



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DC/25/1543

Mowbray Development Site, Old Holbrook, Horsham, West Sussex.

DESCRIPTION:

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

RELEVANT PLANNING HISTORY:

DC/16/1677	Outline planning application with all matters reserved except access for a mixed use strategic development to include housing (up to 2,750 dwellings), business park (up to 46,450 m2), retail, community centre, leisure facilities, education facilities, public open space, landscaping and related infrastructure	Application Permitted on 01.03.2018
DC/19/0984	Non material amendments to approved application DC/16/1677 (the North Horsham Development site) for amendments to the wording of conditions 5,7,8,9,11,12,13,14,16,17,18,19,22,28, 31 & 54 and the introduction of a new condition to enable the Principal Access Works to come forward.	Application Permitted on 12.06.2019
DC/21/0181	Non Material Amendment to condition 2 of DC/16/1677 (Outline planning permission for Land North of Horsham strategic site) to amend all parameter plans.	Application Permitted 12.03.2021

DESCRIPTION OF THE SITE

The site relates to fields located to the north of the A264 to existing fields. The site is within Phase 2 of the Mowbray Development Site. Works have been completed on a vehicular entrance to Phase 2, approved under the outline consent. A public right of way crosses the A263 and cuts up through the site from south to north. The site includes an extensive tree boundary onto the A264. There is also a line of trees and hedgerow marking a field boundary to the northern part of the site. The boundary of the site is adjacent to a railway line to the south east. Channel Brook surrounds the site to the east and north. Ancient woodland also lies to the north of this site. The site is within an archaeological notification area.

The site is part of the wider Land North of Horsham strategic site (now known as the Mowbray Development Site). The strategic site is allocated within the Horsham District Local Plan for development under Policies SD1 – SD9. Under DC/16/1677, outline consent was granted in March 2018 for housing (up to 2,750 dwellings), a business park (up to 46,450sqm), retail, a community centre, leisure facilities, education facilities, public open space, landscaping and related infrastructure.

Under the outline permission, works have been completed for a new Bohunt school to the east side of Rusper Road. Works also been completed for the realignment of Rusper Road, part of the East West Greenway and internal roads at Phase 1. Works are also well underway for new housing at RM Area 1

(193 units) approved under DC/20/2047. Works have also commenced at RM Area 2 (197 units), RM Area 7 (221 units) and RM Area 5&6 (206 units) – all within Phase 1. The site is within an area approved under the outline consent for employment uses.

DESCRIPTION OF THE APPLICATION

Full planning permission is sought for the construction of a primary road which adjoins the A264 with the existing signalised Left in / Left Out junction. The road would stop at an existing lane (Bush Lane) to the east of the site, which comes off Wimland Road.

The road is to be intersected by two four-arm compact roundabouts splitting the length of the road into three near-even lengths, which are to provide access to the Employment Land and the rest of Phase 2 approved pursuant to the outline consent. Two priority ghost island junctions are proposed, both on the western side of the westernmost roundabout providing access to land within the western side of the Employment Land, to the northern and southern sides of the proposed Primary Road. Four bellmouth junctions are also proposed along the southern stretch of the Primary Road between the two roundabouts, which provide possible additional access points to the future employment parcels.

Segregated footpaths and cycleways are to be provided in line with the approved Site-Wide Cycling Strategy July 2022 (ref. DISC/22/0232), and provision for use of public transport, including a bus stop on the northern side of the road between the two roundabouts. A foul water pumping station is proposed on the western side of the northbound road leading from the westernmost roundabout. Two sub-stations are proposed, one on the southern side of the Primary Road on the eastern side of the site, and the other on the western side of the westernmost roundabout, on the northern side of the road.

Landscaping is proposed across the site in the form of street trees, amenity planting and habitat improvements to provide for biodiversity net gain. A new SUDS basin is proposed in the north-western part of the site that provides surface water attenuation. The scheme also includes the diversion of public right of way (no.1586) which cuts across the Primary Road.

The outline planning consent (DC/16/1677) was accompanied by an Environmental Statement (July 2016, with March 2017 Addendum: 'the ES'). This development proposed is not a "subsequent application" as defined by Regulation (2(1)) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) being independent of the outline consent. The development would therefore fall within Schedule 2 development and includes its own EIA.

RELEVANT PLANNING POLICIES

National Planning Policy Framework

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development

Policy 2 - Strategic Policy: Strategic Development

Policy 4 - Strategic Policy: Settlement Expansion

Policy SD1 - Strategic Policy: Land North of Horsham

Policy SD5 – Open Space, Sport and Recreation

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

Policy SD7 - Design

Policy SD9 - Transport Infrastructure

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 40 - Sustainable Transport

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

Policy 1: Sustainable Development

Policy 2: Development Hierarchy

Policy 3: Settlement Expansion

Policy 6: Climate Change

Policy 7: Appropriate Energy Use

Policy 8: Sustainable Design and Construction

Policy 9: Water Neutrality

Policy 10: Flooding

Policy 11: Environmental Protection

Policy 13: The Natural Environment and Landscape Character

Policy 14: Countryside Protection

Policy 15: Settlement Coalescence

Policy 17: Green Infrastructure and Biodiversity

Policy 19: Development Quality

Policy 20: Development Principles

Policy 21: Heritage Assets and Managing Change within the Historic Environment

Policy 23: Infrastructure Provision

Policy 24: Sustainable Transport

RELEVANT NEIGHBOURHOOD PLAN:

The Mowbray Development Site covers the parishes of North Horsham and Rusper. North Horsham Parish has withdrawn its neighbourhood plan designation. Rusper Parish Neighbourhood Plan has been made. The relevant policies are as follows:

- Policy RUS1: Spatial Plan
- Policy RUS3: Design
- Policy RUS4: Local Heritage Assets
- Policy RUS5: Green Infrastructure and Biodiversity
- Policy RUS6: Walking, Cycling and Equestrian Routes
- Policy RUS10: Dark Skies
- Policy RUS11: Promoting Sustainable Transport

REPRESENTATIONS AND CONSULTATIONS RESPONSES

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

Consultations:

INTERNAL CONSULTATIONS

HDC Arboricultural officer: Advice / No Objection.

[Summary] In light of the concerns from the Landscape Officer, the Arboricultural Officer has reassessed their comments. They have commented that, subject to engineering solutions being found to protect some root protection areas affected, their comments remain the same as below.

[Summary] The submitted Arboricultural Impact Assessment (AIA) Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) have been prepared in accordance with BS: 5837:2012 Trees in Relation to Design, Demolition and Construction and provide a fair assessment of the arboricultural related impact of the development proposal at the site. Based on the information submitted, and subject to appropriate planning conditions securing the implementation of the Arboricultural Method Statement and Tree Protection Plan, the proposal raises no arboricultural objection.

HDC Conservation: No Objection [Summary].

HDC Ecology BNG: Comments.

[Summary] The updated metric demonstrates that the development will have a 10.27% net gain (1.34 units) in area habitats, a 79.94% net gain (3.84 units) in hedgerow habitats, and a -1.19% net loss (-0.06 units) in watercourse habitat. Further information and clarification have been provided for some comments; however, some remain to be addressed, and a few new comments have arisen considering the further information provided. As this scheme proposes significant on-site BNG provision, a legal agreement is required to secure this provision.

HDC Landscape Architect: Objection.

[Summary] While some amendments, including smoother gradients in various locations, are acknowledged and welcomed, these are not in itself sufficient to address the fundamental concern expressed in regard to the proposed relationship of development with the existing landscape features. The landscape officer also requests that the HDC Arboriculturist is re-consulted to review proposed earthworks in tandem with the tree protection plan and arboricultural impact.

OUTSIDE AGENCIES

Archaeology Consultant: No Objection [Summary].

Ecology Consultant: No Objection [Summary].

Gatwick Airport: No Objection subject to a condition requiring the submission of a Bird Hazard Management Plan [Summary].

Naturespace: Comment. Further information required.

WSSC Highways: No Objection.

[Summary] As originally submitted, no particular in-principle concerns were raised although several matters were raised that required clarification. These points have been addressed as part of the applicant's subsequent response. WSSC Highways have no further comments and no objection is raised. Conditions are recommended.

WSSC Lead Local Flood Authority: No Objection (as amended). Conditions recommended. [Summary]

WSSC Rights of Way: No Objection [Summary]. This proposal will require a formal application for the diversion of the public right of way.

PUBLIC CONSULTATIONS

Representations:

None received.

Parish Comments:

North Horsham Parish Council: No Objection.

Member Comments:

None received

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

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

PLANNING ASSESSMENT

In March 2018, outline planning permission was granted for the development of the North of Horsham site for up to 2,750 dwellings and other uses, including educational (DC/16/1677). Condition 3 of DC/16/1677 relates to the submission of reserved matters applications within specified time periods. The time frames relate to the three phases of the development.

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

As the outline consent was granted in March 2018, the three year time limit for the submission of reserved matters on the Employment Land has now passed. The applicant is therefore seeking consent for a stand alone planning permission for this section of road through the Employment Land.

Principle of Development:

In relation to the principle of development, the proposed primary road has been found acceptable under the outline consent. The Mowbray site remains allocated for development under Policy SD1 of the HDPF. This area falls within the 'Employment Land' area of allocation. A Left in / Left out junction was approved in full under the outline consent.

This is shown on all plans under the outline consent and has recently been constructed. The proposed Primary Road would continue the road through the Employment Land as shown in the outline consent. The approved Movement and Access Parameter Plan shows this Primary Road linking to the Left in / Left out junction and bending round and traversing through the Employment Land. The principle of development has therefore been established.

Design and Appearance:

Policy SD7 of the HDPF states that the North Horsham development site will be high quality and will respond to and complement the unique character, qualities and local distinctiveness of Horsham and the surrounding areas. Policy SD1 also states that the development shall be locally distinctive through its architecture, urban and landscape design, where residents can become involved in their community and share the benefits of a high quality life. Policy SD6 states that the North Horsham development site shall respond to and complement the positive landscape characteristics and biodiversity qualities of the site.

The main element of this proposal is the formation of a 6.5m wide Primary Road. The road would be intersected by two roundabouts and two priority ghost junctions. Four bellmouths are also proposed along the southern stretch of the road to allow access to future employment parcels. The scheme also includes a cycle way along the southern edge of the site leading to an existing bridleway. The proposal also includes the diversion of PROW no.1586. The diversion relocates the PROW further east. The diverted PROW is shown going north over the Primary Road where it reconnects back with the existing PROW. The proposal also includes an attenuation pond with landscaping located north of the new road and west of the PROW. Two substations are proposed located off the Primary Road.

The design of the roads is mostly a matter for WSCC Highways, who have no objection to the proposal. The scheme also includes appropriate landscaping and accord with the outline consent. Overall, the design and layout of the development is considered appropriate.

Trees and Landscaping:

Policy 33 of the HDPF states that proposals that would result in the loss of green infrastructure will be resisted unless it can be demonstrated that new opportunities will be provided that mitigates or compensates for this loss.

As originally submitted, the HDC Landscape Officer raised concerns with perceived changes between the parameter plan and the current proposals. The officer felt that the proposal undermined the landscape strategy and importantly the existing green infrastructure, therefore the proposal must be

reviewed. The Landscape Officer commented further that the current scheme was not sensitive to its setting and did not assimilate naturally into the existing landscape and significant proposed earthworks, resulting in loss of vegetation and in encroachment of root protection areas (RPAs), which are not accurately reflected in plan.

The applicant then submitted amendments to deal with these comments. The Landscape Officer stated that, while some amendments, including smoother gradients in various locations, are acknowledged and welcomed, these are not in itself sufficient to address the fundamental concern expressed in regard to the proposed relationship of development with the existing landscape features.

In response, the applicants have commented that it is important to point out that the site has a number of fixed constraints such as the LILO (built and completed in line with the approved outline consent access scheme) at the western end of the road and narrow gap for the road to pass through at the eastern extent. The footpath along the northern boundary follows the definitive line of a PRoW. These make it very difficult to alter the scheme as the Landscape Officer suggests. For example, the alignment of the road has been designed to meet highway/ engineering requirements and L&G's objective of retaining more of the existing landscaping when compared to the outline proposals. Moreover, the road and landscaping facilitate the delivery of development parcels that reflect market requirements and are technically deliverable.

The agents go on to state that the submitted proposals do differ from the outline consent parameters in terms of the location of SUDS basins and greenspace. If designed as per the outline consent parameters, the earthworks for the central SUDS basin would have encroached into the tree/ hedgerow RPAs. There were also smaller SUDS basins adjacent to the existing PRoW south of the road that would have encroached significantly into the existing vegetation in this location, likely requiring its removal entirely. Likewise, the hedgerow to the north of the road (west of the PRoW) is shown on the outline consent parameter as falling within a development parcel and being removed.

The agents go on to state that the proposals have been carefully designed to retain the hedgerow adjacent to the southern part of the PRoW and the majority of that in the northwest corner. The central hedgerow and trees are all to be retained owing to the relocation of the SUDS basin to the northwest.

Comments have been made in respect of surfacing materials and street furniture. The agents have stated that whilst this is a full application, the intention is for a consistent and cohesive palette of surfacing materials and furniture to be installed across the Mowbray development. Those proposed here have been approved and installed elsewhere on the site already.

In relation to the impact on trees, the Council's Arboricultural Officer has commented that the submitted Arboricultural Impact Assessment, Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) have been prepared in accordance with BS: 5837:2012 Trees in Relation to Design, Demolition and Construction and provide a fair assessment of the arboricultural related impact of the development proposal at the site. Based on the information submitted, and subject to appropriate planning conditions securing the implementation of the AMS and TPP, the proposal raises no arboricultural objection.

In light of the concerns from the Landscape Officer, the Arboricultural Officer has reassessed their comments. They have commented that, subject to engineering solutions being found to protect some root protection areas affected, their comments remain the same.

Overall, the comments of the HDC Landscape Officer are noted, however, the position of the Primary Road is fixed based on the constructed Phase 2 junction, in accordance with the outline consent. In addition, the applicants have outlined changes to the proposal which improve its landscape impact, when compared to the outline consent. In addition, subject to engineering solutions for the impact of the proposal on some of the retained trees, the HDC Arboricultural Officer has not raised any objections to the proposal in relation to tree impacts. Therefore, the landscape impact of this proposal is considered appropriate.

Residential Amenity:

Policy 33 of the HDPF states that development should ensure it is designed to avoid unacceptable harm to the amenity of occupiers / users of nearby property and land, for example through overlooking and noise, whilst having regard to the sensitivities of the surrounding development.

The proposed development is not located near to any existing residential properties. Furthermore, the proposed road would not impact on any future residents of the Mowbray site, given that this area is allocated for employment uses and not residential. Therefore, no amenity issues are raised by this application.

The construction of this section of road will need to be in accordance with the agreed Construction Environmental Management Plan, to minimise the impact of construction works on nearby properties.

Highways Impacts:

Policy SD9 and 40 of the HDPF state 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.

WSCC Highways have commented that the submitted designs have been the subject of pre-application discussions. The principles and overall layout have been agreed as part of these discussions. WSCC go on to say that, for the most part, the design principles in terms of carriageway and cycle/foot way widths, and overall arrangements follow those already established through previously approved (and in part) constructed highway arrangements within Phase 1. Aspects in these regards are therefore agreed.

Related to the above, the provision of a two-way cycle way segregated from the adjacent footway on the northern side of the carriageway is also consistent with that agreed within the Mowbray site. The cycle route will eventually form a continuous route between Phase 1 and 2 as required by the approved Movement Parameter Plan forming part of DC/16/1677 and the Site Wide Cycle Strategy. WSCC Highway state that it is recognised that the segregated route switches to shared use at crossing points. Such an arrangement follows the broad guidance within LTN 1/20. The exact means of segregating cyclists and pedestrians should be agreed as part of the detailed design (to be agreed with WSCC through a separate process). The route includes raised tables at side road crossings to prioritise those walking and cycling.

In relation to the carriageway arrangement, the scheme includes higher forms of provision at some junctions with ghosted right turning lanes and two compact roundabouts proposed. For the purposes of the current application, WSCC have stated that exact details aren't included of the various uses that will be served from these junctions or any other for that matter. Given the plot sizes and anticipated level of traffic using the proposed primary road within Phase 2, no particular capacity related issues would be anticipated.

In terms of the specific design, WSCC recognise that there are elements within the design of the roundabouts that don't strictly accord with relevant design standards, namely that the compact roundabout design is slightly bigger than design standards would ordinarily suggest is allowed. The justification for this has been discussed and agreed with WSCC, and ultimately the design is considered appropriate. No safety issues have been identified concerning the roundabouts within the Stage One Road Safety Audit.

As referenced above, in accordance with current WSCC Policy, a Stage One Road Safety Audit has been undertaken of the proposed carriageway, junctions, and foot/cycle way. WSCC have asked that the Applicant should provide an editable version of the RSA Response to enable WSCC to enter comments as Overseeing Organisation as well as to include any Agreed Actions.

The proposals also include a length of foot/cycle way running along the southern boundary of the site away from the length of primary road. This route again is included on the approved Movement Parameter Plan for DC/16/1677 and is included in the Site Wide Cycle Strategy. WSCC have commented that the route connects to an approved scheme of works for the existing Riverside Walk

where this runs from Bartholomew Way parallel to the southbound carriageway of the A264 before continuing under the A264 and thereafter into the development site. The proposed length of foot/cycle way will provide a means of access into the current development parcels and onto the far eastern end of bridleway way 1585 (Bush Lane). Users will also be able to access Wimland Road, and thereafter those rural lanes to the east towards Crawley.

WSCC have queried what the intention is for this route in terms of future maintenance; that is whether it will be offered for adoption as public highway or whether the route is to remain effectively private albeit with permissive rights of access for walking and cycling. If the route is to be adopted as highway, suitable lighting would be required in accordance with WSCC requirements. If the route is to be permissive, an appropriate legal mechanism would be required to ensure future access. This could be as part of a separate s106 or permissive use agreement.

In response to the above, further details were submitted by the applicant. This includes confirming that the proposed cycle way and footways are to be permissive. WSCC has commented that this would require the applicant to enter into a legal agreement separately with them.

Overall, WSCC Highways have no objection to the proposal subject to conditions. The scheme is therefore in accordance with the above policies.

Ecology:

In support of the application, the proposal includes a Biodiversity New Gain Statement. The Environmental Statement also includes a chapter on ecology. In response to comments from the HDC Ecology Consultant, a further Ecological Letter Response (Derek Finnie Associates January 2026) was submitted.

With the benefit of the additional information, the HDC Ecology Consultant has commented that there is sufficient ecological information available to support determination of this application. No objection is raised subject to the following conditions:

- All mitigations outlined in Chapter 12 Ecology Environmental Statement and the Ecological Letter Response shall be implemented in accordance with the agreed details.
- Prior to any works taking place, a Biodiversity Enhancement Strategy for protected, Priority and threatened species shall be submitted to and approved in writing by the local planning authority.
- Prior to the use of the development, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the local planning authority.

Naturespace have commented that further details are required in relation to the potential impact on newts. The applicant has responded that the impact on newts will be dealt with under the National Licencing scheme via Natural England. The applicants have used this approach for the whole of the Mowbray Development site with no issues raised. This is considered appropriate.

Water Neutrality:

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.

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.

This application seeks approval for an extended road, landscape and ecological improvements. This proposal would not result in any additional water usage for the Mowbray site. The Council as Competent Authority under its duties imposed by the Habitat Regulations has therefore 'screened out'

this application for water neutrality purposes. No adverse effects on the Arun Valley habitat sites will therefore occur.

Other Matters:

Drainage and Flood Risk:

The application includes a Flood Risk Assessment. The applicant has stated that this is in general accordance with FRA submitted with the outline application. The FRA outlines that the majority of the site is identified as being at very low risk of fluvial flooding, though there are some parts of the site adjacent to Channells Brooks to the north and west, which are within Flood Zones 2 and 3.

The application states that the built development has been removed from areas within the Site that have been identified as being at risk. No built development is therefore proposed in areas at risk of fluvial flooding in accordance with the sequential approach set out in National Policy and Guidance.

As amended, the LLFA have commented that the drainage strategy is appropriate subject to conditions. The amended scheme takes into account the recent changes to the Environment Agency flood maps.

Diversion of the Public Right of Way:

Currently, a public right of way runs (no.1586) through the site from north to south. The proposal is to divert the right of way so that it would be directed east upon entering the site from the A264. It would then continue north across the new primary road, where it would reconnect back with the existing right of way.

The WSCC Rights of Way Team have commented that they have no objection to the diversion. Separate consent is required for the diversion under Section 257 of the Town and Country Planning Act. As WSCC have raised no objections to the diversion, the legal process for this permission has been initiated.

Heritage and Archaeology:

The proposal is not nearby to any heritage assets. As such, the HDC Conservation Officer has no objections to the proposal.

In relation to potential archaeological deposits, the Council's consultant archaeologist has commented that the land parcels through which the Primary road runs have been subject to comprehensive field evaluation by Thames Valley Archaeology which has demonstrated that significant archaeological remains are not present within the site. Therefore, the archaeologist has no concerns regarding this application.

Gatwick Airport:

In accordance with the requirements of Gatwick Airport, a Bird Hazard Management Plan has been submitted for this proposal. Gatwick Airport has raised no concerns subject to a condition requiring the implementation of the BHMP.

Climate Change:

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change.

The applicant has stated that climate change resilience measures are embedded into the wider consented development. Examples of this include the proposals for a network of GI / habitat connectivity across the site to contribute positively to local biodiversity, proposals for sustainable modes of travel, and consideration of the potential air quality effects from construction and operational traffic.

Biodiversity Net Gain (BNG):

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 must not be begun unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the Plan.

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.

The Council's BNG Officer has commented that the updated metric demonstrates that the development will have a 10.27% net gain (1.34 units) in area habitats, a 79.94% net gain (3.84 units) in hedgerow habitats, and a -1.19% net loss (-0.06 units) in watercourse habitat. Further information and clarification have been provided for some comments; however, some remain to be addressed, and a few new comments have arisen considering the further information provided. As this scheme proposes significant on-site BNG provision, a legal agreement is required to secure this provision. Under the legal agreement, the remaining comments of the HDC BNG officer have been addressed.

Conclusion:

The principle of developing the site has been established following the grant of outline planning permission (as amended): DC/16/1677. It is considered that the current proposal results in an acceptable layout of the development and an acceptable scale and appearance for the scheme, subject to conditions.

Recommendation: Application Permitted

Conditions:

1. **Plans condition.**
2. **Regulatory (Time) Condition:** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3. **Pre-Commencement Condition:** The development hereby approved shall be provided in accordance with the phasing outlined in the General Arrangement Phasing Plan (ref: DR-0018 S5-P1). Prior to commencement of any phase, any ground clearance, or bringing equipment, machinery or materials onto the site, shall be completed following the preliminaries set out below:
 - (a) All trees on the site shown for retention on approved Tree Protection Plan ref: 2898-2-17 drawing no. DR-0001 Version S5-P3 – Revision P2 - dated 23/12/26, as well as those off-site whose root protection areas ingress into the site, shall be protected throughout in full accordance with the submitted Arboricultural Impact Assessment/Method Statement [David Jarvis Associates Arboricultural Method Statement and Arboricultural Site Supervision report number SCD1005 ref: 2898-2-17 TD-0001 Version S5-P2 Employment Road (RMA2) Revision P2 – dated 15/12/26.
 - (b) Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
 - (c) Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Any trees or hedges on the site which die or become damaged during the construction process shall be replaced with trees or hedging plants of a type, size and in positions agreed by the Local Planning Authority.

Reason: As this matter is fundamental to ensure the successful and satisfactory protection of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

4. **Pre-commencement Condition:** No development shall commence on the Walton Land (shown on drawing no 2898-5-6-5-DR-0002 P1) until the Walton Land has been bound to comply with the terms of the s106 Agreement (dated 30th June 2026) relating to this Planning Permission by a supplementary planning agreement.

Reason: To ensure that the Walton Land is bound to the obligations under the legal agreement approved for this application in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015).

5. **Pre-commencement Condition:** Details of the passenger waiting and information facilities for the bus stop shall be submitted to and approved by the Local Planning Authority in writing prior to the use of the road hereby approved by public traffic. The approved details shall be installed prior to the first use of the road by buses.

Reason: To secure details of the facilities at the proposed bus stops in accordance with Policy 40 of the Horsham District Planning Framework (2015).

6. **Pre-commencement Condition:** The roads hereby approved shall not be constructed above base course level until the means of cycle lane demarcation for the cycle lanes as shown on the approved drawings have been submitted to and approved in writing by the Local Planning Authority. The details once approved shall thereafter be installed prior to the road opening to public traffic.

Reason: To secure the details by which the cycle lanes will be segregated from the adjacent footway in accordance with Policy 40 of the Horsham District Planning Framework (2015).

7. **Pre-commencement Condition:** Prior to the commencement of the SUDS features, construction drawings of the sustainable drainage components and a construction method statement shall be submitted and agreed in writing by the Local Planning Authority. The scheme shall then be constructed as per the agreed Flood Risk Assessment by Glanville, 19th December 2025, Issue 3 and remain in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed SUDS features shall occur without prior written approval from the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF and Local Planning Policy.

8. **Pre-commencement Slab Level Condition:** Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist, shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs or product descriptions to achieve stated objectives;
 - c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
 - d) persons responsible for implementing the enhancement measures; and
 - e) details of initial aftercare and long-term maintenance (where relevant).
- The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

9. **Pre-Occupation Condition:** The development hereby approved shall not be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
- I. a timetable for its implementation,
 - II. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect
 - III. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Local Planning Policy.

10. **Post Completion Condition:** Upon completion of the SuDS features, and prior to the first occupation of the development; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the SUDS features have been constructed in accordance with the details approved pursuant to 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: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Local Planning Policy.

11. **Regulatory Condition:** The development hereby approved shall be implemented in accordance with the Construction Environment Management Plan (Phase 2 Site Wide and Employment Road Appendix) received on the 8th May 2026.

Reason: To mitigate construction 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).

12. **Regulatory Condition:** The Bird Hazard Management Plan dated 07 January 2026 shall be implemented as approved upon completion of the SUDS and shall remain in force for the life of the SUDS. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: It is necessary to manage the SUDS in order to mitigate bird hazard and avoid endangering the safe movements of aircraft and the operation of London Gatwick through the attractiveness of birds.

13. **Regulatory Condition:** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Chapter 12 Ecology Environmental Statement (Stantec, September 2025) and the Ecological Letter Response (Derek Finnie Associates, 9th January 2026) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

14. **Regulatory Condition:** The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the completion of the Primary Road. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site 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).

15. **Regulatory Condition:** The proposal shall be implemented in accordance with the approved Employment Road – Landscape and Ecological Management Plan (December 2025)

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).

16. **Regulatory Condition:** All works shall be executed in full accordance with the submitted Arboricultural Impact Assessment/Method Statement [David Jarvis Associates Arboricultural Method Statement and Arboricultural Site Supervision report number SCD1005 ref: 2898-2-17 TD-0001 Version S5-P2 Employment Road (RMA2) Revision P2 – dated 15/12/26].

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).

17. **Regulatory Condition:** No works for the implementation of the development hereby approved shall take place outside of 07:00 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).

NOTE TO APPLICANT

Biodiversity Net Gain Condition

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

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

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

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

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: [Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/biodiversity-net-gain).

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 advised to contact West Sussex County Council to enter into a permissive use agreement for those proposed cycle and foot ways that are to be available for public use but are not being offered for adoption as public highway nor dedicated as public rights of way.

POSITIVE AND PROACTIVE STATEMENT

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

Plans list for: DC/25/1543

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

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Plans	Refuse Vehicle Tracking	MOW-RMA2-PH2-6208 REV P3	24.09.2025
Plans	Refuse Vehicle Tracking	MOW-RMA2-PH2-6207 REV P3	24.09.2025
Plans	Refuse Vehicle Tracking	MOW-RMA2-PH2-6206 REV P3	24.09.2025
Plans	Refuse Vehicle Tracking	MOW-RMA2-PH2-6205 REV P3	24.09.2025
Plans	Refuse Vehicle Tracking	MOW-RMA2-PH2-6204 REV P3	24.09.2025
Plans	Tanker Tracking	MOW-RMA2-PH2-6209 REV P3	24.09.2025
Plans	Large Car Tracking	MOW-RMA2-PH2-6210 REV P2	24.09.2025
Plans	Large Car Tracking	MOW-RMA2-PH2-6211 REV P2	24.09.2025
Plans	Pedestrian and Cycle Routes	MOW-RMA2-PH2-SK02 REV P4	24.09.2025
Plans	General Arrangement Sheet 1 of 3	MOW-RMA2-PH2-1001 REV P12	19.06.2026

Plans	General Arrangement Sheet 2 of 3	MOW-RMA2-PH2-1002 REV P13	19.06.2026
Plans	General Arrangement Sheet 3 of 3	MOW-RMA2-PH2-1003 REV P14	19.06.2026
Plans	Roundabout 1 Geometry	MOW-RMA2-PH2-1004 REV P5	24.09.2025
Plans	Roundabout 2 Geometry	MOW-RMA2-PH2-1005 REV P5	24.09.2025
Location plan	Long Sections	MOW-RMA2-PH2-1006 REV P5	06.10.2025
Plans	Long Sections Sheet 1 of 5	MOW-RMA2-PH2-1007 REV P4	06.10.2025
Plans	Long Sections Sheet 2 of 5	MOW-RMA2-PH2-1008 REV P4	06.10.2025
Plans	Long Sections Sheet 3 of 5	MOW-RMA2-PH2-1009 REV P4	06.10.2025
Plans	Long Sections Sheet 4 of 5	MOW-RMA2-PH2-1010 REV P4	06.10.2025
Plans	Long Sections Sheet 5 of 5	MOW-RMA2-PH2-1011 REV P4	06.10.2025
Plans	Levels Sheet 1 of 3	MOW-RMA2-Ph2-1012 REV P4	15.01.2026
Plans	Levels Sheet 2 of 3	MOW-RMA2-Ph2-1013 REV P4	15.01.2026
Plans	Levels Sheet 3 of 3	MOW-RMA2-Ph2-1014 REV P5	15.01.2026
Plans	Visibility Splays Sheet 1 of 3	MOW-RMA2-PH2-1015 REV P3	24.09.2025
Plans	Visibility Splays Sheet 2 of 3	MOW-RMA2-PH2-1016 REV P3	24.09.2025
Plans	Visibility Splays Sheet 3 of 3	MOW-RMA2-PH2-1017 REV P4	24.09.2025
Plans	Adoption Plan Sheet 1 of 3	MOW-RMA2-PH2-1018 REV P3	15.01.2026
Plans	Adoption Plan Sheet 2 of 3	MOW-RMA2-PH2-1019 REV P3	15.01.2026
Plans	Adoption Plan Sheet 3 of 3	MOW-RMA2-PH2-1020 REV P4	15.01.2026
Plans	HGV Tracking	MOW-RMA2-PH2-6201 REV P3	24.09.2025
Plans	HGV Tracking	MOW-RMA2-PH2-6202 REV P3	24.09.2025
Plans	Bus Tracking	MOW-RMA2-PH2-6203 REV P3	24.09.2025
Plans	Lighting	2898-5-5-FRN-0005-S5 REV P5	15.01.2026
Plans	Litter Bin	2898-5-5-FRN-0007-S5 REV P4	24.09.2026

Plans	Timber Bollard	2898-5-5-FRN-0009-S5 REV P4	24.09.2025
Plans	Tree Planting Details	2898-5-5-VEG-0001-S REV P6	24.09.2025
Plans	Self Binding Gravel	2898-5-5-SUR-0002-S5 REV P4	24.09.2025
Plans	Tree Planting Details	2898-5-5-VEG-0002-S5 REV P6	15.01.2026
Plans	Tree Planting Details	2898-5-5-VEG-0003-S5 REV P5	24.09.2025
Plans	Tree Protection Plan	2898-2-17-DR-0001-S5 REV P4	19.06.2026
Plans	General Arrangement	2898-2-20-DR-0001-S5 REV P8	19.06.2026
Plans	Planting Proposals 1 of 6	2898-5-2-20-DR-0002-S5 REV P8	19.06.2026
Plans	Planting Proposals 2 of 6	2898-5-2-20-DR-0003-S5 REV P7	17.03.2026
Plans	Planting Proposals 3 of 6	2898-5-2-20-DR-0004-S5 REV P7	17.03.2026
Plans	Planting Proposals 4 of 6	2898-5-2-20-DR-0005-S5 REV P7	17.03.2026
Plans	Planting Proposals 5 of 6	2898-5-2-20-DR-0006-S5 REV P7	17.03.2026
Plans	Planting Proposals 6 of 6	2898-5-2-20-DR-0007-S5 REV P8	19.06.2026
Plans	Indicative Planting Palette	2898-5-2-20-DR-0009-S0 & 2898-5-2-20-DR-0008-S0 REV P1	24.09.2025
Plans	Indicative Surfaces, Boundaries And Furniture Palette	2898-5-2-20-DR-0010-S0 REV P2	24.09.2025
Plans	Anti-Climb Fence	2898-5-5-BND-0001-S5 REV P5	24.09.2025
Plans	Typical Estate Railing & Hedge	2898-5-5-BND-0004-S5 REV P4	24.09.2025
Plans	Timber Cleft 3 Rail With Dog Proof Stock Netting	2898-5-5-BND-0007-S5 REV P5	24.09.2025
Plans	Benches, Seats And Picnic Tables	2898-5-5-FRN-0001-S5 REV P5	24.09.2025
Plans	Dog Waste Bin	2898-5-5-FRN-0004-S5 REV P4	24.09.2025
Plans	Cycleway	25-286-2D	15.01.2026
Location plan		19003-SBR-SW-XX-DR-A-00002 REV 10	24.09.2025
Plans	Typical Substation	19003-SBR-SW-XX-DR-A-83001 REV 4	06.10.2025

