



HORSHAM DISTRICT COUNCIL CONSULTATION

TO:	Horsham District Council – Planning Dept
LOCATION:	Land to the north of Church Farm Walk, Upper Beeding
DESCRIPTION:	Erection of 4 No. detached dwellings with associated amenity space, car parking spaces, detached carports, access road and other associated infrastructure.
REFERENCE:	DC/25/2114
RECOMMENDATION:	Advice / No Objection / Objection / More Information / Modification / Refusal
SUMMARY OF COMMENTS & RECOMMENDATION: Planning policy advice was sought in respect of the following issues: - the policy weight that should be afforded to impacts on the Local Wildlife Site; - how much weight should be given to the potential indirect impacts arising from the drainage works where the final design remains indicative; and - whether there is relevant guidance within the Local Nature Recovery Strategy (LNRS) or other emerging policy documents that would assist in assessing this issue. Advice is provided to help the case officer consider the weight to be given respectively when considering the impact of the development on the Local Wildlife Site which should take into account the advice from specialist colleagues. Based on national and local planning policy and other material considerations, Local Wildlife Sites should be protected and potentially development should be adopting opportunities for enhancement and creating buffers rather than encroach within designated sites themselves. Buffers help protect important habitats and are important to the retention of nature which is a cornerstone from which nature recovery can occur. However, if certain specified criteria in policy, both national and local, can be demonstrated then development may be justified.	

MAIN COMMENTS:

Introduction

Preamble

These comments discuss national and local policy (emerging and adopted) that relate to the proposed development. They do not set out advice on every issue that may be of relevance to the proposal and do not reference every policy in its entirety. Instead, the comments focus on the following issues as requested by the case officer:

- the policy weight that should be afforded to impacts on the Local Wildlife Site;
- how much weight should be given to the potential indirect impacts arising from the drainage works where the final design remains indicative; and
- whether there is relevant guidance within the Local Nature Recovery Strategy (LNRS) or other emerging policy documents that would assist in assessing this issue.

The comments do not discuss the Council's Housing Land Supply position or Housing Delivery Test performance in any detail. However, the case officer will be aware that the 'tilted balance' is effect per NPPF para 11dii) unless it is assessed that the exemptions identified in 11di) and related footnote 7 apply and further information in relation to this is provided in the Shaping Development in Horsham District Planning Advice Note (SDPAN, 2025).

Proposal

The proposal for four new dwellings falls within land that lies on the edge but outside the northern built up area boundary of Upper Beeding and within a Local Wildlife Site "River Adur Water Meadows & Wyckham Wood".

Development Plan

The development plan consist of the Horsham District Development Framework (HDPF, 2015), the West Sussex Joint Minerals Local Plan (2018), the West Sussex Waste Local Plan (2014) and the made Neighbourhood Plan covering the area which is the Upper Beeding Neighbourhood Plan (UBNP, made 2021). The emerging Horsham District Local Plan (HDLP 2023-40) (eLP) is currently at examination stage and is a material consideration.

Importantly, given that the 'tilted balance' is engaged in Horsham District, the UBNP was formally made on 23 June 2021 and includes housing allocations and policies to meet an identified need. Per NPPF paragraph 14, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits on any relevant decision made within 5 years of the UBNP's adoption. Given the UBNP is now more than 5 years old, paragraph 14 of the NPPF therefore does not apply.

Issue 1 - the policy weight that should be afforded to impacts on the Local Wildlife Site

In respect of this it is first important to understand what a Local Wildlife Site is. Local Wildlife Sites are non-statutory local designations. Defra guidance is applied to ensure sites meet specific criteria which is then reviewed by a panel of respective experts prior to formal designation. Their protection comes from the planning system and Development Plan policies. Defra official statistics published 26 February 2026 titled

["Local Sites in positive conservation management in England"](#) notes that many local sites are equal in quality to statutory Sites of Special Scientific Interest (SSSIs). It also notes that local sites are an important component of England's ecological network and have an important role to play in meeting our national biodiversity objectives.

The Local Wildlife Site affected by this planning application is "H42 River Adur Water Meadows and Wyckham Wood" which is a large site. It was first confirmed in 1992 and subject to a resurvey in 2020 which helps to ensure the site boundary and its designation remains justified. Part of the importance of the site is its large diversity of habitats acknowledging neutral grassland dominates the site. The diversity in habitats supports a diversity of floral and faunal species. It's particular importance includes birds.

Policy 31 of the HDPF refers to Local Wildlife Sites (LWSs) by using their former title of Sites of Nature Conservation Importance (SNCIs). Of particular relevance is criterion 4 which states:

"4. a) Particular consideration will be given to the hierarchy of sites and habitats in the district as follows:

- i. Special Protection Area (SPA) and Special Areas of Conservation (SAC)*
- ii. Sites of Special Scientific Interest (SSSIs) and National Nature Reserves (NNRs)*
- iii. Sites of Nature Conservation Importance (SNCIs), Local Nature Reserves (LNRs) and any areas of Ancient woodland, local geodiversity or other irreplaceable habitats not already identified in i & ii above.*

b) Where development is anticipated to have a direct or indirect adverse impact on sites or features for biodiversity, development will be refused unless it can be demonstrated that:

- i. The reason for the development clearly outweighs the need to protect the value of the site; and,*
- ii. That appropriate mitigation and compensation measures are provided."*

Since the adoption of the HDPF there have been a number of relevant changes in national policy, including updates to the NPPF, but none are considered to significantly alter the regard to be given to Local Wildlife Sites (formerly called Sites of Nature Conservation Importance) in accordance with Policy 31 criterion 4 of the HDPF.

In this respect, paragraph 15 and the NPPF continues to make clear the planning system is to be genuinely plan-led. Paragraphs 188, 192 and 193 of the NPPF also ensure regard is given to local wildlife sites. The NPPF also seeks improvements in biodiversity. [National planning practice guidance](#) gives additional advice with regard to Local Wildlife Sites, such as Reference ID: 8-013-20190721 and Reference ID: 8-014-20190721, including advice on applying the mitigation hierarchy which is no longer specifically referenced in the NPPF but remains relevant (Reference ID: 8-020-20240214).

In addition to this, the Environment Act 2021 introduced a statutory requirement for Local Nature Recovery Strategies (LNRSs) to be prepared. These are prepared by Defra appointed bodies which, in this area, is West Sussex County Council. The [LNRSs statutory guidance \(March 2023\)](#) makes clear in paragraph 17 that a LNRS must include a statement of biodiversity priorities and a local habitat map. It also makes clear in paragraph 22 that Local Wildlife Sites are to form part of the "areas of particular importance for biodiversity" in the LNRS local habitat map. Paragraph 26 makes clear "areas of particular importance for biodiversity" establish a nationally consistent baseline of areas whose particular importance has already been recognised and are protected. Paragraph 27 then reflects local wildlife sites have protection as it suggests new areas

should be designated if there require protection. Paragraph 81 makes clear that LNRS measures may maintain or increase the importance of local wildlife sites.

The West Sussex Local Nature Recovery Strategy was published on 24 June 2026. Further information on this is provided in response to Issue 3 below.

The local wildlife site, and impacts upon it, is therefore a relevant planning matter and a material consideration. In accordance with Policy 31 of the HDPF the weight to be given is considered significant in respect of the final planning balance should conflict be found with criteria 4.b i and ii.

Issue 2 - how much weight should be given to the potential indirect impacts arising from the drainage works where the final design remains indicative

Policy 31 criterion 4 of the HDPF applies to both direct and indirect adverse impact on sites and features for biodiversity. In accordance with Policy 31 of the HDPF the weight to be given is considered significant in respect of the final planning balance should conflict be found with criteria 4.b i and ii.

Issue 3: whether there is relevant guidance within the Local Nature Recovery Strategy (LNRS) or other emerging policy documents that would assist in assessing this issue

Local Nature Recovery Strategy ([link](#))

LNRSs are a new system of spatial plans for nature whereby the West Sussex LNRS is one of 48 strategies being introduced across England.

The purpose of the LNRS is to identify opportunities for the protection and enhancement of nature. It does not impose any new land use (e.g planning) restrictions. However Local Plans should "have regard" to LNRSs to help ensure the priorities and measures are met as appropriate (*this changes to "take account" once the respective clause in the Levelling-Up and Regeneration Act 2023 comes into force*). The LNRS should frame discussions with developers at an early stage and throughout their proposals to make sure that the nature recovery opportunities are appropriately given "regard" in accordance with the Environment Act 2021. It is important to note not all measures are mapped.

The first principle of the West Sussex LNRS is "In our core areas for nature, hold on to what we have and make it better". Core Areas are those mapped as "areas of particular importance for Biodiversity" (APIB), which, as detailed earlier, includes Local Wildlife Sites. This principle highlights the need to conserve these existing areas of important habitat, prevent further loss or degradation and improve ecological condition.

Principle 4 is "work together through a source-to-sea approach to support our terrestrial, freshwater, coastal and marine environments". It recognises these environments are all part of one connected system and that what happens on land has an impact, not just on our freshwaters and coasts, but also on our seas. It notes that globally 80% of marine pollution originates on land – from agriculture, cities and industry. The source-to-sea approach is encouraged across the country by the Environment Agency.

Principle 7 relates to investing in and using nature to deliver wider benefits where we need them and shows a picture of the [Adur River Recovery](#) which is an ambitious land manager-led project to revitalise and restore one of the biggest rivers in West Sussex to

improve water quality and biodiversity. It is a national Landscape Recovery pilot project supported by Defra that seeks to address that the River Adur is facing from habitat loss, species decline, pollution, drought, and flooding. The Adur River Recovery recognises that urban development adds further pressure. From a planning policy perspective this highlights the need to have regard to the LNRS and existing nature recover projects in place when determining planning applications.

In addition to this, one of the LNRS's 10 habitat/topic types is "Nature Networks" where one of its 24 priorities for nature is "PS1: Support the expansion and enhancement of a network of protected sites". The first core measure for this priority is "PS1.1 Implement on-site management required to improve the ecological condition of Local Wildlife Sites particularly where this is known to be poor/failing" (Unmapped). There are also priorities and measures relating to rivers and wetlands such as priority R1 "support the recovery of our rivers and river systems, their health, biodiversity and natural functions".

Horsham District Local Plan (HDLP 2023-40) (eLP)

The Council submitted the Horsham District Local Plan 2023-2040 (HDLP) to the Secretary of State for examination in July 2024. The HDLP sets out policies and proposals intended to guide development in the district, excluding the South Downs National Park, up to 2040. Examination hearings started in December 2024, but the remaining hearings were cancelled by the Inspector in a Holding Letter dated 16 December 2024. On 22 April 2025 the Council published the Inspector's subsequent Interim Findings Letter which has recommended that the Plan be withdrawn, due to his view that the Council has failed to satisfactorily comply with the legal Duty to Co-operate. However, on 28 January 2026, the Council was informed that a new Inspector, Mr Jonathan Bore, has been appointed in place of the previous Inspector, Luke Fleming. On 21 April 2026, Horsham District Council resumed hearing sessions under Inspector Jonathon Bore. At the time of writing, the Inspector has held three hearing sessions on housing requirement, housing supply and homes to meet the needs of all the community. He has requested the Council undertake more work and invited the Council to propose main modifications to be published in the summer for consultation (details are set out in his letter IDJB05 dated 5 May and published on the examination website). This is now confirmed as starting on 13 July 2026. Further Hearings are scheduled for the Autumn.

It is therefore established that the submission HDLP remains the emerging Local Plan (eLP) in the context of NPPF para 49 at the time of writing. The Inspector's stated views may also be considered material, noting that these have fed into the Council's suggested main modifications. Nevertheless, NPPF paragraph 49 indicates that only limited weight should be given to the eLP policies.

The application site does not form a proposed allocation and would be covered by Strategic Policy 17: Green Infrastructure and Biodiversity which seeks to protect the existing network of green infrastructure (*see Green Infrastructure Strategy below*) unless it can be demonstrated that new opportunities will be provided that appropriately mitigates and / or compensates for the respective harm and ensures that the ecosystem services of the area are retained and enhanced. It expects proposals to accord with the aims and objectives of the Green Infrastructure and Local Nature Recovery Strategies. It also expects development to conserve and enhance the ecological, landscape and recreational value of a watercourses and associated corridors.

Criterion 12 of Strategic Policy 17 of the eLP makes clear development will be refused if it:

"is anticipated to have a direct or indirect adverse impact on sites or features of importance to nature conservation unless it can be demonstrated that:

- a) The mitigation hierarchy has been applied and the objectives of a site's designation, where applicable, and integrity of the area will not be undermined;*
- b) The reason for the development clearly outweighs the likely impact to notified features and / or the need to protect the value of the site; and*
- c) Appropriate mitigation and compensation measures will be provided alongside the delivery of measurable biodiversity net gain as relevant".*

Both the LNRS and eLP are material planning considerations. The case officer will need to consider the weight to be given to them respectively when considering the impact of the development on the Local Wildlife Site taking into account the advice from specialist colleagues.

Other Matters

Biodiversity Duty

The Environment Act 2021 introduced a strengthened 'biodiversity duty' which requires all public authorities in England to consider what action they can take to conserve and enhance biodiversity. The intention of the strengthened duty is to ensure public authorities make the conservation and enhancement of biodiversity a core consideration when delivering their functions, which includes planning ([link](#) to Defra Policy Paper on strengthened duty, Sept 2025).

Green Infrastructure Strategy and Guide (2024) ([link](#))

This strategy forms background evidence to the Local Plan and is a material consideration. It has helped inform the West Sussex LNRS and has been informed by the Wilder Horsham District Partnership, which is a partnership between Horsham District Council and Sussex Wildlife Trust and established in response to the urgent pressures on biodiversity. Paragraph 4.2.2 makes clear that Local Wildlife Sites and Watercourses, including the Adur, are included as key sites which should be retained, enhanced and buffered / expanded in a complementary manner.

The Green Infrastructure Strategy also reflects and seeks that regard is given to the Weald to Waves initiative which is led by a network of farmers, land managers, councils, researchers, wildlife charities, schools, gardeners and community groups to galvanise nature recovery. It seeks to establish a 100-mile nature recovery corridor from the High Weald to the coast and out to revived seas, encompassing over 10,000 hectares of contiguous habitat. The site falls within the indicative corridor, which is also reflected in the LNRS.

In this respect the site is also covered by Policy 31 criterion 1 of the HDPF which states: *"Policy 31.1 Development will be supported where it can demonstrate that it maintains or enhances the existing network of green infrastructure. Proposals that would result in the loss of existing green infrastructure will be resisted unless it can be demonstrated that new opportunities will be provided that mitigates or compensates for this loss, and ensures that the ecosystem services of the area are retained."*

Climate Action Strategy ([link](#))

This strategy outlines a recommended pathway to become a net zero and climate resilient District by 2050. It identifies two topic sections: enablers and systems; and "land use and water" is one of five systems topics/system-led interventions. As part of

the action being taken by the Council there is a "Declaration for River Recovery" ([link](#)). The Declaration demonstrates the commitment of the organisations that sign it to work in partnership and contribute to the recovery of the rivers, streams and other watercourses in the area, which includes the River Adur.

ANY RECOMMENDED CONDITIONS:

N/A

NAME:

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DEPARTMENT:

Planning Policy (Strategic Planning)

DATE:

13/07/2026