. The Transport Statement calculates that the development would add 31 two-way movements in the AM peak to the 188 existing, and 33 two-way trips in the PM peak to the 164 existing. This represents an approximate 1/3rd increase in traffic on Chapel Road equating to (in the worst case AM peak) approximately 3.6 vehicles per minute in total compared to 3.1 vehicles per minute currently. Clearly, this does not result in a 'severe' residual cumulative highway impact when applying Paragraph 116 of the NPPF.
- 6.70. The Local Highway Authority have confirmed in their comments they have checked the site selection methodology and the likely trip numbers are considered representative, and have raised no objection accordingly.

Parking

- 6.71. On site, 152 allocated car parking spaces are proposed on driveways and in garages, and within a parking area to the rear of plots 32-40. Four unallocated spaces are included at the rear of plots 32-40 and 18 visitor spaces are proposed throughout the site (including the parking area near the site entrance). This creates a total of 174 spaces. It is though recognised that not all garages are used for parking cars, therefore applying the WSCC methodology of 0.5 spaces per garage (Nb there are 24 garages), the overall parking onsite

reduces to 162 spaces. This compares to the approximately 178 spaces recommended by the WSCC Parking Calculator (which accounts for the number of allocated and unallocated spaces) and approximately 143.6 spaces using the more generic WSCC 'Guidance on Parking at New Developments' document.

- 6.72. In the context of the two methodologies the proposed 162 spaces is considered by Officers to be sufficient, with there being opportunities for more ad hoc parking within the development should the need arise. There is no indication that the level of parking provision proposed will result in overspill outside of the site or any highway safety issues.
- 6.73. The dwellings all include gardens and/or garages that can accommodate cycle parking and a regulatory condition to secure this has been recommended.
- 6.74. Parking on Chapel Road is currently unrestricted and there are no marked bays. The Herons Reach development introduces an 8m wide driveway onto Chapel Road alongside the removal of an existing 4m wide gated access. This represents the baseline parking arrangement on Chapel Road. The proposed pedestrian build-outs are 5m in width each which will result in the loss of two on-street spaces. In response to public and parish representations raising concern at the loss of this ad hoc street parking, four visitor car parking spaces have been added within the site in close proximity to Chapel Road to enable residents of the wider community to park and access the shop and public house opposite. This ensures that the current capacity for vehicles to park ad hoc on Chapel Road to access the village shop, post office and public house will be retained.
- 6.75. The Local Highway Authority Officer has confirmed in their comments that they have no concerns with the parking numbers proposed.

Sustainable Location and Active Travel

- 6.76. Barns Green is medium sized village with a village shop, primary school, village hall, public house, recreation ground and sports facilities. The site is located within 400m of bus stops serving journeys to and from areas such as Storrington, Horsham and Christ's Hospital Railway Station.
- 6.77. NPPF Policy 110 states' *Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making*'.
- 6.78. As demonstrated above the site is located in an area that would provide opportunities to walk to all of the above local amenities, with buses travelling to other local towns and villages as well and train stations. The Transport Assessment has also identified the potential for cycling opportunities to Christ's Hospital Railway Station, which is served by trains running to London Victoria and Bognor Regis. Given this route to the station is along narrow unlit country roads, this travel option is given limited weight with commuters more likely to drive to the station.
- 6.79. Public and parish representations have raised concerns about the site's sustainability due to a reliance on private car use and the limitations as to public transport and cycling infrastructure. Officers recognise there are limitations to the bus service (with the last bus service from Horsham leaving around 16:35 and no weekend buses) and cycle infrastructure, however as mentioned above Barns Green is a medium village with a number of local facilities including a primary school. In the context of Paragraph 110 of the NPPF, the options for sustainable trips within Barns Green are considered appropriate to support a development of this scale.

- 6.80. WSCC PROW Team has commented on the application, advising that the proposal would result in an increased user demand for public Bridleway 1600 & Footpath 1596_1. As requested by the WSCC PROW Team a public right of way contribution has been included within the S106 heads of terms to improve these routes.

Parish comments

- 6.81. Itchingfield Parish Council have commissioned and submitted their own transport Technical Notes (within the Parish representations received 28 May and 1 July 2026). The Technical Notes query the sustainability of the site given the lack of cycle infrastructure in the area and poor bus connectivity. The Notes also query whether the proposals have considered the redevelopment of Herons Reach and the local shop opposite under application DC/19/2052, query the robustness of the Road Safety Audit carried out, recommend a 20mph speed limit outside the site with associated traffic calming measures (speed cushions), and advocate for the site access to comprise a compact roundabout at the junction of Chapel Road and The Hordons rather than a priority junction further north as currently proposed.
- 6.82. These Notes have been shared with the Local Highways Authority (LHA) by Officers and comments sought. The applicants have also provided their response to the Notes which the LHA have also reviewed. The LHA have responded to advise that:
- They are satisfied the two access points (Herons Reach and Land to the North of Little Slaughterford) can come forward in a safe manner.
 - A roundabout access is considered to be an excessive measure as traffic flows are likely too low to require a compact roundabout.
 - The LHA does not consider an objection should be raised on the grounds of site accessibility in line with NPPF guidance. The LHA comments note the proposal's location provides access to essential day-to-day services within a short walking distance; however, acknowledges that there would be reliance on private car use for services and amenities further afield.
 - No concerns are raised as to the parking provided within the site.
 - No concerns are raised that the proposal would directly result in additional on street parking demands.
 - Clarification that the purpose of Road Safety Audit is to assess the highway safety implications of the proposed access strategy and any associated off-site highway works. The RSA does not include the highway or pedestrian network in the wider area.
- 6.83. Applications must be considered on the merits of the development as proposed. In this case the development proposes a priority junction access that can be accommodated alongside on-street parking outside the local shop and public house, and in conjunction with the development proposals at Herons Reach. The proposed priority junction would not result in highway capacity or safety issues given the modest number of traffic movements the development would generate, in addition to the modest number of traffic movements which take place currently on Chapel Road. Whilst the Parish Council state a preference for a compact roundabout at the junction with The Hordons, in straight planning policy terms this is not necessary to make the development acceptable. Officers advise that it would be unreasonable to request an amendment to deliver a roundabout access or otherwise refuse planning permission given the proposed priority access junction is demonstrated to be safe and appropriate for the volumes of traffic.
- 6.84. They have provided a comment addressing the concerns raised and have confirmed the proposal would not result in any unacceptable impacts on the highway network or highway safety. The sites access is considered suitable to address the needs of the site and a roundabout solution and further traffic calming methods, beyond that proposed, are not considered necessary.

Conclusion

- 6.85. Subject to the imposition of suitable conditions the Local Highways Authority have advised the proposal would not result in an unacceptable impact in highway safety or in 'severe' cumulative impact on the operation of the highway network, with proposal deemed by officers to accord with Policies 40 and 41 of the HDPF, Policy 15 of the INP, and paragraphs 115 – 117 of the NPPF.

Residential Amenity:

- 6.86. HDPF Policy 33 seeks to ensure development does not result in unacceptable harm to the amenities of nearby occupiers/users of land, in terms of privacy, the receipt of natural light and/or disturbance. INP Policy 12 (6) supports development which would not cause unacceptable harm to the amenities of existing nearby residents and future occupants of new dwellings.
- 6.87. No dwellings are located on the immediate boundaries to the north and west of the site. The proposed dwellings are set back, separated by open space, from the dwellings to the east along Chapel Road. The proposed car park area and LAP are set into the site away from these dwellings also.
- 6.88. Adjacent to the site, along the southern boundary lies Sumners Ponds and the dwellinghouse Little Slaughterford. The open space lies adjacent to Little Slaughterford, with a separation of approximately 42m between the dwelling and the northern boundary with the proposed site. Other than plot 68 of which the side elevation faces the neighbours, set back approximately 5.7m to the boundary, the properties on the southern elevation are separated from Sumner's Ponds by gardens and an additional buffer space with the approximate minimum distance to the boundary being some 12.7m. Further planting within Sumners Ponds and an access road/track separate the proposed dwellings from any built form. Plots 54 and 7 include front elevation balconies at first floor levels, however these overlook the open space within the site and are set back an appropriate distance from the neighbouring dwellings.
- 6.89. The layout of the site therefore prevents any unacceptable levels of overlooking or impact on neighbouring privacy or amenity, in accordance with the above policies.

Ecology:

- 6.90. HDPF Policy 31 seeks to protect the natural environment of the district against inappropriate development and encourages opportunities to enhance green infrastructure and biodiversity.
- 6.91. INP Policy 1 Green Infrastructure Conservation seeks where appropriate, practicable and consistent with other policies measures to conserve, maintain or enhance green infrastructure, create additional green infrastructure and improve access for pedestrians and cyclists should be incorporated into developments. The policy does not support proposals which would result in a loss of existing green infrastructure unless the proposal would provide new opportunities which mitigate or compensate loss, while protecting the existing ecosystem and achieving a net gain in biodiversity.
- 6.92. INP Policy 2 sets out that where appropriate, practicable and consistent with other policies measures to ensure and enable protection, enhancement and conservation of biodiversity and ecology should be incorporated within development. Developments on greenfield sites are required to provide a project-level Habitats Regulations Assessment, supported by up-to-date bat survey data.
- 6.93. INP Policy 5 seeks to protect green infrastructure and valued landscape features, including: The Downs Link; public rights of way and their setting; hedgerows; copses and woods, ancient woodlands, veteran trees; Orchards and river corridors.

- 6.94. The site lies within the wider conservation area for The Mens Special Area of Conservation (SAC). The Council's Ecology Consultee has confirmed the impacts from the proposal on bats and the SAC have been minimised to a level that are acceptable and have produced a Habitats Regulations Assessment. Natural England have confirmed they have no comment to make on the details of the Assessment and have instead referred to their standing advice.
- 6.95. An Ecological Impact Assessment; Bat Activity Survey; Dormouse Survey and Preliminary Ecological Appraisal are included with the suite of submitted documents. These have been reviewed by the Council's Ecologist who have confirmed the information is satisfactory subject to conditions securing compliance with the submitted ecological documents; a Construction Environmental Management Plan for Biodiversity; a Biodiversity Enhancement Strategy and Wildlife Sensitive Lighting Design Scheme.
- 6.96. Following the submission of an eDNA Report 2025 the District Newt Licensing Officer confirms they are satisfied the proposal is unlikely to impact Great Crested Newts, and the mitigation measures within the report are appropriate. Compliance with this report has been secured by condition.
- 6.97. Subject to above recommended conditions, the proposal accords with HDPF Policy 31 and INP Policies 1,2 and 5.

Water Neutrality:

- 6.98. A 2021 Position Statement from Natural England identified that it could not be concluded with the required degree of certainty that new development in the Sussex North Water Supply Zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites. As a consequence, and to comply with the legal duties set out in the Conservation of Habitats and Species Regulations 2017 (known as the Habitat Regulations), all new development since has been required to demonstrate water neutrality.
- 6.99. On 31st October 2025 Natural England formally withdrew the 2021 Position Statement, citing 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.
- 6.100. 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 10 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.
- 6.101. INP Policy 16 states '*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.*'

- 6.102. 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.
- 6.103. A condition securing the water use for each dwelling to 110 litres per person per day, in line with Building Control Regulations has been added to the application.
- 6.104. Accordingly, Officers 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.

Drainage and Flood Risk:

- 6.105. Policy 38 (3) of the HDPF states *'Where there is the potential to increase flood risk, proposals must in corporate the use of sustainable drainage systems (SuDS) where technically feasible, or incorporate water management measures which reduce the risk of flooding and ensure flood risk is not increased elsewhere.'*
- 6.106. The site is located within Flood Zone 1 with very low risk of fluvial flooding. The EA mapping shows parts of the site frontage are at medium and high risk of surface water flooding. A Flood Risk Assessment and Drainage Strategy are included within the suite of submission documents.
- 6.107. NPPF Paragraph 175 states *'The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).'*
- 6.108. In September 2025 the PPG Flood Risk and Coastal Change was updated and provided further detail as to the application of the sequential test. The paragraph states: *'In applying paragraph 175 a proportionate approach should be taken. Where a site-specific flood risk assessment demonstrates clearly that the proposed layout, design, and mitigation measures would ensure that occupiers and users would remain safe from current and future surface water flood risk for the lifetime of the development (therefore addressing the risks identified e.g. by Environment Agency flood risk mapping), without increasing flood risk elsewhere, then the sequential test need not be applied.'*
- 6.109. The Flood Risk Assessment and Drainage Strategy states that surface water is proposed to be controlled through the use of source control SuDS, water re-use through rainwater harvesting, permeable paving with sub-base storage and rain gardens. Site control and attenuation would be provided by a detention basin located at the front of the site.
- 6.110. The existing culverted water source that lies to the east of the site, within and under the hedgeline that fronts Chapel Road, is to be re-directed in part and opened/de-culverted elsewhere. Surface water that has not been collected for non-potable use will be directed to the re-directed, de-culverted water course.
- 6.111. A key component of the applicant's flood risk strategy is the re-use of surface water for use within the dwellings via rainwater harvesting systems. HDC's Environmental Health Officer has provided comments on the proposed rainwater harvesting, and a condition has been recommended to ensure appropriate treatment and maintenance (condition 14).
- 6.112. The Lead Local Flood Authority (LLFA) have raised no objections to the proposal, subject to conditions securing details of the maintenance and management of the sustainable drainage

scheme, compliance with the flood risk assessment, details of the proposed water course alteration and a survey and verification report for the surface water drainage system.

- 6.113. It is noted amendments to the landscaping, including the revised hedge layout and retainment are not reflected on the drainage strategy. Officers are however satisfied that these changes would not impact the principle of the drainage scheme. The final construction layout and details of the watercourse alteration would be subject to review by the LLFA when submitted at condition discharge stage. Overall, therefore, Officers advise that a suitable surface water strategy has been provided that will ensure no dwellings or access will be at risk of flooding.

Foul water

- 6.114. Southern Water's 'Briefing Note for LPA Infrastructure Provision' confirms that they have a legal obligation under Section 94 of the Water Industry Act to make provision for the public sewerage system, plan and implement works necessary to ensure treatment and network assets operate satisfactorily.
- 6.115. Paragraph 201 of the NPPF provides a presumption that other regulatory schemes (such as wastewater treatment) should be assumed to be operating effectively, focussing development considerations to whether a proposal is an acceptable use of the land.
- 6.116. There are no foul sewers directly outside the site on Chapel Road. Development may be able to connect to the nearest foul sewer at the manhole located approximately 25m to the south of the site. Southern Water's initial comments stated that there is adequate capacity in the local sewerage network to accommodate the proposed development at a foul flow of 0.6 l/s.
- 6.117. A large number of representations have been received challenging the comments made by Southern Water. A number of these representations include detailed data challenging whether there is sufficient water treatment capacity in the area to serve the development. This data includes references to there being circa 60 recorded overflows into Parsons Brook in 2024 and refer to concerns over the closure of Itchingfield Water Treatment Works and its redirection to Barns Green Water Treatment Works. Data has also been provided in the representations challenging the population figures used for Barns Green by Southern Water and the foul discharge rate.
- 6.118. Officers have shared the key data and arguments in the representations with Southern Water and have requested that Southern Water provide further comments in light of these concerns. Southern Water's most recent comment 22nd of July 2026 states *"We are currently investigating this matter, and, at this stage, we are unable to confirm with confidence whether there is sufficient capacity at Barns Green WTW. The site is undergoing a detailed review, which remains ongoing"*
- 6.119. As set out above Paragraph 201 of the NPPF planning decisions are to focus on the use of land and presume other regulatory regimes operate effectively. Southern Water's Guidance to Local Planning Authorities outlines that they have a legal obligation under Section 94 of the Water Industry Act 1991 (WIA 1991) to provide developers with the right to connect to a public sewer regardless of capacity issues. Under Section 94 of the WIA 1991 Southern Water also have a statutory duty to plan and implement any works that are necessary to ensure the network of sewers (and sewage treatment facilities) continue to operate satisfactorily once they have received notification that a developer intends to exercise their right to connect. When assessing planning applications, Southern Water assess whether there is infrastructure capacity to serve the development and if there would be adverse amenity impacts for existing or prospective users as a result. Whilst it is not possible to refuse planning applications due to limited network capacity, in some instances, Southern Water may advise that a phased development be delivered in line with improvements to the infrastructure, as identified.

- 6.120. At this stage Southern Water have not provided any details confirming if network upgrades are required and if so the timeframe for their delivery. In this instance given the concerns and uncertainty surrounding the Water Treatment Works capacity Officers have recommended a phased condition is attached (condition 10). The condition requires the agreement of a phasing plan between the Applicant and Southern Water to ensure the number of dwellings occupied would not exceed the capacity of the network. This approach is consistent with how other applications have been managed both inside and outside of the district, with particular reference to a similar situation in Wealden district where despite Southern Water identifying foul capacity issues, inspectors were satisfied that matters of foul capacity could be resolved by condition (Appeal refs: 3297371 & 3343709). This is also consistent with other situations where Southern Water have identified foul capacity issues.
- 6.121. Officers therefore recommend that subject to a foul disposal condition (condition 9) and the phasing condition (condition 10) and the conditions recommended by the LLFA the proposed drainage strategy is acceptable, would not result in an increased risk of flooding on or off site in accordance with HDPF Policy 38 and the requirements of the NPPF.

Other Matters:

Contaminated Land:

- 6.122. The proposal would result in the introduction of residential uses on the land. A Phase 1 Desk Study has been submitted comprising of a Tier 1 Preliminary Risk Assessment for land contamination. Following the submission of this report the Environmental Health Officer has provided revised comments and has confirmed conditions requiring the provision of a site investigation scheme, verification plan and unidentified contamination control. These conditions are included in the list below.
- 6.123. The Environment Agency has raised no objection to the application subject to a condition for piling and foundation works which has also been secured by condition.

Minerals and Waste:

- 6.124. Under the West Sussex Joint Minerals Local Plan (JMLP July 2018) the site falls within a Brick Clay Mineral Safeguarding Area.
- 6.125. Policy M9 (b) (iii) of the West Sussex Joint Minerals Local Plan requires that for non-mineral development (such as the current application), the decision maker must determine whether the overriding need for the development outweighs the safeguarding of the mineral. In addition, the applicant must demonstrate that prior extraction is not practicable or environmentally feasible. It is acknowledged that there is a relative abundance of Brick Clay within the wider county and the application site relates in part to previously developed land.
- 6.126. The proposal lacks a substantive assessment of the underlying mineral resource and its extraction. The WSCC Minerals Officer acknowledged this in their comments; however, they note the low priority of the extraction of brick clay given its relative abundance within the county. The Officer also notes the constraints for extraction at the site and that these would likely constrain any significant levels of prior extraction.
- 6.127. The site is constrained along all boundaries, with a PROW to the north, Chapel Road to the East, Sumners Ponds and residential dwellings to the south and a PROW and Ancient Woodland to the west. These constraints, as highlighted by the WSCC Minerals Officer would reduce the viable area for extraction.
- 6.128. Officers acknowledge that while a full assessment should have been submitted in support of the application, its location, constraints, relative size and the abundance of brick clay in the

area would likely lead to prior extraction of the site being unviable or unfeasible. Furthermore, there is demonstratable need for housing. A such in this instance the safeguarding of the brick clay resource is likely to be considered a low priority.

- 6.129. The proposal therefore satisfies the requirements of Policy M9 (b) (iii) of the West Sussex Joint Minerals Local Plan.

Climate Change/Air Quality Impact:

- 6.130. HDPF Policies 35, 36 and 37 require 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.
- 6.131. INP Policy 13 refers to sustainable design seeking to improve the sustainability of a development specifically where practicable to incorporate electrical car charging points, solar panels, solar/air source heat pump heating.
- 6.132. An Energy Statement has been submitted alongside the application which confirms that the dwellings will have air source heat pumps (ASHP) for heating and hot water. Updated details including the maisonettes has not been provided but it is expected these will include air source heat pumps and/or photovoltaic panels. A condition securing air source heat pump details and photo voltaic panels details has been attached (condition 9). It is understood from the statement that the ASHP can achieved a B EPC rating and are proposed for both water and heating and, if required, a photo voltaic panel and/or waste water heat recovery systems can be secured.
- 6.133. The proposal will provide electric vehicle charging points for each dwelling in line with Part S of the Building Regulations. This is welcomed as part of the wider strategy to improve the overall air quality and increased take up of electric vehicle usage. Visitor spaces under Part S of the Building Regulations are required to include a cable route/ducting to facilitate future electric vehicle charge points.
- 6.134. A revised Air Quality Emissions Mitigation Statement has been submitted and calculates the damage cost based on the Sussex-air Quality Partnership: Air quality and emissions mitigation guidance for Sussex (2021) and the December 2025 Defra Air quality appraisal: damage cost guidance. The Council's Environmental Health Officer has reviewed the statement and confirms '*The cost of the mitigation measures exceed the damage cost calculation and it has been demonstrated that the measures go beyond what is required by other policies. Therefore, we accept the proposed mitigation measures*'. The proposed mitigation measures include dust mitigation measures at the construction phase, the provision of EV charging for each dwelling and the provision of sustainable travel vouchers. Compliance with the statement and the provision of sustainable travel vouchers have been secured by condition.

Other matters raised in representations

- 6.135. Public representations and the Parish have raised concerns about the capacity of amenity infrastructure such as schools, doctors and dentists. Public representations have also raised concerns about connectivity to electricity/ electric vehicle charging in Barns Green and lack of electrical connection at Sumners Ponds. Matters of infrastructure for health and education services for developments of this size are dealt with via a CIL contribution, the approximate cost of this would be in the region of £1.3m. The provision of other infrastructure such as electricity is the responsibility of the utility providers, who would have advanced notice of the proposals by virtue of the site being a draft eLP allocation and considered within the Council's Infrastructure Delivery Plan.

- 6.136. Public representations and the Parish have also raised concerns about the detrimental economic impact of the proposal and construction works on village amenities such as the pub and post office/village shop whilst construction is undertaken. The construction works are short term in nature and a Construction and Environmental Management Plan has been secured by condition. The proposal would result in an increase in population for Barns Green who would be potential patrons for the amenities such as the pub and post office/village shop. As such the proposal is not considered to be a detriment to the local economy; rather, it could enhance the local economy.
- 6.137. Concern of the loss of best and most versatile agricultural land have also been raised. Paragraph 187 of the NPPF requires planning policies and conditions to contribute to and enhance the natural environment by recognising the benefits of the most versatile agricultural land (Classification Classes 1, 2 and 3a). Footnote 65 states that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.
- 6.138. Natural England's Provisional Agricultural Land Classification map identifies part of the site to be Grade 3 good to moderate quality agricultural land. The rest of the site is Grade 4 land which identifies that there are severe limitations which restrict crops and yields. The combination of the two is unlikely to result in the field being identified overall to be Grade 3a land. Even were the field to be classified as Grade 3a, the NPPF does not require that planning permission be refused. Having regard to the above, including the size of the field, the loss of this small parcel of agricultural land is not considered to outweigh the significant benefits of the housing proposed.

Biodiversity Net Gain (BNG):

- 6.139. Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) mandates that every development must achieve at least a 10% Biodiversity Net Gain (BNG), unless the development qualifies as exempt under the Biodiversity Gain Requirements (Exemptions) Regulations 2024, and that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that development may not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.
- 6.140. The Biodiversity Gain Plan must show how the development will achieve the required minimum 10% BNG using the statutory biodiversity metric tool and must demonstrate how the habitats will be managed and maintained for 30 years, starting from the date the development is completed. Off-site gains (on unregistered sites) and significant on-site enhancements will be secured over this period by way of a Legal Agreement.
- 6.141. The Applicant has submitted a Biodiversity Metric which demonstrates a 30.30% net gain in area habitat and 19.58 net gain in hedgerows is achievable by way of significant onsite biodiversity gains. The maintenance and monitoring of the significant onsite biodiversity gains are to be secured by way of a S106 agreement for the required 30 years.

S106 Agreement:

- 6.142. A s106 legal agreement is required to secure the obligations necessary to make this application acceptable in planning terms, and is currently being drafted. The Heads of Terms include the following:
- On site Affordable Housing.
 - Biodiversity Net Gain (BNG).

- Management of open spaces
- Contribution of £35,000 for the improvement and enhancement of the Barns Green Recreation Ground.
- Contribution to improve Bridleway ITC–1600.
- Contribution to providing real-time bus signs at the bus stops opposite Barns Green Primary School
- Offsite Highway works to include:
 - Travel Plan.
 - Uncontrolled pedestrian crossings across Chapel Road.
 - The widening of Chapel Road.
 - The installation of pedestrian footway on the western side of Chapel Road

Conclusions and Planning Balance:

- 6.143. The proposal is not allocated within either the HDPF or the INP and is located outside the BUAB without an essential need for its countryside location. As such the proposal would not be in accordance with the spatial plan set within the HDPF and INP, contrary to HDPF Policies 2, 4 and 26 and INP Policy 11.
- 6.144. Separately, the proposal would result in less than substantial harm to the setting of listed buildings. This harm has been weighed alongside the public benefits, as required by Paragraph 215 of the NPPF, and it is considered the public benefits of the proposed housing clearly outweigh the harm, ensuring no conflict with HDPF Policy 34 or the NPPF.

Tilted Balance

- 6.145. Within this report it is acknowledged the Council is unable to demonstrate a five year housing land supply, thereby engaging the 'tilted balance' at Paragraph 11(d) of the NPPF. In accordance with Paragraph 11d, the Council is required to grant permission unless either (or both) of the following limbs apply:

'(i) the application of policies in this Framework that protect areas or assets of importance provides a clear 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 combination'.

- 6.146. As the heritage harm has been outweighed by the public benefits of the proposal there are no matters that provide for the refusal of planning permission under part i), therefore the application must be considered against part ii). As it has been established that the 'tilted balance' applies it is important to then consider whether the tests of Paragraph 14 of the NPPF are met. NPPF Paragraph 14 states that:

'in situations where the presumption (at paragraph 11(d)) 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).'

- 6.147. The INP was formally made on the 8th of October 2025 and is less than five years old. The plan allocates for a total of 52 dwellings alongside INP Policy 11 Windfall Development to meet its identified housing need of 61 homes. As a consequence the INP satisfies the tests of parts a) and b) to Paragraph 14.
- 6.148. INP Policy 11 (Windfall Development) provides support for windfall development within the BUAB. Whilst the policy is silent on development outside the BUAB its lack of inclusion indicates there is not support. Given this Officers consider the proposal can be considered to conflict with the INP. In such circumstances Paragraph 14 states that the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits. This means there are situations whereby a decision-maker can determine that permission should be granted despite conflict with the neighbourhood plan. Officers are of the view that this is one such case.
- 6.149. The Council has a housing land supply of just 1.7 years, whilst the proposal would result in the delivery of 68 market and affordable dwellings to help meet this significant shortfall. Importantly, the site forms a draft allocation within the emerging local plan under eLP Policy BGR1. This allocation forms Council policy and has been made based on robust evidence which demonstrates the proposal is able to accommodate a minimum of 50 dwellings. Whilst only limited weight is given to the eLP at this stage, the draft allocation of this site nevertheless forms an important material consideration in favour of the proposals. The sustainability of the site against the SDPAN has also been considered above (albeit this document carries limited weight only), with the result finding the site is well located adjacent to the Barns Green BUAB, and the quantum of development proposed appropriate to the scale and function of Barns Green.
- 6.150. Having considered carefully the comments and concerns submitted by the community, Officers advise that the proposals as amended do not result in any other harms. Subject to the proposed conditions and a legal agreement, Officers advise that heritage and landscape impacts, highway safety, parking and capacity, flood risk and drainage, sustainability, BNG and climate change are all considered acceptable. The construction of the proposal would result in some economic benefit and ecological benefit would be provided through onsite enhancements. The homes would also help support services and facilities within the village such as the village store and post office through extra local spend. The contributions within the S106 Legal Agreement would also provide benefits to the Barns Green Recreation Ground and the Public Bridleway, and to local bus stops.
- 6.151. Whilst the proposal would not be in accordance with the INP and current spatial plan of the HDPF, the conflict with the above-mentioned spatial policies carries diminished weight given the Council's housing land supply position. In this context it is not considered that any adverse impacts of the proposal would in this case significantly or demonstrably outweigh the benefits when applying the 'tilted balance' at Paragraph 11(d) and the further protections afforded by Paragraph 14 of the NPPF. The proposal is therefore recommended for approval subject to the conditions below and the completion of the necessary S106 legal agreement as set out in the above Heads of Terms.

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	7,074.7	0	7,074.7

Total Gain 7,074.7

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 the completion of a S106 legal agreement and the following conditions:

Conditions:

- 1) Plans list
- 2) **Standard Time Condition:** The development hereby permitted shall begin 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:**

- i) No development shall take place until a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.
- ii) The development hereby permitted shall not be commenced until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [i] and that provision for analysis, publication and dissemination of results and archive deposition has been secured and approved by the Local Planning Authority in writing.

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

- 4) **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.
 - Risk assessment of potentially damaging construction activities.
 - Identification of "biodiversity protection zones".
 - 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).
 - The location and timing of sensitive works to avoid harm to biodiversity features.
 - The times during construction when specialist ecologists need to be present on site to oversee works.
 - Responsible persons and lines of communication.

- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- 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: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 5) **Pre-commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, including asbestos contamination, of the site and extant structures each shall have been submitted to and approved, in writing, by the local planning authority:

a) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. The site investigation scheme shall be submitted to, and approved in writing, by the local planning authority.

c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

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

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 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
- (e) Details regarding dust and noise mitigation measures to be deployed including identification of sensitive receptors and ongoing monitoring;
- (f) Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network.

During site clearance, preparation and construction the dust and Air Emission Mitigation measures described on Table 7-1 of the Air Quality Assessment (SLR, September 2025) shall be adopted.

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).

- 7) **Pre-Commencement Condition:** No development shall take place until, construction drawings of the surface water drainage network, a timetable of implementation, associated sustainable drainage components and flow control mechanisms and a construction method statement have been submitted and agreed in writing by the local planning authority.

The scheme shall then be constructed as per the agreed drawings, method statement, FRA & Drainage Strategy (Flood Risk Assessment and Surface Water Drainage Statement | prepared by TD Wood Consulting | dated 01 April 2026 | Ref: 0018-B) (received 1st of June 2026) and Drawings (Surface Water and SuDS Drainage Strategy | prepared by TS Wood Consulting | dated September 2025 | Ref: 0018.401 rev D) and (Surface Water and SuDS Drainage Strategy Impermeable Areas | prepared by TS Wood Consulting dated September 2025 | Ref: 0018.402 rev A) and remaining 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 Authority.

All new residential dwellings are to have a finished floor level raised a minimum of 300mm above any flood level and 150mm above the surrounding proposed ground level unless otherwise first approved in writing by the Local Planning Authority.

Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

- 8) **Pre-Commencement Condition:** No development shall commence until details of the proposed means of foul disposal have been submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure the provision of satisfactory foul drainage in accordance with Policy 38 of the Horsham District Planning Framework (2015).

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

proposals and Arboricultural Method Statement. The development shall thereafter be carried out in accordance with the approved details.

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

- 10) **Pre-Commencement Condition:** No development shall commence until details of the proposed foul drainage system have been submitted to and approved in writing by the Local Planning Authority. The details shall include details of its siting, design and subsequent management/maintenance, if appropriate, alongside a phasing and implemented plan detailing how the development will be phased to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that wastewater network capacity is available to adequately drain the development. Thereafter, no dwelling shall be occupied otherwise than in accordance with the submitted details and the phasing and implementation plan.

Reason: To ensure that the development adequately manages foul drainage without increasing food risk in accordance with NPPF.

- 11) **Pre-Commencement (Slab Level) Condition:** No development above ground floor slab level of any part of the development hereby permitted shall take place until details of the location of any proposed air source heat pumps and photo-voltaic panels have been submitted to and approved in writing by the Local Planning Authority. This shall include details of the means of enclosure of any air source heat pump where required.

Once approved no dwelling hereby permitted shall be first occupied until the approved air source heat pump (and associated means of enclosure where approved) and photo-voltaic panels for that dwelling have been installed.

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) and ensure a sustainable development which meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework and Policy 13 of the Itchingfield Neighbourhood Plan 2025.

- 12) **Pre-Commencement Condition (Slab Level):** 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, doors 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).

- 13) **Pre-Commencement Condition (Slab Level):** No development above ground floor slab level of any part of the development hereby permitted shall commence until a Biodiversity Enhancement Strategy for Protected and Priority species has been 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 to achieve stated objectives;
 - (c) Locations of proposed enhancement measures by appropriate maps and plans;
 - (d) Persons responsible for implementing the enhancement measures;

- (e) Details of initial aftercare and long-term maintenance (where relevant).

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

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

- 14) **Pre-Commencement Condition (Slab Level):** No development above ground floor slab level of any part of the development hereby permitted shall commence until full details of the proposed rainwater harvesting system have been submitted to and approved in writing by the Local Planning Authority. This must include any proposed internal uses.

The submitted details shall include (but are not limited to):

1. The location, storage capacity and specification of the rainwater harvesting systems for each dwelling.
2. Confirmation of the intended uses of harvested rainwater (including toilet flushing, washing machines and external uses).
3. Details demonstrating that the systems will be designed and installed in accordance with BS EN 16941-1 2024 (or any superseding documents) and the Water Supply (Water Fittings) Regulations 1999, including appropriate backflow protection and separation from the potable water supply; and
4. Details of the ongoing maintenance and management arrangements for the lifetime of the development.

No dwelling shall be occupied until the Rainwater harvesting system for that dwelling has been fully implemented and made operational. The rainwater harvesting system shall be retained, maintained and operated at all times thereafter.

Reason: As rainwater harvesting is a core component to the Flood Risk Assessment and Drainage Strategy to prevent the increased risk of flooding and ensure future maintenance in accordance Policies 38 of the Horsham District Planning Framework (2015).

- 15) **Pre-Commencement (Piling and foundations):** The piling and other foundation designs using penetrative methods hereby permitted may not commence until such time as a scheme has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be based on the information submitted as part of the application and, where necessary, supported by:

- A Foundation Works Risk Assessment.
- A conceptual site model.

Specification of the type, number and depth of proposed piles / foundations / dimensions of shaft / tunnel / design of heating and cooling system.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements contained in the scheme, or any details as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To ensure that any proposed piling or other foundation does not harm groundwater in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015) and in line with paragraph 187 of the National Planning Policy Framework.

- 16) **Pre-Commencement Condition (works to watercourse/watercourse alteration):** No alterations or works to de-culvert the existing culverted watercourse along Chapel Road are to begin, until a detailed design is submitted to and approved in writing by the Local Planning

Authority in conjunction with the Lead Local Flood Authority for any proposed watercourse alteration that demonstrates the design is in strict accordance with the Land Drainage Act 1991 (culverting shall only be acceptable for access purposes).

Details submitted for any proposed watercourse alterations must demonstrate there is adequate space for the watercourse to be naturalised and enhanced, that flood risk is suitably managed for all storms up to and including the 1% AEP (Annual Exceedance Probability) (1 in 100 year) plus climate change event, that exceedance events of the channels do not impact the proposed development and that they are easily maintainable and accessible. The details shall include long sections and cross sections of the proposed watercourses including details of any proposed crossings. The development shall be constructed in accordance with the approved plans. Prior to the first occupation of the development, a detailed maintenance and management plan for all watercourses on site shall be submitted to and approved in writing by the Local Planning Authority and adhered to for the lifetime of the development.

Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

- 17) **Pre-Occupation Condition:** 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), management measures to ensure that the hedgerow to the north of the LAP is maintained at approximately 1m in height to allow for sufficient passive surveillance, Furniture (Bins, Benches and Signage) and Play Equipment and all operations and procedures for soft landscaping to SuDS features; inspection of linear drains, basins and swales, removal of unwanted vegetative material and litter, including inlets and outlets 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.

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).

- 18) **Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:
- (a) Details of all existing trees and planting to be removed and retained
 - (b) Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
 - (c) Details of any retaining walls or features
 - (d) Details of all hard surfacing materials and finishes
 - (e) Details of all boundary treatments
 - (f) Details of all external lighting
 - (g) Details of any retaining walls/features
 - (h) Details of LAP surfacing and equipment

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site (other than those within private gardens) shall be wilfully damaged or

uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 30 years after completion of the development. Any proposed or retained planting outside of private gardens, which dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

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

- 19) **Pre Occupation Condition:** No part of the development hereby permitted shall be occupied until a lighting design strategy for biodiversity in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) has been 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 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.

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

- 20) **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).

- 21) **Pre-Occupation Condition:** Prior to the first occupation of any part of the development hereby permitted, a contamination verification plan shall be submitted to and approved, in writing, by the Local Planning Authority. The verification plan shall provide details of the data collected in order to demonstrate that the works set out in Condition 5 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

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).

- 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. 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 shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled *SITE ACCESS ARRANGEMENTS - OPTION 2 PLUS CHAPEL ROAD NARROWING* and numbered ITL200844-GA-0 Rev B

Reason: To ensure adequate parking, turning and access facilities are available to serve the development in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 24) **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the eastern visitor car parking spaces (parking for village amenities) marked in pink on the Site Parking Layout Plan P105 E have been constructed and made available for use.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policy 40 of the Horsham District Planning Framework (2015)

- 25) **Pre-Occupation Condition:** No dwelling hereby permitted shall be occupied until the car parking spaces (including garages where applicable) necessary to serve that dwelling have been constructed and made available for use in accordance with approved drawing number P105 E. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with Policy 40 of the Horsham District Planning Framework (2015)

- 26) **Pre-Occupation Condition:** No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

Reason: To encourage and promote sustainable transport and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 27) **Pre-Occupation (Use) 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 verification 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 [Condition 7]. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in

accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

- 28) **Pre-Occupation Condition:** No part the development hereby permitted shall be 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 feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
- 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. This will include the name and contact details of any appointed management company.

Reason: As this matter is fundamental to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance in accordance Policies 35 and 38 of the Horsham District Planning Framework (2015).

- 29) **Pre-Occupation Condition:** Prior to the first occupation of each dwelling, 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 shall be provided to the premises.

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

- 30) **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until a fast charge electric vehicle charging point for that dwelling has been installed. As a minimum, the charge point specification shall be 7kW mode 3 with type 2 connector. The means for charging electric vehicles shall be thereafter retained as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

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

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

- 32) **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the cycle parking facilities serving it have been provided within the garage or side or

rear garden for that dwelling. The facilities shall thereafter be retained for use at all times. The cycle parking facilities shall thereafter be retained as such for their designated use.

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).

- 33) **Regulatory Condition:** The garage(s) hereby permitted shall be used only as private domestic garages for the parking of vehicles incidental to the use of the properties as dwellings and for no other purposes.

Reason: To ensure adequate off-street provision of parking in the interests of amenity and highway safety, and in accordance with Policy 40 of the Horsham District Planning Framework (2015).

- 34) **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).

- 35) **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).

- 36) **Regulatory Condition:** All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment/Method Statement, and the Tree Protection Plan – Ref - 25-1907-Report-C - Land South of Smugglers Lane, Barns Green, Horsham Arboricultural Implications Assessment and Method Statement Revision C, prepared by Canopy Consultancy dated July 2026, and the Tree Protection Plan Ref 25-1907-TTP-C.

Reason: To ensure the successful and satisfactory protection of important trees, shrubs and hedges on the site in accordance with Policies 30 and 33 of the Horsham District Planning Framework (2015).

- 37) **Regulatory Condition:** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (The Ecology Partnership, November 2025), Bat Activity Survey Report (The Ecology Partnership, November 2025), Dormouse Survey Report (The Ecology Partnership, September 2025) and Preliminary Ecological Appraisal (The Ecology Partnership, June 2025) 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 in Section 4.44 of the Preliminary Ecological Appraisal (The Ecology Partnership, June 2025) and for mobile protected and Priority species in Sections 4.47 and 5.20 of the Ecological Impact Assessment (The Ecology Partnership, November 2025). This avoids impacts on protected species.

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

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

- 38) **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).

- 39) **Regulatory Condition:** Within 3 months of occupation of each dwelling, the provision of the sustainable travel voucher (£150 per unit) for that dwelling shall have been provided in accordance with details that have been submitted to and been approved in writing by the Local Planning Authority as detailed in Table 3-1 of the SLR Air Quality Emissions Mitigation Statement (dated April 2026).

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).

- 40) **Regulatory Condition:** All mitigation measures and/or works shall be carried out in accordance with the details contained in the eDNA Report 2025, Land South of Smugglers Lane, Barns Green, Ecology Partnership, June 2025

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

- 41) **Regulatory Condition:** All development hereby permitted shall be completed in full accordance with Appendix 4 of the Programme of Site Monitoring of the approved Arboricultural Implications Assessment and Methods Statement revision C, July 2026.

Reason: To ensure the protection and retention of important trees and hedgerows in the interests of amenity, biodiversity, and environmental sustainability, in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Biodiversity Net Gain Condition

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

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

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

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

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link:

[-](#)

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.

NOTE TO APPLICANT

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

NOTE TO APPLICANT

The applicant is advised that under Part 1 of the Wildlife and Countryside Act 1981 disturbance to nesting birds, their nests and eggs is a criminal offence. The nesting season is normally taken as being from 1st March - 30th September. The developer should take appropriate steps to ensure nesting birds, their nests and eggs are not disturbed and are protected until such time as they have left the nest.

NOTE TO APPLICANT

No soils shall be imported or re-used within the development until the chemical testing and assessment of the soils which demonstrates the suitability of the soils for the proposed use have been carried out. The assessment shall be undertaken by a suitably qualified and competent person and full details shall be submitted to and approved in writing by the local planning authority

8. USE OF AI

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