

FORMAL OBJECTION TO PLANNING APPLICATION DC/26/0933

Land between Muntham Drive and Smugglers' Lane, Chapel Road, Barns Green, West Sussex

Proposal: Erection of 31 dwellings with access from Chapel Road, including roads, parking and associated development

Applicant: Shanly Homes

For consideration by: Planning Committee

FORMAL OBJECTION AND REQUEST FOR REFUSAL

This representation is submitted in objection to planning application DC/26/0933. Horsham District Council is respectfully requested to refuse planning permission for the proposed erection of 31 dwellings on land between Muntham Drive and Smugglers' Lane, Chapel Road, Barns Green.

The objection is not an objection to housing development in principle. It concerns the scale, siting and effects of this particular proposal on a constrained greenfield site outside the existing built-up area boundary. On the information presently available, the applicant has not demonstrated that 31 dwellings, together with the necessary access, roads, parking, drainage, utilities, lighting and landscaping, can be accommodated without unacceptable harm or unresolved infrastructure impacts.

The principal grounds of objection are that the proposal:

- conflicts with the spatial strategy and relevant policies of the recently made Itchingfield Neighbourhood Plan;
- would extend built development into countryside outside Barns Green's established settlement boundary;
- exceeds by 24 per cent the approximately 25-dwelling capacity assessed by HDC for emerging allocation BGR2, without adequate justification;
- risks an estate form, density and layout that would suburbanise the rural edge of Barns Green;
- has not demonstrated an effective and durable response to the adjacent ancient woodland, Bat Sustenance Zone, mature hedgerows and ecological connectivity;
- raises unresolved surface-water, foul-sewerage, highway and wider infrastructure issues;
- may harm the settings of nearby Grade II listed buildings and the rural amenity of adjoining public rights of way; and
- fails adequately to address the cumulative effect of recent, committed and proposed development in Barns Green.

The district-wide shortfall in housing delivery is a material consideration, but it does not displace the statutory development plan or remove the need to demonstrate that this site can accommodate the proposed quantum of development sustainably. Policy S5 of the August 2026 National Planning Policy Framework requires development responding to unmet housing need outside settlements to be physically well-related to an existing settlement and of a scale capable of being accommodated having regard to existing or proposed infrastructure. The evidence presently available does not establish that those requirements, or the other relevant policy and statutory tests, are satisfied.

1. The statutory starting point remains the development plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act 1990 similarly requires the decision-maker to have regard to the development plan and other material considerations.

The current National Planning Policy Framework was published on **17 August 2026** and replaces the December 2024 Framework. It therefore needs to be applied to this application in its current form rather than through obsolete versions of national policy.

The development plan includes the **Itchingfield Neighbourhood Plan**, formally made by HDC on **8 October 2025**. It is not merely a consultation document or expression of local opinion. It forms part of the statutory development plan.

That Plan is exceptionally recent.

The Council must therefore give proper weight not merely to the national requirement for housing delivery but to the equally important principle of **plan-led development**.

2. The application conflicts with the recently made Itchingfield Neighbourhood Plan

The importance of the Neighbourhood Plan should not be understated.

Barns Green did not use neighbourhood planning simply to oppose development. The community accepted that additional housing was required and undertook a statutory process to determine how that development should be accommodated.

The Neighbourhood Plan identifies specific housing sites and provides for additional windfall development through Policy 11. The independent examination of the Plan expressly recognised Policy 11 as applying to windfall development **within the Barns Green Built-Up Area Boundary**.

DC/26/0933 is materially different.

The application seeks a substantial greenfield extension outside that established boundary on a site which was **not selected as a housing allocation in the made Neighbourhood Plan**.

This is therefore not a case in which the community seeks retrospectively to resist all housing growth. It is a case in which the community has very recently participated in the statutory planning process, accepted development and identified where development should occur, only to face a substantial additional development outside the settlement boundary almost immediately afterwards.

That conflict should attract considerable weight.

Application of NPPF Policy S6

Policy S6 of the August 2026 NPPF gives particular protection where a housing proposal conflicts with a neighbourhood plan which became part of the development plan within the previous five years and contains allocations meeting its identified housing requirement.

The Itchingfield Neighbourhood Plan was made less than one year ago.

There is a technical issue which should be confronted openly. The Plan's housing strategy contemplated approximately 61 dwellings, with two allocated sites providing approximately 52 and the residual requirement expected principally through windfall development. It may therefore be argued by

Shanly that the precise wording of Policy S6 is not satisfied because the allocations alone do not numerically equal the full housing requirement.

The Council should make an **express finding on that issue**.

It should not simply ignore S6.

Even if HDC ultimately concluded that the technical requirements of S6 were not satisfied, that would not make the Neighbourhood Plan disappear. It remains part of the statutory development plan and its spatial, design, housing-mix and environmental policies remain material to the determination of this application.

3. This is presently undeveloped countryside beyond Barns Green's defined 'Built-up Area Boundary' of Barns Green

This is not simply residents describing a field as "countryside".

It is HDC's own description of the application site.

HDC's assessment of **SA510 – Land South of Muntham Drive** states:

The site lies within the countryside adjoining the western built-up area boundary of Barns Green.

It describes the site as an open grass field, with agricultural fields to the south and west. It records public rights of way along the western and southern boundaries and states that most of the site boundary comprises hedgerows with semi-mature and mature trees.

Development of 31 dwellings would therefore constitute a physical extension of built development westwards from Barns Green into presently undeveloped countryside.

I do not suggest that development outside a settlement boundary is automatically prohibited under the August 2026 NPPF.

That would be legally incorrect.

Policy S5 permits certain development outside settlements where specified conditions are satisfied. But the policy is not an unrestricted invitation to develop adjoining countryside merely because an authority has unmet housing need.

The scale must be capable of being accommodated, including having regard to infrastructure, and the proposal remains subject to the Framework's policies concerning design, transport, flooding, biodiversity, heritage and other environmental considerations.

Those requirements are particularly important on this site.

4. HDC's own evidence identifies substantial constraints

Perhaps the most compelling feature of this application is that objectors do not need to speculate about the site's sensitivity.

HDC has already identified the constraints itself.

Its assessment of SA510 records that:

- the site lies in countryside outside the western built-up boundary;
- it is an open grass field;
- its boundaries are predominantly mature hedgerows and trees;

- the Landscape Capacity Study gives it only **low-moderate landscape capacity**;
- it lies within a **Bat Sustenance Zone**;
- **Great Field Rue Ancient Woodland** lies to the south-west;
- ecological assessment and mitigation would be required to avoid loss of bat feeding grounds;
- an appropriate buffer to ancient woodland would be required;
- the Grade II listed **Bennetts** directly adjoins its eastern boundary; and
- Grade II listed Blacksmiths Cottage and The Queen's Head are also situated nearby.

The Council's Sustainability Appraisal went further. It identified potential negative effects from development of SA510 in relation to biodiversity, landscape, the historic environment and use of greenfield agricultural land.

Those findings are important because they change the character of the planning exercise.

The relevant question is not whether each individual constraint can theoretically be "mitigated" in isolation.

It is whether **31 dwellings, together with roads, parking, gardens, lighting, drainage infrastructure and associated urbanising development, can be accommodated while properly respecting all those constraints simultaneously.**

That is a substantially harder test.

5. HDC contemplated 25 dwellings. Shanly proposes 31.

This should be one of the central issues in the determination of DC/26/0933.

HDC's emerging Local Plan identifies this exact site as:

BGR2 – Land South of Muntham Drive – 1.85 hectares – 25 dwellings.

HDC's Local Plan examination evidence expressly confirms that BGR2 was assessed as SA510 and allocated on the basis of **25 dwellings**.

The emerging policy also requires development to be **carefully sited** and to provide an appropriate buffer from adjoining ancient woodland.

Shanly proposes **31 dwellings**.

That is six additional houses, or **24% more development than the quantum assessed by HDC through its strategic planning process.**

I recognise that 25 is not necessarily a statutory maximum. The emerging Local Plan is also not yet adopted: the Main Modifications consultation closed only on 24 August 2026 and the Inspector is still considering representations, with further examination proceedings to follow.

But that actually makes the applicant's position more difficult, not less.

Shanly cannot sensibly rely upon the emerging BGR2 allocation to establish residential acceptability in principle while simultaneously disregarding the scale upon which HDC assessed and proposed that allocation.

The applicant should therefore be required to demonstrate what has changed since HDC assessed the site for approximately 25 dwellings and, in particular, how the additional six dwellings can be accommodated without compromising the environmental, landscape, heritage, drainage and infrastructure safeguards identified for the site.

Every additional dwelling requires built footprint, garden, parking, access, circulation and servicing. On this site those demands compete directly with:

ancient woodland buffering; mature hedgerows; existing trees; ecological corridors; bat-foraging habitat; sustainable drainage; landscape structure; heritage separation; open space; parking; road infrastructure; and the creation of an appropriate transition between the village and open countryside.

This is therefore not merely an arithmetic objection.

The difference between 25 and 31 goes directly to **overdevelopment, design quality and environmental capacity**.

If 31 can only be achieved by narrowing buffers, increasing suburban density, reducing meaningful landscaping, compromising SuDS areas or pushing development closer to heritage or ecological constraints, the additional density should be refused.

6. HDC's August 2026 Miller Homes refusal is highly material

Only weeks before determination of this application, HDC considered another major residential development on **Chapel Road, Barns Green**.

On **4 August 2026**, the Planning Committee refused application **DC/25/2057**, submitted by Miller Homes Ltd and Miller M2 (Barns Green) Ltd, for 68 dwellings at Land North of Little Slaughterford.

The refusal was made **against officer recommendation**.

The Committee expressly relied upon two matters of direct relevance to DC/26/0933:

the failure of a standardised suburban design to respond positively to the character and appearance of Barns Green having regard to the recently made Neighbourhood Plan; and the absence of proven foul-sewer capacity from Southern Water.

That decision is not a binding precedent. Each planning application must be determined on its own merits.

But consistency of decision-making plainly matters.

DC/26/0933 concerns another sizeable housing development on Chapel Road in the same small village, under the same recently made Neighbourhood Plan and dependent upon the same local foul-water infrastructure.

If HDC reaches materially different conclusions only weeks later on either suburban design or sewerage capacity, it should identify **clear evidence demonstrating why the circumstances of DC/26/0933 are materially different**.

A bare assertion that “this application is smaller” would not answer the point.

The question is whether the relevant environmental and infrastructure constraints have actually been resolved.

7. Suburban estate design would cause lasting harm to Barns Green's rural character

Policy 12 of the Itchingfield Neighbourhood Plan requires high-quality design which creates a sense of place, respects the scale and character of surrounding buildings and landscape, protects the identity of Barns Green and Itchingfield, protects existing landscape features and green infrastructure, and responds positively to the local vernacular.

The supporting material expressly recognises that development should sit comfortably within the rural landscape and should not visually disturb the parish's rural character.

The issue is therefore considerably broader than whether individual house elevations use brick, tile hanging or superficially “traditional” detailing.

A development can use traditional materials and nevertheless remain fundamentally suburban in:

- layout
- density
- road geometry
- parking
- lighting
- garden subdivision
- boundary treatments
- street furniture
- loss of vegetation; and
- relationship with open countryside.

That distinction is particularly important here because the application site currently performs part of the rural transition between Barns Green and the open countryside to the west.

Once that land is developed, the change is effectively irreversible.

HDC's Miller Homes decision confirms that the Council has very recently regarded standardised suburban design as capable of conflicting with the character of Barns Green and its newly made Neighbourhood Plan.

The same scrutiny must be applied here.

8. Ancient woodland requires the highest level of protection

HDC identifies **Great Field Rue Ancient Woodland** immediately to the south-west of the site and expressly requires an appropriate buffer if the site is developed.

Ancient woodland is not ordinary habitat capable of simple replacement elsewhere.

It is an irreplaceable habitat.

National planning policy affords ancient woodland particularly strong protection. Development resulting in its loss or deterioration should be refused other than in exceptional circumstances recognised by national policy and subject to an appropriate compensation strategy.

“Deterioration” is not confined to physically cutting down ancient trees.

Potential indirect effects may include changes in drainage and hydrology, artificial lighting, noise, dust, increased recreational pressure, domestic pets, garden encroachment, root impacts and fragmentation of ecological connections.

Accordingly, the question is not simply whether the red-line housing footprint physically enters Great Field Rue.

The Council must determine whether the **operation of a permanent residential estate immediately adjoining the woodland** could cause deterioration over the lifetime of the development.

Any ancient woodland buffer must therefore be ecologically effective, adequately wide, permanently protected and free from competing functions which undermine its purpose.

A strip of landscaped land should not automatically be regarded as a satisfactory buffer merely because it is coloured green on a plan.

9. Bat habitat and ecological connectivity require proper Habitats Regulations scrutiny

HDC expressly identifies SA510 as lying within a **Bat Sustenance Zone**.

The Neighbourhood Plan's Habitats Regulations work recognises the importance of bat-foraging habitat and connectivity associated with the wider ecological network.

Where a project may have a likely significant effect upon a protected European site, either alone or in combination with other plans or projects, the requirements of the Conservation of Habitats and Species Regulations 2017 are engaged.

If likely significant effects cannot properly be excluded at screening stage, an Appropriate Assessment is required.

This is important because a residential development affects bats not merely through the direct removal of habitat but through:

- loss or reduction of foraging land
- severance of hedgerow flight lines
- lighting
- traffic
- domestic illumination
- changes to vegetation
- disturbance; and
- cumulative fragmentation arising from development elsewhere around Barns Green.

Any ecological assessment must therefore evaluate the completed and occupied development, not merely construction impacts.

Biodiversity Net Gain must not be used as a substitute for that analysis. A theoretical numerical gain elsewhere cannot simply neutralise unacceptable damage to irreplaceable habitat or legally protected ecological functions.

10. Mature hedgerows and trees are part of the site's landscape and ecological structure

HDC records that most of the site's boundary comprises hedgerow with semi-mature or mature trees.

Those features perform several functions simultaneously.

They contribute to rural landscape character, screen views, provide ecological connectivity, form potential bat flight lines, provide habitat and contribute to the setting of the surrounding countryside.

Their importance cannot therefore be assessed merely by counting the number of metres technically retained.

The Council should scrutinise all vegetation affected by:

- the Chapel Road access
- visibility splays

- footways
- road widening
- drainage
- utilities
- street lighting
- construction access; and
- future management requirements.

Where hedgerows qualify as important hedgerows under the Hedgerows Regulations 1997, the statutory regime must also be respected.

The cumulative effect of fragmented removal can be substantial even where the applicant characterises each individual loss as limited.

11. Surface-water flooding and drainage are substantive planning issues

Residents have longstanding concerns regarding local surface-water accumulation, road flooding and runoff.

These should not be dismissed as anecdotal simply because the site may fall within Flood Zone 1 for fluvial flooding.

Flood risk extends beyond river flooding.

It includes surface-water runoff, groundwater, overwhelmed drainage infrastructure and exceedance from drainage systems.

The site's physical characteristics are also relevant. HDC identifies the underlying geology as **Weald Clay**, which plainly requires careful consideration when infiltration-based drainage solutions are proposed.

DC/26/0933 should therefore demonstrate convincingly:

- the existing surface-water regime
- existing runoff routes
- ground infiltration characteristics based upon proper testing
- the increase in impermeable area
- appropriate climate-change allowances
- attenuation capacity
- exceedance routes
- downstream impacts
- maintenance arrangements
- and the performance of the system when design capacity is exceeded.

A drainage strategy should not simply assume that because water can be temporarily stored within the site the proposal cannot increase flood risk elsewhere.

The effect upon Chapel Road, Smugglers' Lane, Muntham Drive, neighbouring properties and downstream drainage infrastructure will be significant and should not be understated.

Where the feasibility of development depends upon a particular drainage solution, the Council should establish that the solution is technically achievable before permission is granted rather than leave the fundamental question to a generic post-permission condition.

12. Foul sewerage capacity must be proved, not assumed

The foul-water issue deserves particularly close attention because HDC has already identified it as a reason for refusing substantial residential development in Barns Green.

Historic work supporting the Neighbourhood Plan recorded advice from Southern Water that Barns Green Wastewater Treatment Works had headroom for approximately **52 additional dwellings**.

That historic statement cannot sensibly establish that sufficient unused capacity remains available for a further 31 dwellings today.

Development has subsequently occurred and further development has been committed or proposed.

Moreover, HDC's emerging planning work has itself considered additional development within the Barns Green catchment, including BGR2.

Most importantly, in August 2026 HDC refused the Miller Homes application partly because **proven foul-sewerage capacity from Southern Water had not been established**.

It would therefore be inappropriate for the Council simply to rely upon an historic generic statement concerning theoretical treatment headroom.

For DC/26/0933 there should be current, development-specific evidence addressing both:

network capacity, meaning whether the sewers between the development and treatment works can accommodate additional peak flows; and

treatment capacity, meaning whether the wastewater treatment works can lawfully and reliably treat the cumulative additional load.

If reinforcement is necessary, the Council should know what works are required, who will deliver them, how they will be funded and whether they can be completed before occupation.

The matter must be resolved by current, development-specific evidence rather than assumption or reliance upon historic statements of theoretical capacity.

13. Highways and transport impacts must be assessed cumulatively

Barns Green is a rural village served by a road network fundamentally different from the roads normally serving suburban housing estates.

I do not suggest that Barns Green literally has no public transport. It does.

The relevant planning issue is whether public transport is sufficiently frequent, comprehensive and convenient to offer a realistic alternative to private-car use for residents undertaking ordinary employment, education, shopping, healthcare and leisure journeys.

In practice, Barns Green remains substantially car-dependent.

Thirty-one additional dwellings create considerably more movement than simply 31 additional cars.

The assessment must include resident journeys, school journeys, deliveries, visitors, servicing, trades, waste collection and construction traffic.

The new NPPF requires developments generating significant movement to be assessed through appropriate transport evidence and requires consideration of **reasonable future scenarios and cumulative impacts**. Development must be capable of proceeding without a severe adverse effect upon the transport network or an unacceptable effect upon highway safety.

That cumulative aspect is essential.

Sumners Fields has already introduced additional homes.

Other development has been approved or proposed.

The Council should therefore resist any transport analysis which treats DC/26/0933 as though the surrounding village were frozen at some historic baseline.

HDC's own assessment also records public rights of way along the site's western and southern boundaries.

The effect upon pedestrians, equestrians and recreational users must therefore form part of the assessment rather than being reduced solely to numerical junction-capacity calculations.

14. The proposal may cause substantial harm to rural amenity

The public rights of way adjoining the site currently provide an experience of open countryside at the edge of Barns Green.

Replacing that open field with houses, roads, parked cars, garden fences, lighting and associated domestic activity would fundamentally change that experience.

This is not a claim that residents have a private right to an unchanged view.

They do not.

It is a planning argument concerning the **character and recreational amenity of established public rights of way and the rural landscape through which they pass.**

The distinction matters.

The Council should assess the effect upon those routes as public recreational assets in their own right.

15. The statutory heritage duty is engaged

HDC's own site assessment identifies an unusually sensitive relationship with designated heritage assets.

The Grade II listed **Bennetts** directly adjoins the eastern boundary. Grade II listed Blacksmiths Cottage and The Queen's Head are also nearby.

This engages section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The Council must have **special regard** to the desirability of preserving listed buildings, their settings and features of special architectural or historic interest.

The Court of Appeal's decision in **Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council [2014] EWCA Civ 137** confirms the enhanced statutory weight which must be given to preserving the setting of listed buildings.

The planning assessment cannot therefore be reduced to whether a house directly blocks a view of Bennetts.

"Setting" concerns the surroundings in which a heritage asset is experienced and the contribution those surroundings make to its significance.

An open rural field adjoining a listed building can contribute materially to an understanding of that building as part of a historic rural settlement.

Replacing that field with a modern estate may therefore affect significance even if substantial planting is proposed.

The Council should require a rigorous Heritage Impact Assessment considering the existing rural setting, verified viewpoints, seasonal effects when vegetation is not in leaf, the height and massing of development, lighting, roads and cumulative change around Chapel Road.

Any identified harm must then be given the weight required by the statutory heritage regime and national policy.

16. Housing need does not answer the question of whether this is the right development

I recognise the difficult point for objectors rather than avoiding it. Horsham's latest Housing Delivery Test position is very poor, reported at **44%**.

The applicant will rely heavily upon that fact.

It is likely to say that 31 homes deliver an important public benefit and that national policy supports housing development addressing unmet need.

That argument deserves weight.

But it does **not** mean:

- that every site adjoining every settlement becomes acceptable
- that infrastructure capacity can be assumed
- that recently made neighbourhood plans cease to matter
- that ancient woodland protection is reduced
- that statutory heritage duties disappear
- that flood risk can be disregarded
- or that an applicant can simply increase an emerging allocation from 25 to 31 without explanation.

Indeed, Policy S5 expressly maintains an infrastructure-capacity requirement for development outside settlements responding to unmet need.

The planning balance must therefore be undertaken honestly.

The delivery of 31 dwellings is a material benefit, but it is not determinative and must be weighed against the proposal's identified harms and unresolved effects.

17. Housing mix matters as much as the headline number

The Itchingfield Neighbourhood Plan seeks a housing mix which responds to local requirements rather than an undifferentiated supply of market housing.

The Council should therefore examine carefully whether the proposed development provides homes which actually address identified needs within the locality.

The weight given to the housing benefit should reflect:

- the proportion of genuinely affordable housing
- tenure
- one-, two-, three- and larger-bedroom distribution
- accessible and adaptable homes
- and the degree to which the proposed housing mix corresponds to evidence of need.

A development dominated by expensive larger market houses does not necessarily deliver the same planning benefit as one directly addressing shortages of affordable and smaller accommodation.

This is particularly relevant because the Neighbourhood Plan's housing policies were designed around the needs of this particular community rather than simply a district-wide numerical target.

18. Sumners Fields should be considered carefully—but the evidence should not be overstated

The existing Sumners Fields development provides useful evidence about housing delivery and market absorption in Barns Green.

However, objectors should be precise.

It would presently be unsafe to claim that the development has “failed to sell” or demonstrates that there is no housing demand whatsoever.

Sigma Homes currently states that **more than 80% of Sumners Fields is reserved**.

At the same time, current marketing evidence shows a number of new Sumners Fields properties remaining on the market, with several listings showing price reductions during 2026.

That evidence does not disprove district-wide housing need.

It does, however, justify closer scrutiny of the proposition that any additional planning permission in Barns Green should automatically attract very substantial weight simply because it produces another numerical housing allocation.

There is an important distinction between:

district-wide calculated housing need;

local demand for particular property types at particular prices;

actual delivery and occupation of homes.

The Council should consider obtaining and reviewing objective evidence concerning the rate of sales and occupation at Sumners Fields, including original marketing dates, continuing availability, asking-price reductions, developer incentives, reservation fall-throughs, Land Registry completions and the period between completion and occupation. That evidence would assist HDC in assessing local market absorption, the type of housing for which there is demonstrated demand, and the realistic weight to be attributed to the claimed rapid delivery of additional housing in Barns Green.

The argument should be evidence-led:

Ultimately, the worst possible outcome would be for substantial and irreversible harm to be caused to the countryside, landscape, ecology, ancient woodland setting and character of Barns Green, only for the resulting development to remain materially under-occupied because the homes provided do not correspond with genuine local demand. That would represent the worst of both worlds: environmental harm without the compensating public benefit which is relied upon to justify it.

Before attributing substantial weight to the delivery of these 31 homes, the Council should therefore satisfy itself that the proposed housing is not merely capable of being built, but is of a type, mix and price point likely genuinely to meet need and be occupied within a realistic period.

19. Cumulative development is fundamental

Planning applications cannot sensibly be assessed as though each one exists in isolation. Barns Green has already experienced substantial development at Sumners Fields.

The Neighbourhood Plan provides further housing.

HDC has considered further substantial development at Little Slaughterford and its emerging Local Plan proposes additional housing allocations.

DC/26/0933 would add another 31 dwellings.

Each developer may characterise its individual proposal as modest.

But the village experiences the **sum of them**.

The cumulative effects potentially include:

- traffic
- pressure upon foul sewers
- wastewater treatment
- surface-water drainage
- school and community capacity
- loss and fragmentation of countryside
- urbanisation of village approaches
- ecological fragmentation
- lighting
- public-right-of-way impacts
- and the progressive erosion of the distinction between village and countryside.

The Council must therefore avoid what might otherwise amount to planning by salami-slicing: accepting a series of individually characterised “small” changes whose collective effect is a substantial alteration to the character, infrastructure demands and environmental setting of Barns Green.

20. Electricity and other essential infrastructure cannot simply be assumed

Residents have also raised concerns about electricity-network capacity.

This objection does not assert, without technical evidence, that the electricity network is incapable of serving 31 additional houses.

Instead, the applicant should be required to establish that necessary infrastructure is available or can realistically be provided.

That issue assumes increasing importance as new development places additional electrical demand upon local infrastructure through electric heating, EV charging and other electrification requirements.

If reinforcement, substations or other infrastructure are necessary, HDC should understand:

- their physical location
- land requirements

- landscape implications
- delivery timescales
- and whether they can be provided before occupation.

This connects directly with the requirement under Policy S5 for development responding to unmet need outside settlements to be of a scale which can be accommodated having regard to existing or proposed infrastructure.

Housing cannot sensibly be regarded as sustainable merely because the houses themselves physically fit on the drawing. The infrastructure required to make them function must fit as well.

21. The emerging BGR2 allocation cannot be used selectively

There is a danger that the emerging Local Plan will be deployed selectively in support of this application.

The applicant may rely upon emerging allocation BGR2 as support for residential development in principle. That reliance would be incomplete unless equal regard is given to the scale, constraints and mitigation assumptions on which HDC assessed the allocation.

The emerging Local Plan is still under examination. The Main Modifications consultation closed on 24 August 2026 and the Inspector has yet to complete the examination. It is therefore not currently the adopted development plan.

More fundamentally, the BGR2 evidence cannot legitimately be separated from the constraints and scale upon which the proposed allocation was assessed.

HDC assessed:

- **1.85 hectares;**
- **approximately 25 dwellings;**
- **careful siting;**
- **an appropriate ancient woodland buffer.**

If Shanly seeks to rely upon BGR2, it should have to explain why its **31-dwelling scheme remains faithful to the evidential basis of BGR2 rather than simply borrowing the favourable part—the possibility of housing—and discarding the inconvenient parts.**

That should be a central question in the officer report.

22. The cumulative planning balance points towards refusal

The objection to DC/26/0933 does not depend upon a single decisive constraint. Its strength lies in the interaction between multiple constraints.

HDC knows that the site:

- is countryside outside the present built-up boundary
- has low-moderate landscape capacity
- contains mature hedgerows and trees
- lies within a Bat Sustenance Zone
- adjoins ancient woodland
- adjoins listed buildings
- contains or adjoins public rights of way

- and has been assessed by HDC itself for approximately 25 dwellings rather than 31.

Against that background there are additional substantive questions concerning:

- foul-sewer capacity
- surface-water drainage
- highway impacts
- car dependency
- infrastructure
- housing mix
- heritage setting
- design
- and cumulative development around Barns Green.

Most importantly, HDC has already refused a major Chapel Road housing development **on 4 August 2026** because of standardised suburban design and failure to establish foul-sewerage capacity.

Those considerations should not be viewed as unrelated boxes to be ticked independently.

The decisive planning question is whether all of them can genuinely be accommodated within a 1.85-hectare site while simultaneously increasing the development quantum from HDC's own 25-dwelling assumption to 31 dwellings.

I submit that this has not been demonstrated.

23. The Council should not permit unresolved fundamental matters to be deferred

Planning conditions have an important role.

They should not, however, become a mechanism for granting planning permission first and discovering later whether the development is actually feasible.

Where issues concern the fundamental acceptability or deliverability of a scheme, including sewerage capacity, effective ancient-woodland buffering, ecological impacts, drainage feasibility or safe access, the Council should possess adequate evidence **before** concluding that planning permission should be granted.

Accordingly, before determining DC/26/0933 favourably, HDC should require convincing and current evidence of:

1. Southern Water's confirmation of both foul-network and wastewater-treatment capacity, accounting for existing and committed development, together with details and timing of any reinforcement required;
2. A robust site-specific Flood Risk Assessment and detailed sustainable drainage strategy supported by appropriate ground and infiltration testing and assessment of existing surface-water pathways;
3. A transport assessment addressing current conditions, committed development, reasonable future development scenarios, construction traffic, pedestrians, equestrians and public rights of way;

4. Adequate ecological assessment, including up-to-date bat surveys and, where legally required, Habitats Regulations assessment addressing effects alone and in combination;
5. A defensible ancient-woodland buffer and assessment of direct and indirect effects upon Great Field Rue;
6. Complete arboricultural and hedgerow evidence, including the implications of access, visibility splays, drainage, utilities and lighting;
7. A Heritage Impact Assessment addressing the settings of Bennetts, Blacksmiths Cottage, The Queen's Head and any other affected heritage assets;
8. Objective evidence concerning electricity and other essential infrastructure capacity and reinforcement;
9. A detailed housing schedule demonstrating how the proposed size and tenure mix responds to identified local housing requirements; and
10. A reasoned explanation, supported by site-capacity evidence, demonstrating why **31 dwellings can be accommodated when HDC's own emerging-plan assessment contemplated approximately 25.**

Until those matters are satisfactorily established, permission would be premature.

24. The applicant's technical case must be independently scrutinised

This representation is based upon the statutory development plan, the made Itchingfield Neighbourhood Plan, HDC's published strategic site evidence, emerging Local Plan material, publicly available infrastructure evidence and HDC's recent planning decisions.

Objectors expressly reserve the right to **supplement or amend this representation** following detailed review of all documents submitted by Shanly Homes in support of DC/26/0933, including any Planning Statement, Design and Access Statement, Transport Assessment, Flood Risk Assessment, drainage strategy, Ecological Impact Assessment, bat surveys, Arboricultural Impact Assessment, Heritage Statement, Biodiversity Net Gain documentation, utility evidence and housing schedule.

No inference should be drawn from the absence in this representation of a detailed criticism of a particular technical report before that report has been fully examined.

If materially amended plans or significant new technical information are subsequently submitted, HDC is requested to undertake appropriate further consultation and provide objectors with a proper opportunity to respond before determination.

25. Lawful decision-making and the evidential record

We all understand and support the Government's objective of increasing housing delivery and acknowledge Horsham District Council's present housing-supply pressures. Those considerations are legitimate material planning considerations and are entitled to appropriate weight in the planning balance.

They cannot, however, displace the requirement for DC/26/0933 to be determined lawfully, on its own merits and upon a proper evidential foundation. Housing pressure does not remove the need to apply the statutory development plan, discharge relevant statutory duties and reach rational conclusions on the material issues raised by this proposal.

That is especially important because HDC itself has identified many of the site's constraints and, only weeks ago, refused another substantial Chapel Road residential development partly because of inappropriate suburban design and unproven foul-sewerage capacity. If materially different conclusions are reached on DC/26/0933, the officer report should identify the evidence and reasoning which justify them.

There is also an important procedural reason for requiring that clarity. Unlike an unsuccessful planning applicant, local residents have no ordinary third-party merits appeal to the Planning Inspectorate if planning permission is granted.

Accordingly, residents respectfully request that the officer report and, where relevant, the Planning Committee expressly address the principal matters raised in this representation rather than disposing of them through generic statements. In particular, the Council should state its conclusions concerning:

- the statutory weight afforded to the made Itchingfield Neighbourhood Plan;
- the applicability or otherwise of NPPF Policy S6 and the application of Policy S5;
- the relationship between DC/26/0933 and emerging allocation BGR2;
- the justification for 31 dwellings rather than the approximately 25 contemplated in HDC's own strategic evidence;
- ancient woodland, ecological impacts and any Habitats Regulations requirements;
- the statutory listed-building duty and effects on heritage setting;
- surface-water flood risk and drainage;
- foul-sewer and wastewater-treatment capacity;
- the relevance of the recent DC/25/2057 Miller Homes refusal; and
- the cumulative effects of development in Barns Green.

That approach will ensure that the eventual decision demonstrates that the substantive legal, policy and evidential issues have been considered and resolved, whichever conclusion the Council ultimately reaches.

Conclusion and requested decision

The application should not be approached on the basis that Horsham's housing shortfall is, by itself, sufficient to justify 31 dwellings on this site. Housing delivery is an important material consideration, but the statutory and policy exercise remains site-specific.

HDC's own evidence identifies a constrained countryside site outside the existing built-up boundary, with low-moderate landscape capacity, a Bat Sustenance Zone, nearby ancient woodland, mature hedgerows and trees, public-right-of-way considerations and sensitive relationships with Grade II listed buildings. Its emerging Local Plan work contemplated approximately 25 dwellings, whereas Shanly proposes 31. The Council has also only recently refused another substantial Chapel Road housing proposal partly because of suburban design and unproven foul-sewerage capacity.

Taken together, those matters require the applicant to demonstrate more than a contribution to district-wide housing numbers. It must demonstrate that 31 dwellings can actually be accommodated on this site without unacceptable environmental, heritage, landscape, drainage, infrastructure or design consequences, and without compromising the safeguards that HDC itself has identified as relevant to the site.

On the evidence presently available, **that case has not been made.**

Accordingly, I respectfully request that planning permission for **DC/26/0933 be refused.**

Alternatively, the application should not be determined favourably until the Council has obtained and independently scrutinised the technical evidence identified above and is satisfied that the fundamental environmental and infrastructure questions have been resolved.

Yours sincerely