[redacted]
Sent: 26 October 2026 12:29
To: Matthew.Porter [redacted]
Cc: [redacted]
Subject: Land at Mercer Road - app ref. DC/25/0151 & draft LP allocation HA10: HOR2

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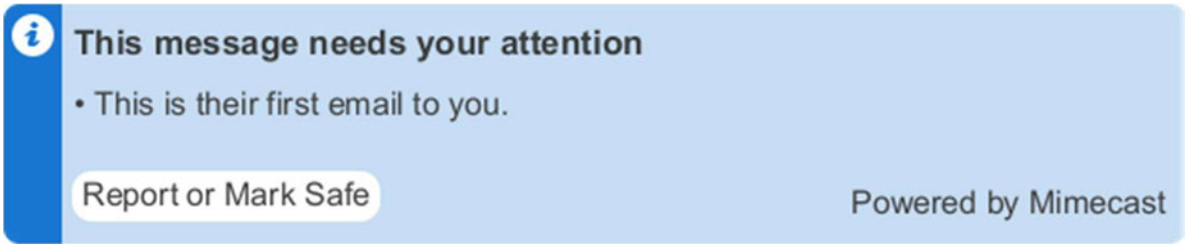

Hi Matthew

Please see attached further representations from Legal & General (Strategic Land North Horsham) Ltd in respect of the Land at Mercer Road planning application and emerging Local Plan allocation.

We note that significant further information was uploaded to the Council's website in September 2026 in respect of viability/ costs to which these representations relate.

We have copied in Catherine and Julia from the Local Plan team given the material implications the application, undeliverable A264 crossing, claimed costs and viability position have on the emerging Local Plan allocation for this site.

Jason and Adrian copied for awareness. We would welcome a further discussion on this at our next PPA meeting on Monday 02/11.

Many thanks

Alex Jones
Planning Director

Office: 2 Kings Hill Avenue, Kings Hill, KENT ME19 4AQ
[redacted]

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26 October 2026

Our ref: 333102644/A5/AJ

BY EMAIL
Head of Planning
Horsham District Council
Parkside
Chart Way
Horsham
RH12 1RL

Dear Sir/ Madam

REPRESENTATIONS TO PLANNING APPLICATION REF. DC/25/0151 & EMERGING LOCAL PLAN ALLOCATION HA10: HOR2
LAND AT MERCER ROAD, WARNHAM

We write on behalf of Legal & General (Strategic Land North Horsham) Ltd ('L&G') in respect of the above planning application and emerging Local Plan allocation HA10: HOR2 Land at Mercer Road (300 homes). L&G is bringing forward the Mowbray development (formerly Land North of Horsham) pursuant to the Horsham District Planning Framework (2015; Policies SD1-SD9) and Outline Planning Permission for the new neighbourhood (DC/16/1677; 'the OPP').

L&G has previously outlined its concerns with the draft allocation of Land at Mercer Road in Local Plan representations and to the extant planning application (DC/25/0151) through letter dated May 2025.

The proposed development/ allocation at Mercer Road is to the west of Mowbray in a location that, without Mowbray, is isolated and severed from Horsham to the south by the A264. This development would be entirely reliant on the infrastructure and facilities being delivered at Mowbray but with no mechanism to contribute. Moreover, the connections to the main facilities will be through Mowbray Phase 3 which is some years away. Thus, if new homes at Mercer Road were to come forward in the short-term (as envisaged by the Council's recently published Indicative Local Plan Trajectory; Appendix D of the Council's Mater 5 Hearing Statement, September 2026), these would remain detached from key facilities at Mowbray with the Mercer Road development being almost entirely car-dependent to reach schools and other facilities/ amenities.

The Mercer Road application is supported by a viability assessment (and cost evidence from August 2026) and the applicant's case is that the development is unviable if any affordable housing were to be provided. It appears that a commercial decision has been made to offer 10% affordable housing.

The Site Assessment Report (December 2023; Part C, Site SA568) that assessed the potential of Land at Mercer Road for allocation based the 'neutral' assessment on social considerations (including housing) on it providing a policy compliant 35% affordable housing (page 157):

Social Considerations	**Neutral Impacts**
Housing: The site promoters suggest the site can accommodate between 325 and 350 dwellings and have submitted an illustrative site layout for 348 dwellings with a provision of 35% affordable housing units. 300 dwellings are considered more acceptable owing to site constraints, and this would reflect densities being delivered in the adjacent Mowbury development. Affordable housing would be expected to meet policy requirements.	

Moreover, 'favourable' economic impacts are noted, primarily due to the (then) proposed inclusion of 12 small-scale start up units:

> **Economy:** The site promoter has proposed that 0.5ha of land will be provided in the north west corner of the site to provide 12 small scale, flexible start up units. These units would be adjacent to the existing employment uses to the north west of the site.

No start-up or other employment generating units of this type/ scale are proposed through the application.

Two significant elements proposed at the point Land at Mercer Road was assessed for allocation are not being brought forward by the application. If re-assessed on the basis of the scheme now proposed, the site assessment conclusion would be notably less favourable and brings into question whether Land at Mercer Road would meet the NPPF tests of deliverability and viability required for a site to proceed to allocation.

A Development Abnormals Cost Plan (Nr.1 Rev D) was submitted as part of the Mercer Road application in August 2026. Two of the largest cost items identified in the Cost Plan relate to electricity supply at c. £1.7m (see page 10, item 6.2). A further c. £1.7m is identified for off-site highway works and access (page 10, item 2.1 and Appendix A), of which c. £1m is for a signalised crossing of the A264.

The proposed A264 crossing is noted in the submitted details as 'interim' (see drawing 17085-011) in that it would only remain in place until Mowbray's approved Phase 3 Principal Access Works ('PAW3') – a new roundabout junction, was completed. The proposed temporary crossing would complicate the construction of PAW3, including increasing the cost of delivery. Whether a signalised crossing of a dual carriageway can be considered safe in the interim is also questionable, not least as it relies on a reduction in the speed limit from 70mph to 50mph without which, WSCC Highways confirms in its consultee comments (2025), the crossing cannot be implemented; such speed limit reduction being subject to separate process and not guaranteed. Safe access across the A264 is fundamental. Without this, Land at Mercer Road is not deliverable and cannot contribute to the Council's housing land supply requirement.

The temporary crossing is also a significant cost for a scheme claiming that it cannot viably support a policy compliant level of affordable housing.

In terms of the electricity upgrades, L&G has completed all necessary electricity upgrades to facilitate delivery of at least 3,500 homes at Mowbray. This was at significant cost and complexity given the need to cross major road and rail infrastructure. Abnormal costs which are highly likely to also apply to Land at Mercer Road further eroding viability without the scale of development to absorb.

The Mercer Road scheme as set out in the extant application represent a material departure from that assessed as a Local Plan allocation. As this is now the development proposed, it is unclear why the Council did not revisit its site assessment as part of the Main Modifications held over the summer. Further Main Modifications will no doubt be required before the Local Plan proceeds to adoption which provide the opportunity for the Council to re-assess Land at Mercer Road based on the new and material departure of the submitted scheme from that which informed the draft allocation.

The challenges the Council has faced in identifying sufficient land to meet its housing requirement are well known. Housing requirement (18,712 homes) and stated supply (20,915 homes or 19,204 homes excluding windfall) are finely balanced such that the Council cannot afford any of its proposed site allocations to drop out of the draft Local Plan without others to replace.

Horsham Town is the principal settlement in the District and, in line with the spatial strategy, ought to attract a commensurate amount of housing growth. The majority of growth to Horsham continues to come from Mowbray. Land at Mercer Road is the second largest allocation at Horsham. For the reasons set out previously and above, Land at Mercer Road is not currently a deliverable or viable site and ought to be removed as an allocation from the Local Plan prior to adoption. It will, however, need replacing to ensure adequate housing supply at Horsham Town in recognition of need and consistent with the settlement hierarchy and spatial strategy.

L&G has consistently submitted representations and evidence to the Council's various consultations on the Local Plan to support the allocation of its Additional Land at Mowbray. This provides three modest extensions to the three residential Phases established through the extant OPP to a total of c. 380 homes.

L&G has completed all electricity upgrades at Mowbray required to facilitate delivery of the OPP (2,750 homes), uplift within the allocation boundary (c. 500 homes; draft Policy 37.4) and L&G's Additional Land to the north of residential Phases 1, 2 and 3 (c. 380 homes) without any further upgrades or costs associated.

The road infrastructure to access the Phase 1 Additional Land is complete (known as Moat Road) such that this parcel of c. 60 homes could come forward immediately. The Primary Road to access the Phase 2 Additional Land (c. 180 homes) has Reserved Matters approval (DC/26/0731), providing a logical extension to come forward alongside Phase 2, with Phase 3 to follow (c. 140 homes).

As the Additional Land has completed or planned access infrastructure and all necessary electricity available, these parcels would not bear the burden of such enabling costs and could provide policy-compliant 35% affordable housing. It has been demonstrated through evidence submitted at various consultation stages on the emerging Local Plan that the Additional Land is suitable for the scale and type of development proposed. They are deliverable on similar, if not quicker, timescales to Land at Mercer Road but without the claimed 'abnormal' costs that impact the ability of the Land at Mercer Road scheme to viably support the policy compliant level of affordable housing.

The release of Land at Mercer Road (through allocation and/ or application) is premature in the context of Mowbray Phase 3. Without Phase 3, and associated PAW3, safe active travel access across the A264 cannot be provided, nor are active travel connections to the complete and planned services and infrastructure at Mowbray (including the complete and operational Bohunt School) possible. Mercer Road cannot therefore deliver homes on the timescales envisaged in the Council's Indicative Local Plan Trajectory (i.e. from 2028/29 as PAW3 will not be complete by then).

The material changes in circumstance for Land at Mercer Road confirm that it is neither deliverable nor viable at this time and no longer proposes the affordable housing and economic benefits relied upon by the Council in putting it forward as a Local Plan site allocation. Over £3m in 'abnormal' costs relate to access across the A264, which would be temporary and, in any event, delivery cannot be guaranteed, and electricity supply. All of which could have contributed instead to additional affordable housing on the site. This weighs heavily against the site allocation remaining in the Local Plan to adoption. It ought to be removed and replaced with Mowbray's Additional Land where there is very high confidence that the Land will come forward at the appropriate time and with the appropriate level of affordable housing and safe/ convenient access to complete and planned infrastructure and services including Bohunt School. Moreover, all necessary electricity upgrades have already been completed. The extant application should be refused accordingly.

Should officers wish to discuss this further, please do let us know.

Yours faithfully

[redacted]

ALEX JONES
Planning Director

[redacted]

STANTEC UK LIMITED