



SOUTHWATER PARISH COUNCIL

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West Sussex RH13 9LA

Horsham District Council

Albery House,
Springfield Road,
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30 June 2026

Dear Matthew Porter,

REPRESENTATION IN RELATION TO DC/26/0366 AT LAND NORTH WEST OF SOUTHWATER

I write on behalf of Southwater Parish Council following the submission of additional information by the applicant in respect of planning application DC/26/0366 at Land West of Southwater.

We note that the application is now for:

Outline planning application, with all matters reserved (except for primary access to the highway) for a phased development comprising: the demolition of existing buildings and the construction of up to 1,000 residential dwellings (including affordable housing) (Use Class C3); up to 80 specialist accommodation units (Use Class C2); a mixed-use neighbourhood centre (Use Classes E and F); education facilities (Use Class F1(a)); business and employment floorspace (Use Classes B2, B8 and E(g)); redevelopment of existing agricultural buildings including construction of a building for community use (Use Classes E and F2); improvements to public rights of way; sports pitches; gypsy and traveller pitches/plots; public open space; landscaping, and associated infrastructure.

After consideration, the Parish Council maintains its objection to the proposed development. This letter sets out the Parish Council's main considerations in coming to this position, in the following order:

1. Description of Development
2. Phasing of Development
3. Principle of development
4. Sporting provision
5. Open Space
6. Building Heights
7. General Layout and Settlement Integration
8. Concluding remarks

1. Description of Development

The Parish Council notes and welcomes the amendment to the description of development to refer to “up to 1,000 residential dwellings” and “up to 80 specialist accommodation units”. This addresses part of the Parish Council’s previous concern regarding the absence of numerical limits within the operative description.

However, the revised description still leaves other substantial elements of the development uncapped or insufficiently defined. These are not peripheral or incidental components. They are expressly included within the description of development itself and form part of the proposal for which outline planning permission is sought. They include the education and community facilities, business and employment floorspace, sports pitches, gypsy and traveller pitches/plots, and public open space.

Given the scale and mixed-use nature of the proposal, the Parish Council remains concerned that the description does not yet provide a sufficiently certain basis for assessment, consultation, or control of any future permission.

As set out in the Parish Council’s previous representation, the description of development is of central importance. It defines the development for which permission is sought, informs consultation, and frames the basis on which the application is assessed. The Parish Council has previously referred to relevant case law, including *R v Rochdale MBC ex p Milne*, which confirmed that an application must contain an adequate description of the proposed development, including its site, design and size or scale, so that its environmental effects can properly be assessed. In *Finney v Welsh Ministers*, the Court of Appeal reaffirmed that the operative description of development is not incidental, but is a central pillar of any application and any permission granted.

The Parish Council therefore maintains its objection to the absence from the description of development of clear numerical parameters for all substantial elements of the proposal. Whilst the revised description now confirms the quantum of residential development, it does not provide equivalent limitations for other significant elements of the scheme. This creates uncertainty for decision-makers, consultees and the public as to the true scope of the proposal, and gives rise to concern regarding the potential for future creep through amendments or reserved matters submissions which may not have been fully assessed at outline stage.

For the avoidance of doubt, the Parish Council considers this to be a matter of legal and procedural importance, not simply a drafting preference. If the application were to be approved on the basis of a description of development which does not clearly define the scale of all substantial elements of the proposal, the Parish Council is concerned that any permission granted may be vulnerable to legal challenge. The Parish Council therefore reserves its position in this regard should the application proceed to determination without further amendment or clarification.

2. Phasing of Development

The Parish Council notes that an amended Indicative Phasing Parameter Plan has been submitted. However, this does not resolve the Parish Council’s previous concern regarding the certainty of phasing and infrastructure delivery.

The proposal remains a very substantial phased development, and the timing and sequencing of development is critical to any decision as to its acceptability. It is not sufficient for phasing to be addressed only in broad or indicative terms. The Parish Council remains concerned that there is still insufficient certainty as to when key infrastructure, services, facilities, open space, sports provision, education provision, active travel connections, and community facilities would be delivered in relation to the occupation of new homes.

This is particularly important given the scale of development proposed and the potential for impacts to arise cumulatively over a lengthy build-out period. Without clear and enforceable phasing, sequencing, and infrastructure triggers, there remains a risk that housing could come forward ahead of the facilities and mitigation required to make the development acceptable.

By way of example, existing sports pitches and facilities are already over capacity. The impact of the development on the amenity of existing residents would therefore be particularly acute if the population were to increase before additional sporting facilities are delivered.

The Parish Council therefore maintains its concern that the application does not yet provide a sufficiently certain basis to assess the effects of the development, or to ensure that necessary infrastructure and mitigation would be delivered at the right time.

We request that prior to any decision being made, the phasing of the development is clarified and confirmed with a view to minimising impact on the amenity of existing residents, and that thereafter, the order of phases coming forward is fixed via condition.

3. Principle of development

The Parish Council maintains its objection to the principle of development as currently proposed

The scheme would introduce a scale of development materially beyond that planned for Southwater through the adopted development plan; would extend significantly onto land which is not allocated for development; would breach the Built-Up Area Boundary established through the Southwater Neighbourhood Plan; and would undermine the separate identity of Southwater and Christ's Hospital.

The Parish Council does not accept that the additional information submitted overcomes these conflicts. The Southwater Neighbourhood Plan remains part of the adopted development plan and should be given appropriate weight. The proposal remains in direct conflict with its spatial strategy, settlement boundary approach, and objective of maintaining Southwater as a distinct settlement. Those conflicts go to the heart of the plan-led strategy for the parish.

The Parish Council is mindful that Land North West of Southwater is identified within the emerging Horsham Local Plan. However, that plan has not yet been adopted and therefore does not form part of the statutory development plan. The Parish Council considers that only limited weight can presently be afforded to the emerging allocation, particularly where the proposal remains in conflict with the currently adopted development plan, including the HDPF 2015 and the made Southwater Neighbourhood Plan.

That said, the Parish Council recognises that, should the emerging Local Plan be adopted in due course, the future planning context for this site may change. The Parish Council is also aware that this may need to be

reflected through the preparation of the emerging joint Shipley and Southwater Neighbourhood Plan. However, this does not remove the need for the current application to be assessed against the development plan as it stands today, nor does it overcome the Parish Council's concerns regarding the lack of clarity, certainty and secured provision within the current application.

Whilst the Parish Council acknowledges the wider housing land supply position and the benefits associated with the delivery of new housing, including affordable housing, those benefits do not displace the need to properly apply the adopted development plan. For the reasons already set out in the Parish Council's previous representation, the adverse impacts arising from the conflict with the Southwater Neighbourhood Plan are significant, and should be afforded substantial weight in the planning balance.

The Parish Council therefore maintains its objection to the principle of development as submitted.

4. Sporting provision

The Parish Council notes that the amended material continues to identify sports provision as one of the benefits of the proposed development. The provision of new sports pitches is welcomed in principle, particularly given the existing pressure on sports facilities within Southwater. However, the Parish Council remains concerned that the application does not yet provide sufficient certainty as to how those facilities would be accessed, managed, maintained, and made available for the benefit of the wider community.

Sports provision should be planned as genuinely public and community-facing infrastructure. It should not be treated simply as land set aside for the use of a single club. Nor should sports pitches be managed in a way that prevents informal access by residents when the facilities are not in organised use. The purpose of the provision should be to meet the needs of the whole community, including existing Southwater residents, new residents, young people, families, casual users, and organised sports clubs.

The Parish Council therefore considers that any sports provision must be secured through a clear and enforceable management and maintenance framework. This should identify the number and type of pitches, their timing of delivery, the ancillary facilities to be provided, the arrangements for public access, the booking and pricing structure, the maintenance responsibilities, and the mechanism for long-term community oversight. Where pitches are intended to serve both organised sport and wider recreational use, that balance must be clearly secured.

The Parish Council is particularly concerned to avoid a position where land is presented as community sports provision for the purposes of the planning balance, but is then effectively operated as private or semi-private provision for the benefit of one club or a narrow group of users. The Parish Council has direct experience of similar concerns arising immediately to the south of the current proposals.

The Parish Council therefore requests that, before any permission is granted, the applicant provides a detailed Sports Provision, Access, Management and Maintenance Strategy. This should demonstrate how the proposed sports facilities would remain accessible, affordable, inclusive, and properly maintained for the long-term benefit of all residents of Southwater.

5. Open Space

The Parish Council notes that the amended Design and Access Statement now includes further information on open space typologies. In particular, it states that the site has capacity to provide 59.67 hectares of open space. This additional information is welcomed insofar as it provides greater explanation of the applicant's approach to open space typologies. However, it does not fully address the Parish Council's previous concern.

The Southwater Neighbourhood Plan requires the allocated land in the southern part of the site to include *"a minimum of 8 hectares of public open space"*. That requirement relates to public open space, not simply green infrastructure in its broadest sense.

It appears from the applicant's open space breakdown that the majority of the claimed open space provision comprises Natural and Semi-Natural Green Space. The Parish Council remains concerned that the headline figures may overstate the true extent of usable, accessible public open space if they do not properly distinguish between functional public open space and other landscape or environmental features, such as retained woodland, ecological mitigation areas, SuDS features, structural landscaping, buffer planting, and inaccessible or residual green infrastructure.

The Parish Council therefore continues to request a clear schedule identifying the amount of publicly accessible and functional open space proposed, with any inaccessible, restricted, or primarily ecological, drainage, or landscape areas separately identified.

The applicant has not demonstrated how the proposal complies with the specific requirements of the Southwater Neighbourhood Plan. Instead, the assessment appears to rely principally on an emerging and untested policy position, which does not form part of the adopted development plan.

The Parish Council therefore maintains its concern that the application has not clearly demonstrated compliance with the adopted Neighbourhood Plan requirement for public open space, and asks that figures be provided to confirm what proportion of the Natural & Semi Natural Green Space, Amenity Green Space, and Parks & Gardens will be publicly accessible.

6. Building Heights

The applicant has amended the Building Heights Parameter Plan so that the residential zone south of existing properties at New Road is reduced from 3 storeys to 2 storeys. That is a positive response to our comments regarding building heights, but it does not meet the Parish Council's broader request that no residential buildings exceed 9m ridge height.

SNP16.1(d) requires that *"new development actively responds to other properties in the vicinity ensuring no unacceptable impacts on residential amenity occur"*. There remains concern that the proposed scale of buildings proposed will not adequately respond to the built style of nearby properties and provide scope for mission creep – with the potential for loft conversions and 3.5 storey dwellings which is not appropriate in this rural location.

It is also noted that buildings could still be up to 3 storeys along Worthing Road, opposite Field Cottage, Westmead, Barford, West View, and Cherry Cottage. These are sensitive historic cottages, and the Parish Council requests that the 2-storey height buffer is also extended along this stretch of Worthing Road.

The Parish Council therefore retains its request that no residential buildings exceed 9m ridge height, which would better reflect the local vernacular and character.

7. General Layout and Settlement Integration

The Parish Council has previously raised concerns regarding the integration of the proposed development with the existing settlement. Following discussions with the applicant, the Parish Council is now broadly satisfied that the proposed development would provide an acceptable level of physical permeability through the site, including connections for pedestrians and cyclists.

However, the Parish Council remains concerned about the wider functional integration of the development with Southwater Village. In particular, the applicant continues to describe the proposed neighbourhood centre as a new “heart” for the development. Whilst the Parish Council notes and appreciates that the currently proposed neighbourhood centre is more modest than previous iterations, there remains concern that, without greater detail and appropriate controls, it could operate as a separate or competing centre rather than as a complementary local facility.

This is important because SNP1 seeks to ensure that development positively contributes towards Southwater Village remaining a single-centre settlement, with shops, services, and facilities centralised in and around Lintot Square. The Parish Council therefore considers that any neighbourhood centre must be clearly limited in scale, role, and function so that it supports day-to-day local needs only and does not undermine the primacy of Lintot Square.

The Parish Council therefore requests that any permission includes clear controls over the quantum, type, and timing of commercial and community floorspace within the neighbourhood centre. Without those controls, the Parish Council remains concerned that the proposal could conflict with the adopted development plan objective of maintaining Southwater as a single-centre settlement.

8. Concluding remarks

The Parish Council has carefully considered the applicant’s additional information and acknowledges that some amendments and clarifications have been made. In particular, the revised description of development now includes caps on the number of residential dwellings and specialist accommodation units, and some further information has been provided on phasing, open space, building heights, sports provision, and layout.

However, those amendments do not overcome the Parish Council’s principal concerns. The description of development still leaves several substantial elements of the proposal uncapped or insufficiently defined, including education and community facilities, employment floorspace, sports pitches, gypsy and traveller pitches/plots, and public open space. The phasing information also remains insufficiently certain to

demonstrate when necessary infrastructure, facilities, and mitigation would be delivered in relation to the occupation of new homes.

The Parish Council maintains its objection to the principle of development as currently proposed. The proposal remains in substantial conflict with the adopted development plan, and in particular the Southwater Neighbourhood Plan. It would introduce development on a scale materially beyond that currently planned for Southwater, extend significantly onto land not allocated for development, breach the Built-Up Area Boundary, and give rise to concerns regarding the plan-led strategy for maintaining Southwater as a distinct settlement.

The Parish Council is mindful that the wider site is identified within the emerging Horsham Local Plan. However, that plan has not yet been adopted and does not presently form part of the statutory development plan. The Parish Council therefore considers that the emerging allocation should not be treated as overriding the adopted development plan position at this stage. If the emerging Local Plan is adopted in due course, the Parish Council recognises that this may affect the future planning context for the site and may need to be reflected through the emerging joint Shipley and Southwater Neighbourhood Plan.

The additional information also fails to fully resolve the Parish Council's concerns regarding the accessibility, management, and long-term maintenance of sports provision, the true extent of usable and publicly accessible open space, the appropriateness of proposed building heights in sensitive locations, and the need to ensure that the neighbourhood centre remains limited in scale and complementary to Lintot Square.

For these reasons, the Parish Council's position remains that the application is not sufficiently certain in its framing, is unacceptable in principle, and conflicts with the adopted development plan, and has not demonstrated that the necessary infrastructure, mitigation and community provision would be secured in an acceptable and timely manner. In particular, the Parish Council remains concerned that the absence of clear numerical parameters for all substantial elements of the development gives rise to legal and procedural uncertainty. The Parish Council therefore maintains its objection and respectfully requests that planning permission is refused.

For the avoidance of doubt, this letter should be read alongside the Parish Council's previous submission. The comments set out above should only be treated as replacing the previous submission where they directly overlap or update the Parish Council's earlier position.

Should you have any comments on this submission, please do not hesitate to contact me. I will relay any comments to Councillors and respond as required.

Yours sincerely,



Justin Tyler

Executive Officer & RFO