



Horsham
District
Council

HORSHAM DISTRICT COUNCIL CONSULTATION

TO:	Horsham District Council – Planning Dept
LOCATION:	Land To The Rear of The Copse Worthing Road Horsham West Sussex
DESCRIPTION:	Construction of up to 23 residential dwellings, (including 9 affordable homes), including access, parking, landscaping and other associated infrastructure works.
REFERENCE:	DC/26/0355
RECOMMENDATION:	Modification / More information No objection
SUMMARY OF COMMENTS & RECOMMENDATION: Many of the comments have been addressed, which is positive. However, discrepancies between documents remain pertaining to tree planting and the overlapping boundary with DC/24/0622. It is also disappointing to see that the proposed footpath through the retained priority woodland habitat remains, and the 5m riparian zone for some ditches are still subject to proposed encroachment. Further consideration to amend the plans to respect these habitats is strongly advised. Comments relating to the post-development habitats and final HMMP will need addressing to discharge the deemed biodiversity gain condition and obligations within the legal agreement. The biodiversity metric demonstrates that the development will have an overall -44.06% net loss (-5.09 units) in area habitat, a +0.66 units in hedgerow, and a 17.55% net gain (+0.23 units) in watercourses. However, further amendments are required pertaining to the baseline and the post-development tabs within the metric. Further modifications are requested relating to the layout of the development, in particular respecting the 5m riparian zone of the ditch network and redesigning the footpath to avoid the need for a bridge over the ditch and removal of priority woodland habitat. Brief comments are provided on the draft HMMP.	
MAIN COMMENTS: The comments below relate solely to the BNG proposed in the above application. The comments are not considered exhaustive. All other ecology matters will be reviewed by Place Services and NatureSpace, where appropriate. As currently submitted, the biodiversity metric demonstrates that the development will have an overall -46.04% -44.06% net loss (-5.31-5.09 units) in area habitat, a +0.66 units in hedgerow (no percentage gain can be calculated as there are no hedgerows present at baseline) and a 20.31% 17.55% net gain (+0.27+0.23 units) in	

watercourses. There will also be a net gain in hedgerow units, however as none are present at baseline, there will be no percentage increase. As per HDC's definition, the proposal is considered significant on-site BNG due to the net gain in watercourse module relating to enhancement of medium distinctiveness habitats, and therefore, if minded to approve, a S106 legal agreement is required to secure the BNG and monitoring reports will need to be submitted to HDC typically in years 1,2,5,10,15,20,25 and 30. Please note that the concerns detailed below may change the final BNG figures calculated by the metric.

Baseline

1.0 The legislation does not provide for a future baseline, and therefore the baseline must be taken to be the habitat which is on site on the relevant date (i.e., date of planning application submission or if habitat degradation occurs, the date prior to this degradation). Currently, developed sealed surface has been entered in the metric as provided as part of planning permission DC/24/0622. Please can this be amended to reflect the current habitats on site for where the applications overlap.

The baseline map and metric have now been amended to the current condition of the north-eastern section of the site, in accordance with that submitted under DC/24/0622. However please note that a non-native and ornamental hedgerow is missing – please refer to the baseline map of DC/24/0622.

1.1 For ease, it is also recommended to restrict the red line boundary within the Phase 1 area to the access route only (which will be the proposed hardstanding as above), given the overlap in red line boundaries between this proposed development and DC/24/0622. Please see more on this point below.

Please note there are still discrepancies between the BNG post-development habitat maps and other submitted documents (Illustrative landscape masterplan, proposed site layout). There are also still inconsistencies between the Phase 1 and Phase 2 plans where the red line boundaries overlap. Please see the wording in the 'additional wording' section of the recommended conditions below.

Post-development

2.0 Section 3.8 of the Planning Statement (SLR, 2026) states that the proposal includes creation of 69 trees. However, 20x trees are proposed within the metric. This appears to include new trees to be planted within the adjacent Phase 1 site (see Drawing No. 02 - BNG Proposed Plan within the BNG Statement, Lizard 2026 ref. LLD3554-ECO-REP-002-00-BNG), which currently overlaps with and differs to the BNG proposed to be delivered here as part of the application for Phase 1 (DC/24/0622). Note that the habitats to be created and enhanced must be the same within the overlapping land, and therefore which ever biodiversity gain plan comes in later should accord with the previously approved biodiversity gain plan for the other site. Any changes made after any approvals will require an application to vary the BGP and any other associated documents e.g., HMMP and S106, where relevant.

The metric now details 26x individual trees to be planted outside of the woodland areas. Whilst this is in accordance with the post-development habitat plan within the BNG Statement, the Landscape Response claims that a total of 69x trees are to be proposed in the phase 2 site only. This is not consistent, and many of the trees within the illustrative masterplan and site layout plan are within the overlapping Phase 1 site (although again, this is not consistent with the content submitted under DC/24/0622). Clear clarification and consistency will be required to discharge the deemed biodiversity gain condition.

2.1 According to the Proposed Site Layout (Fluid Architects, 2026), multiple trees (and introduced shrub) are proposed within communal areas in the main residential area, and

these should be included within the metric. Confirmation is sought on the correct tree planting number with the above point 1.1 and 2.1 in mind.

Rain gardens and introduced shrub have since been added to the metric, with thanks. Please refer to point 2.0 with regards to tree number.

2.2 A 0.03km length of native hedgerow with trees is proposed, and whilst acknowledged in Section 3.6.1 of the BNG assessment that this is not required to meet any 10% in the hedgerow module, it should still be entered within the metric to count towards the post-development value as per Para 2 of Schedule 7A of TCPA (it will still provide unit increase, but there will be no percentage gain).

0.11km of species-rich native hedgerow and 0.04km of species-rich native hedgerow with trees has been added to the metric. With thanks.

2.3 Please can the encroachment over the ditch crossing the main site area resulting from the proposed pedestrian bridge please be accounted for. Alternatively, can this footpath go around the SUDS to prevent 2x crossings over ditch?

Increased riparian encroachment has been accounted for with regards to the private gardens being located within 5m, which is welcome (however please see point 2.5 below). But the encroachment resulting from a pedestrian bridge is not included, and therefore further clarity is requested as to why it has been omitted. As above, it is preferred to reduce the number of adverse impacts on the watercourse where possible.

2.4 It is noted that a footpath is proposed into the retained woodland, which does not appear to connect to a recognised PROW. Please can this be removed to prevent further loss of the priority habitat woodland.

This comment remains. Removal of priority woodland habitat to facilitate this footpath must be accounted for in the metric.

2.5 The current watercourse easement is approx. 3m in many places. It is preferred that any residential dwellings and curtilages are located outside the riparian zone of the ditches on-site (5m), and access for maintenance is retained.

This comment remains.

2.6 It is noted that the RPAs of many trees to be retained are within proposed private gardens. As such, it is advised to consult the HDC Arboricultural Officer to comment on the certainty of retention of these trees, and recommended conditions where appropriate to ensure their retention.

HMMP

3.0 Please include culvert creation for clarity – no management prescriptions required. Concern resolved, with thanks.

3.1 Please include hedgerow creation – see point 2.2 above regarding hedgerow inclusion.

Concern resolved, with thanks.

3.2 The information relating to the targeted condition criteria within the BNG assessment are satisfactory to assure HDC that the proposed habitats and their conditions are attainable. A full HMMP will be required as an obligation within the S106. Note that due to the proposal of a priority habitat, this will need further consideration as

to how the description within the JNCC documents will be met. Please do also ensure that the monitoring efforts match the report deadlines to HDC as specified above.

3.3 Please note that the site boundary plan does not match the pre- and post-development habitat plans.

3.4 Please add rain gardens to the HMMP.

ANY RECOMMENDED CONDITIONS:

If minded to approve:

Informative –

Scenario 1: BNG Required

Recommended additional wording to informative:

It is noted that another permission (DC/24/0622) covers land partially within the red line boundary of this permission. As part of the other permission, habitat enhancements are proposed within this overlapping land area to achieve its biodiversity net gain requirement. As such, both permissions shall need to accord and align with each other, to ensure consistency and deliverability of the habitat enhancements to fulfil the biodiversity net gain requirements for both permissions. Any Biodiversity Gain Plan submitted to discharge the deemed biodiversity net gain condition shall not be approved in the case that the proposals and/or layout undermines the already approved biodiversity gain plan of the other permission.

NAME:	Linsey King Ecology Officer (Planning)
DEPARTMENT:	Strategic Planning - Specialists
DATE:	16/04/2026 08/07/2026