

Report to Cabinet

Monday, 6 July 2026

By the Cabinet Member for Planning and Infrastructure

DECISION REQUIRED



**Horsham
District
Council**

Not Exempt

Horsham District Local Plan 2023-2040 - Schedule of Proposed Main Modifications

Executive Summary:

Following the appointment of a new Local Plan Inspector, the examination of the Horsham District Local Plan 2023-2040 has recommenced. Initial examination hearings took place in April 2026. Following these hearings, the Inspector wrote to Horsham District Council, requiring the Council to make suggested 'Main Modifications' to the plan. The key modifications required are additional housing allocations to meet the identified housing needs for this district, together with half of Crawley's unmet needs and an element for the coast. The Inspector has also required that the Council propose modifications to a number of development management policies to ensure that the Local Plan will be consistent with expected updates to the National Planning Policy Framework.

This report sets out proposals for a number of additional housing allocations in locations across the District, together with a discussion of the evidence base updates that have been undertaken to support these changes. The report seeks agreement for the Proposed Modifications to be published for a period of public representation between 13 July 2026 and 24 August 2026. Any representations received during this consultation period will be passed directly to the Inspector to consider as part of his ongoing examination of the plan, with further hearings expected in October this year. It should be noted that the additional hearings and representations may result in further recommendations or modifications to the plan prior to its eventual adoption.

The report also proposes that the Council's Council Plan wording is updated to provide increased flexibility and reflect feedback provided to the Council by the local plan inspector.

Recommendations:

It is recommended that the Cabinet:

- i) Approves the Horsham District Local Plan 2023-2040 Schedule of Proposed Main Modifications as contained in Appendix 1, and updated policies maps as set out in Appendix 2 of this report, together with the updated Sustainability Appraisal, Habitats Regulations Assessment and other updated evidence base documents for a 6 week period of representation from Monday 13 July 2026 to Monday 24 August 2026.

- ii) Delegates authority to the Director of Place and Head of Strategic Planning, in consultation with the Cabinet Member for Planning and Infrastructure to modify the schedule of proposed main modifications i) for the purpose of correcting errors ii) to take account of any feedback or correspondence provided by the Inspector in relation to the main modification documentation.
- iii) Notes that if the Planning Inspector recommends modifications to the Local Plan under section 20(7C) of the Planning and Compulsory Purchase Act 2004, Cabinet will be asked to modify the submission version of the Local Plan to incorporate these modifications (along with any additional minor modifications) and to recommend adoption of the Local Plan (as modified) to Full Council.

It is recommended that the Cabinet recommends to Full Council:

- iv) To amend the Council Plan 2023-2027 to change the priority “Deliver a Local Plan which sets higher environmental standards including net zero building, green gaps and addressing water neutrality” to “Deliver a Local Plan which sets higher environmental standards”.

Reasons for Recommendations:

- i) The recommendations are required to ensure that the Council meets the statutory requirement to carry out a Local Plan review, and to meet the requirements in the Town and County Planning (Local Planning) (England) Regulations 2012.
- ii) It is both legally necessary and appropriate to invite public and stakeholder participation in the preparation of a new Local Plan for Horsham District.
- iii) To correct any typographical or factual errors, or to reflect feedback or advice which may be received from the local plan Inspector in connection with the Main Modifications, following the publication of this cabinet report.
- iv) To enable the Local Plan to continue to progress through independent examination and accord with government requirements to have an up-to-date local plan.
- v) There is no longer a legal requirement for the Local Plan to demonstrate water neutrality and to reflect changes to the plan requested by the Planning Inspector.

Background Papers:

1. Horsham District Local Plan Submission Plan: [Horsham District Local Plan 2023-2040 \(Regulation 19\)](#)
2. Consideration of the Regulation 19 version of the Horsham District Local Plan - [Cabinet / Council Agenda, 11 December 2023](#)

3. Consideration of the potential impacts of plan withdrawal at the Communities and Place and Scrutiny committee [Communities and Plan Policy and Scrutiny 23 July 2025](#)
4. Horsham District Statement of Community Involvement - [statement-of-community-involvement](#)
5. Updated Local Plan evidence base documentation including:
 - i) Site Assessment Report Update (June 2026)
 - ii) Infrastructure Delivery Plan (June 2026)
 - iii) Draft Local Plan Viability Assessment (June 2026)
 - iv) Horsham Transport Study - Local Plan 2040 Transport Assessment (June 2026)
 - v) Housing Deliverability Study (June 2026)
 - vi) Sequential and Exception Flood Risk Tests (June 2026)
 - vii) Horsham Local Plan Sustainability Appraisal Report Addendum – Non Technical Summary (June 2026)
 - viii) Horsham Local Plan Modifications HRA Technical Note – Initial summary of outcomes (June 2026)
 - ix) Review of the Equalities Impact Assessment of the Horsham District Local Plan (June 2026)

<https://www.horsham.gov.uk/planning/local-plan/Horsham-District-Local-Plan-2023-2040-Schedule-of-Proposed-Main-Modification>

Wards Affected: (All Wards)

Contact: Catherine Howe, Head of Strategic Planning

Use of AI: This report has not been prepared with the support of artificial intelligence tools.

1. Proposal:

- 1.1 In July 2024, Horsham District Council ('the Council') formally submitted its emerging Local Plan known as the 'Horsham District Local Plan 2023-2040' to the Secretary of State for an examination by an independent Planning Inspector.
- 1.2 The initial stages of the Local Plan examination were conducted by Mr Luke Fleming, with hearings held in December 2024. In April 2025, Mr Fleming reached his initial conclusion that the Council had not fully met the legal Duty to Co-operate requirements. The Council strongly disagreed with this conclusion. Whilst the Council was considering its next steps, the Government set out its (now enacted) intention to abolish the legal Duty to Co-operate. This therefore changed the context of the Local Plan examination considerably. Due to the increased time commitments on Mr Fleming in continuing the examination of the plan a new Inspector Mr J Bore MRTPI was appointed to continue the examination of the Council's submitted plan.
- 1.3 Writing to the Council in February 2026, Mr Bore confirmed that he is approaching the examination of the plan afresh. The Inspector has divided the examination of the plan into two parts, with a first set of hearings taking place between 21 and 23 April 2026. These hearings focussed on the Council's housing requirement (target), potential sources of housing supply, together with matters relating to affordable housing and employment.
- 1.4 On 5 May 2026, the Local Plan Inspector wrote to Horsham District Council setting out his interim conclusions and action points. His key finding was that when examined against the provisions of the National Planning Policy Framework (NPPF) dated September 2023, the plan as submitted falls short of meeting identified housing needs. This includes making provision in the plan for unmet housing needs arising from Crawley Borough Council and the South Coast. He therefore requested that the Council undertake further work to identify additional sites for inclusion in the plan in order for it to be found 'sound'.
- 1.5 In December 2025, the Government published a draft National Planning Policy Framework for consultation. It is expected that this document will be published during 2026. Once published, the revised NPPF will have an immediate effect for decision making. In order to ensure that when the Local Plan is adopted it has policies which are consistent with the revised NPPF, the Inspector has also provided feedback to the Council on the wording of a number of development management policies ([Inspector comments 26 March 2026](#)). This has required a number of modifications to be proposed to the development management policies.
- 1.6 In order to respond to the Inspector's feedback, the Council has undertaken additional work to identify a revised housing requirement, together with a number of additional housing allocations. Work has also taken place to draft revisions to the development management policies. The suggested amendments to the plan are set out in the draft Schedule of Proposed Main Modifications to the Horsham District Local Plan 2023 to 2040. This document is appended to this report as Appendix 1. The Council is mindful that the Inspector may provide feedback on the main modifications following publication of this report and prior to consultation and will take account of such advice as appropriate. Accordingly, authority has been delegated to officers in consultation with the Cabinet Member for Planning and

Infrastructure to facilitate amendments to the main modifications. Additionally, authority has been delegated to correct any errors identified after the publication of this report.

- 1.7 In addition to local plan policies, the production of a Policies Map is a specific requirement of the Town and Country Planning (Local Planning) (England) Regulations 2012. The map must be based on an Ordnance Survey map and illustrate geographically the application of policies in the adopted development plan. The Council has therefore prepared revised policies maps to show the key proposed plan amendments. Copies of the revised policies maps are shown in Appendix 2.
- 1.8 It is proposed that the Schedule of Proposed Main Modifications be published for a six week period of representation between 13 July 2026 and 24 August 2026. Further details of this proposal are set out in the following paragraphs. These cover the key changes to the document, and commentary on the evidence base updates which supports these amendments.

Key Main Modifications Proposed

Plan Context

- 1.9 A number of updates are proposed to the plan. Many of these are more factual in nature and reflect the changed context of the plan. These include removal of references to the legal Duty to Co-operate, whilst continuing to reflect the requirement for Horsham District to consider whether they can accommodate unmet needs arising from other authorities. A second key update to the plan are updates reflecting the changed position in relation to water neutrality. The proposed changes reflect that whilst there is no longer a requirement for the plan to demonstrate that it is water neutral, there remains a 'legacy effect'. This recognises that in the period between September 2021 and October 2024 when the water neutrality was in place very few planning permissions were granted. This therefore limits the supply of homes in the earlier years of the plan.

Air Quality

- 1.10 The Council has undertaken a Habitat Regulations Assessment (HRA) to consider what if any impacts the plan (including the proposed modifications) would have on the integrity on sites designated as Special Areas for Conservation (SAC's) and Special Protection Areas (SPAs). It identifies that there may be potential in the latter part of the plan period for increased traffic flows to adversely impact the protected Mens woodland as a result of ammonia pollution. Updated modelling has taken place to consider the potential impact of further housing allocations. The technical note set out in the [Council's evidence base](#) confirms that the transport mitigation package proposed remain fit for purpose to mitigate this impact. Amendments to the supporting text have been proposed explaining that the Council will undertake further monitoring of vehicle journeys during the plan period.

Amendments to Chapter 9 - Economic Development

- 1.11 Following the Local Plan examination hearings held on 23 April 2026, the Local Plan Inspector requested that the Council review a number of policies within the

economic development section of the plan. In addition to factual updates to reflect the interrelationship between the level of employment floor space required in light of the increased housing requirements, key proposed amendments have focussed around ensuring the policies provide businesses with sufficient flexibility, including clarification on business and commercial activities known as 'E' use classes, and have greater alignment with the positive approach in the NPPF. They also focus on ensuring sites are in accessible locations and policies have fewer restrictions to help minimise vacancies especially within the designated Key Employment Areas, reflect the range of business uses likely to be needed in Horsham District, and secure an increase in the employment land allocation at Graylands Estate.

Affordable Housing & Plan viability

- 1.12 The Council's position on affordable housing was discussed at the examination hearing session held on the morning of 23 April 2023. At this session, the level of affordable housing that could be viably accommodated from a financial perspective was discussed. It was agreed that the Council would update its evidence base to take account of the passage of time since the plan was submitted for examination, and any changes in the economic position and other proposed policies.
- 1.13 The updated viability appraisal work forms part of the [Council's revised evidence base documentation](#). The study concludes that whilst the delivery of affordable homes on strategic sites remains viable at 35% (and that 40% would be viable at Land West of Ifield), an amendment to the policy is required in relation to smaller greenfield sites. The outcome of the assessment has identified that although sales values have increased, they have been outpaced by build cost increases. The viability study sensitivity tested the financial viability level at 1% intervals below the initial 45% affordable housing, and now considers that 35% is justifiable. Amendments to the policy wording are therefore proposed (MM155) in this respect. It should be noted that as the overall number of new homes has been substantially increased through the main modifications, the actual number of new affordable homes delivered through the local plan is not expected to change significantly despite the reduced proportion of affordable homes on each individual site. It should also be noted that the study also considered the extent to which specialist elderly accommodation C2 housing is viable. The study concluded that older persons accommodation is not viable if affordable housing (or a contribution towards this) is included in the development. Amendments to the policies are therefore proposed to reflect these changes.

Housing requirement

- 1.14 In his letter to Horsham District Council dated 5 May 2026, the Local Plan Inspector identified the revised housing requirement figure for Horsham District Council. Over the plan period, this equates to 14,071 homes (MM133). He made clear his expectation that the Council include half of Crawley Borough Council's unmet housing needs, which equates to a further 3,757 homes. The Inspector also directed the Council to work with Mid Sussex District Council to agree a consistent methodology for calculating the additional homes each authority should include in their housing requirement to help address unmet housing needs arising from the South coast. This methodology takes account of the migration rates from the Worthing and Adur Council administrative areas into Horsham District and

translates this into an unmet need figure. On the basis of this the Council has proposed to deliver an additional 52 homes a year (a further 884 homes) towards coastal unmet need (MM140). A number of modifications are therefore proposed to the plan to reflect these increased housing targets. These amendments set out that the total established housing requirement for the plan period is 18,712 homes (MM142).

Housing Supply & Additional Housing Allocations

- 1.15 The examination hearings and letter from the Inspector of 5 May 2026 established that the plan would need to identify additional housing allocations to meet the housing requirement, together with an additional supply or 'headroom' to act as contingency in the event sites do not deliver homes as expected. The Inspector's letter outlines that the Council should identify a minimum of 20,100 homes in total. The Main modifications identify 20,915 homes to come forward during the plan period (MM142).

- 1.16 In order to reflect the water neutrality legacy the plan proposes a stepped trajectory which is as follows:

Years	Proposed requirement
1-3	To mirror delivery
4-5	499
6-10	1,100
11-17	1,601

- 1.17 Of the 20,915 homes 13,600 are already accounted for through neighbourhood plan allocations, permissions or from windfall development. The Council does not propose amending any of the existing allocations in the submitted local plan with the exception of one site discussed in paragraph 1.18. The additional housing numbers proposed are as follows:

Site	Description	Number of homes
Land North of Horsham	Additional intensification of existing allocation in the current HDPF	500
Land East of Billingshurst	Additional expansion of allocation to include land south of the railway line	350
Land at Adversane	New allocation	3,200 (of which 1,425 to be delivered in the plan period)
Ashington	New allocation 'Ashington northern cluster'	450
Barns Green	New allocation 'Land rear of Two Mile Ash Road'	10
Billingshurst	New allocation 'Land at Old Reservoir'	80

Site	Description	Number of homes
Cowfold	New Allocation – Land east of Cowfold	100
Henfield	New Allocation – Land North of Furners Lane	191 homes (this site already has planning permission, but too late to include as a commitment within the Council's emerging trajectory)
Henfield	New Allocation Land East of Henfield	450
Horsham	New Allocation Land South of New Place Farm	120
Kilnwood Vale	New Allocation Extension west of Kilnwood Vale	350
Lower Beeding	Additional allocation – Land at Sandygate and Cedar Road	28
Partridge Green	Additional Allocation Land at Dunstons	80
Rudgwick	Additional Allocation Land West of Church Street	15
Small Dole	Additional Allocation Land at Highdown nursery	10
Southwater	Additional Allocation – Land south of Hogs wood	100
Storrington	Additional Allocation - Land South of Northlands Lane	50
Storrington	Additional Allocation – Land at Fryern Road	50
Storrington	Additional Allocation – Land at Bax Close	30

- 1.18 In light of the outcome of a planning appeal decision at the currently allocated Rusper Glebe site (Policy HA15, RS1), it is proposed that the allocation of this site for 12 homes be removed. The outcome of the appeal established that the level of development that could be achieved on this site without harm to the adjacent historic designations limits the value in retaining this site as an allocation.

Evidence base considerations

Site Identification Process and Evidence Base

- 1.19 The identification of additional sites has taken account of a number of updates to the evidence base. In addition to the updates to the viability assessment and the Habitat Regulations Assessment discussed above, the following evidence base documents have informed the recommended proposed modifications. The documentation is available to read from the following link:

Site Assessment updates

- 1.20 The Council's initial recommended site allocations in the submitted Local Plan were informed by the outcomes of the site assessment work which already forms part of the Local Plan evidence base [Local-plan-examination Examination-Library](#) (H11, sections A to F). At the examination hearings and in his follow up letter, the Inspector asked that in order to identify additional land for housing development the Council revisit its site assessment methodology. During the hearing sessions the Inspector explained that the Council should, in particular, reconsider whether potential environmental impacts arising from development could be adequately mitigated.
- 1.21 The Council has undertaken a review of the proposed strategic allocations which had been submitted for consideration as potential allocations. In addition, the Council identified just over 100 smaller sites for a reassessment of their potential for allocation. These smaller sites included sites adjoining built-up area boundaries, together with some additional sites which have a changed development context as a result of recent housing permissions, allocations or development. In light of feedback from the Local Plan inspector, a small number of sites located within the High Weald National Landscape were also included in the site reappraisal work. These sites are those considered to be relatively small in scale and adjoining existing settlement boundaries.
- 1.22 In undertaking the site re-appraisal, the Council has had regard to updated information where this has been provided by a number of site promoters. This information was requested by the Council to ensure that the background information informing the assessment work was as up to date as possible. It has also drawn on updated evidence base documents, the outcome of further consultations with specialist officers, and any changes or updates from key infrastructure providers. From over 100 sites, 19 are now recommended for allocation or intensification as set out in earlier in this document. The revised assessments are set out on the Council's evidence base pages set out in paragraph 1.19
- 1.23 With regards to the consideration of strategic sites, and the recommendation of an additional strategic site, particular consideration has been given to changes to infrastructure needs and requirements since the assessment was previously undertaken. In particular, need for additional secondary school provision has been identified in the west of the District. No secondary school is proposed at Land West of Billingshurst, which would therefore exacerbate existing issues, with no clear mitigation outlined. Conversely, land at Adversane identifies land for a secondary school, and would therefore be able to meet existing and additional educational needs close to where the need originates, when compared against other strategic scale proposals. In addition, land at Adversane is located relatively close to a railway station at Billingshurst, which together with upgrades to bus services proposed as part of the scheme are considered to provide a greater choice of sustainable travel options close to or near the site. The site also offers potential advantages in terms of its design, with a compact development form that would help limit the amount of greenfield land utilised as part of the development. These factors were found cumulatively to weigh in favour of an allocation in this location.

Infrastructure

- 1.24 In order to understand the implications for infrastructure delivery arising from additional allocations within the plan, discussions have been undertaken with a range of key infrastructure providers such as Southern Water and West Sussex County Council. The purpose of these consultations was to understand what additional infrastructure is necessary to support development and together with an understanding of when this may come forward. These updates have been incorporated in a revised Infrastructure Delivery Plan as set out on the Council's evidence base pages as outlined in paragraph 1.19
- 1.25 As previously highlighted in paragraph 1.23 a key outcome from discussions with the education authority highlighted that additional housing in the District will require further secondary school provision over and above that which is already identified in the Regulation 19 Local Plan (land for secondary schools are identified the existing proposed allocations at West of Ifield and West of Southwater). Secondary school provision in the Billingshurst area has been identified as reaching capacity. Land at Adversane identifies land for a secondary school as part of its proposals, and the promoters have indicated that this site has capacity to expand beyond its own needs. Given the location of the site on the A29 corridor and with links to Billingshurst, it was considered that there were considerable advantages to allocating an additional strategic site in this location, therefore helping to resolve an existing infrastructure constraint closest to the point at which it arises.

Transport

- 1.26 The impact of additional development over and above the submitted plan has been considered as part of a revised site transport assessment – this report can be viewed via the link in paragraph 1.19. This study has shown that the overall impact of the revised Local Plan is now less severe than was found to be the case when an earlier study was published in 2022, despite there being significantly more development now proposed. This is thought to be due in part to effects that the COVID-19 pandemic had on traffic levels. Traffic journeys have been suppressed, particularly as a result of changed working patterns. This has meant that there was very little overall growth in traffic between 2019 and 2025, which has overall reduced traffic growth during the Plan period.
- 1.27 The outcome of the revised transport is that the Local Plan now requires physical mitigation in a reduced number of junctions on the A24. These include the Hop Oast roundabout, Buck Barn crossroads and Washington Roundabout. Earlier assessments had concluded the Great Daux roundabouts near Horsham would also require mitigation. The study recognises that development will increase congestion at other junctions on the road network, but concludes that these can be mitigated through a combination of re-phasing traffic light priorities and implementing robust sustainable transport measures in new developments, including enhancements to bus services and good provision of active travel measures.
- 1.28 With regards to the proposed strategy of an additional strategic allocation at Adversane, together with other allocations at Billingshurst, the evidence has found that A283/A29 mini-roundabouts junction at Church Hill, Pulborough will go over-

capacity either with or without the new local plan developments. The impact of new development was found to be only slightly worse than the impact of general background increases in traffic. It is considered that sustainable transport measures (as outlined in the paragraph above) along the A29 corridor could provide mitigation.

- 1.29 Impacts on the Strategic Road Network (i.e. the M23/A23 in Mid Sussex) were found to remain minimal, and recommendations on how to address impacts have not changed since the submission version of the plan which is already before the Local Plan Inspector. There are shown to be local impacts in Crawley Borough, primarily due to the West of Ifield site. Detailed mitigation for these impacts is being considered as part of the West of Ifield planning application, which has been submitted to the Council for determination.

Housing delivery

- 1.30 In developing a revised housing trajectory to take account of increased housing requirements identified as necessary by the Inspector, the Council has undertaken an update of its Housing Delivery Study (see link in paragraph 1.19). The purpose of this assessment was to consider the impact of the housing market, and how this may affect housing delivery across the plan period. It is considered important that this matter was reviewed to ensure that the Council could demonstrate ongoing housing delivery over the plan period.
- 1.31 The key outcome from the housing delivery study is that the quantum of development which is identified in the plan has the potential to be delivered. The study does, however, recognise that the capacity of the market varies across the District, with greater market demand generated closest to Horsham and Crawley. In developing its proposed housing trajectory, the Council has taken into account the outcome of the delivery study in the proposed delivery rates at the different strategic sites. This will therefore ensure that the plan is deliverable and therefore sound.

Sustainability Appraisal

- 1.32 A Sustainability Appraisal, incorporating Strategic Environmental Assessment, (SA/SEA) is being prepared by consultants for the main modifications. The SA/SEA has considered a number of growth scenarios, called 'reasonable alternatives', culminating in an appraisal of each option against a set of sustainability appraisal objectives (these objectives are the same as those used in earlier versions of the Sustainability Appraisal). All of the options reflect the Inspector's direction that the revised Local Plan should aim at an overall housing supply no lower than the 'high growth scenario' presented in its Topic Paper for Matter 2 (which is 20,100 homes across the Plan period).

With regards the key decision as to which strategic sites should be allocated, the appraisal finds that the scenarios whereby either Land at Adversane or Land at Buck Barn is allocated as a new settlement development perform more strongly than other options appraised. The recommendations as to which site to allocate are matters of planning judgement weighed up taking account of all evidence before the Council to date. This is discussed in more detail in para 1.23 above.

- 1.33 A detailed non-technical summary of the SA/SEA can be viewed from the link in paragraph 1.19. The full Sustainability Appraisal Addendum will be published alongside the main modifications at the start of the period for representations. It should be stressed that the sustainability appraisal process is ongoing and iterative and will respond to further changes to the Local Plan that may be agreed during the examination and as a result of updated evidence.

2. Council Policy Alignment:

- 2.1 The Horsham District Council Plan provides a focus for the Council's activities and sets out clear priorities for the Council in the period to 2027. There are four broad themes:

1. Supporting people and communities: Our District is a great place to live and everyone deserves to benefit. We'll provide help in tough times and build communities where people can flourish and have fun.

2. Inspiring greener futures: We aim to be a net zero Council by 2030 and a net zero district by 2050. Horsham District will be held in high regard for best practice in rewilding, regenerative farming and recycling.

3. Building a thriving local economy: Our District will be known as an easy place to do business. We'll work to overcome challenges and keep our high streets thriving, both in Horsham town and across the District.

4. Always listening learning and improving: We're stronger when we work together. That means more sharing and more community involvement. Local democracy has to mean more than just an election every 4 years.

The preparation of a new Local Plan is a key Council priority, and the content of the plan will help to set the land use framework to deliver many of the Council's objectives.

Developing a Local Plan enables the Council to shape sustainable growth, housing, infrastructure, environmental protection and economic development in a coordinated way, directly supporting community wellbeing, net zero ambitions and a thriving economy that best meets the identified needs for the community.

3. Next Steps:

- 3.1 It is proposed that the Schedule of Proposed Main Modifications be published for a six week 'period of representation' between Monday 13 July and Monday 24 August 2026.
- 3.2 The Schedule of Proposed Main Modifications will be published online and hard copy documentation will be made available in local libraries. The main methods of submitting representations will be via the Council's online consultation link, but email and hardcopy responses can also be submitted. Consultation papers will also be available at the Council's offices, with support provided for those who need assistance submitting their representations.

- 3.3 The Council will ensure that the representation period is well publicised through a range of media including websites, local newspapers and a range of community publications, in accordance with the Council's Statement of Community Involvement.
- 3.4 It should be noted that new planning regulations require that the Council consult on a future local plan 'Horsham District 2045'. Legislative provisions mean that the two consultations will unavoidably overlap for a short period. Planning Policy Officers are working closely with the Council's communication team to ensure that there is clear public messaging about the two separate consultations.
- 3.5 The six-week representation period will provide stakeholders and the general public with the opportunity to prepare and submit representations to the Council about the proposed changes set out in the modification schedule in Appendix 1 only. It is important to note that the period of representation does not cover the policies or content within existing Regulation 19 version of the plan. These were the subject of a representation period held between January and March 2024. The representations, and issues raised during that period are therefore already before the Inspector for his consideration as part of the ongoing examination.
- 3.6 Following the close of the consultation all representations will be collated and shared in full with the Inspector. Comments will also be made publicly available. The feedback on the proposed main modifications will be used by the Inspector to inform his decisions on the matters and issues he wishes to discuss in further detail at further examination hearings which are provisionally programmed to be held between 13 October 2026 and 23 October 2026. This may lead to additional modifications or changes being proposed to the plan.
- 3.7 Following the close of the hearings, the Inspector will draft his report on the plan, taking account of all written representations submitted both during the Regulation 19 and as part of the main modifications consultation, together with the outcome of the discussions at the hearings sessions. It is currently expected that the submission of the final report to the Full Council will be considered in January 2027. Subject to the Inspector finding the plan 'sound' and any modifications which he recommends, this will enable the Council to adopt the plan later in January next year.

4. Consultation and Engagement:

Consultation to date

- 4.1 The process of Local Plan preparation requires that the views of stakeholders and the community be taken into account. The two key stages of public involvement during plan preparation undertaken to date are as follows:
- Regulation 18 consultations, and public exhibitions held in February/March 2020. Further detail on some of the earlier stages of preparation of the Local Plan is set out in the report to Cabinet dated 11 December 2023. Outcome from these consultations helped to inform the content of the draft plan.

- A formal Regulation 19 consultation held between 19 January 2024 and 1 March 2024. This stage of consultation invited comments on the soundness of the plan, and all comments submitted are before the Inspector to consider as part of his ongoing examination.

- 4.2 A number of Member briefings have taken place throughout the process of plan preparation. The recommencement of the Local Plan Examination by Mr Bore has required that additional work to identify additional land for allocation be undertaken at pace. An all-Member seminar took place in May 2026, to ensure there was an opportunity for Members to understand the scope of the requirements placed on the Council, and to gain an understanding of the sites under consideration for potential allocation, and to raise any questions and views. This Cabinet report will be considered at a Policy and Scrutiny Meeting which is programmed for 1 July 2026 following publication of this report, as part of the Cabinet agenda papers, on 26 June 2026. Therefore, it will not be possible to reflect any comments from Members of the relevant committees in this report. As such, any feedback will be captured and summarised by the Cabinet Member for Planning and Infrastructure at the Cabinet meeting. It is also anticipated that the Leader will invite members to ask questions during that session.
- 4.3 Although timescales to prepare the main modifications has been very short, dialogue has also continued with local communities via briefings with Parish Councils. A briefing held in May 2026 provided feedback on the examination to date together with an overview of the sites under consideration for allocation. Officers also attended a meeting of the Horsham Association of Local Councils (HALC) on 22 June 2026. At that meeting, parishes highlighted the need to have an up-to-date local plan in place, in order to provide greater certainty to local communities as to where development will take place. It was also emphasised that there was a need for infrastructure development to come forward in order to support new growth and communities.
- 4.4 Whilst developing the Schedule of Proposed Main Modifications, the Council has also engaged with other key organisations as appropriate. This has included liaison with Worthing Borough Council and Adur District Council in respect of the unmet needs for the south coast, and with West Sussex County Council, particularly in relation to transport and education matters, and a number of other key infrastructure providers. Feedback from these organisations has fed into the proposed policy amendments, and where appropriate will inform the production of updated Statements of Common Ground prior to the further examination hearings which are scheduled for the Autumn.

5. Other Courses of Action Considered but Rejected:

- 5.1 An alternative option which is available to the Council is to decide to withdraw this plan from examination and commence planning under the new planning regulations. The impacts of withdrawal of a plan were outlined in a paper considered by the Communities and Place and Scrutiny committee on 23 July 2025. Whilst the context of the discussion has changed, many of the key risks remain and are highlighted below.
- 5.2 Withdrawal of the plan will leave the Council in a position where it has no five-year housing supply against the most recent standard housing methodology as set out in

national planning policy guidance. The Council will be at risk of speculative development applications until a new plan is in place. Whilst the Council has already commenced plan making under the new planning regulations, it will not have an adopted plan in place for nearly 3 years. This assumes plan making for the District is not complicated by Local Government Reorganisation, which in the absence of any known geography for the eventual unitary council, presents considerable uncertainties as to how plan making may take place within any eventual unitary authority.

- 5.3 Withdrawal of the plan was discounted because it would undermine the Council's ability to plan for growth in a coordinated and sustainable way, increasing the risk of unplanned and speculative development on unsuitable sites. This is because the Council will no longer be able to attribute any weight to the emerging policies within the Horsham District Local Plan 2023-2040, as it will cease to exist in formal terms. As the plan is currently at examination, some weight can be afforded to the emerging policies it contains. This weight will increase as the plan progresses through the later hearings and on receipt of the Inspector's report. This will help guide and steer development which does come forward. Conversely, unplanned speculative development, some of which is expected to be at a strategic scale, would impact on the District's strategic and community infrastructure. More development would come forward than that which is set out in the proposed Main Modifications schedule, given the continued inability of the Council to demonstrate it is meeting government housing targets in any meaningful way. Further, withdrawal of the plan also weakens the Council's position in decision-making and at appeal, making it harder to secure infrastructure, protect valued landscapes and deliver strategic priorities in line with the Council's wider policy framework.
- 5.4 At the Communities and Place Policy and Scrutiny Committee on 23 July 2025, the implications of withdrawal were considered so potentially damaging that an outcome of this meeting was a request that the Director of Place write to the Planning Inspectorate to ask them to reconsider their position in view of the imminent changing planning regulations which would repeal the Duty to Co-operate. Given this valuable Member feedback which reflects the continued desire to have a local plan in place as soon as possible, together with what would be considerable reputational damage to the Council by withdrawal of the plan at such a late stage, this course of action has been rejected.
- 5.5 It is a requirement that as part of plan making, alternative plan options, including a range of different site allocations are considered. This has been undertaken as part of the Sustainability Appraisal, and of which further information is set out in paragraphs 1.32 and 1.33. Not undertaking this work was discounted as it is essential in ensuring that sites are properly assessed and evidenced.
- 5.6 Not consulting on the proposed Main Modifications was discounted given that the Local Plan Inspector has requested that the Council does so and the Council is required to do so in line with its policy position and planning practice guidance.
- 5.7 As set out in paragraph 8.4 below, the Council would also need to be mindful of any feedback on the Main Modifications consultation that may be provided to the Council as part of the ongoing examination process. The Council has discounted the option of not actioning any advice or instruction provided by the Inspector as this would either significantly delay or halt the ongoing examination process.

6. Resource Consequences:

Financial:

- 6.1 Budgetary provision has been made for the Local Plan Review in the current financial year. There are no direct financial consequences arising from this report in addition to those that have already been identified in relation to the preparation of the Local Plan. These include the normal staff and publication costs associated with the publication of the proposed main modifications for consultation, together with the costs of undertaking the examination, such as the appointment of a programme officer to support the examination process. Whilst some costs are best estimates, these have as far as possible been included in the agreed budget.

Other:

- 6.2 No other resource consequences have been identified.

7. Legal Considerations:

- 7.1 The Levelling-up and Regeneration Act 2023 has made significant changes to the preparation of local plans. As the Horsham District Local Plan 2023 – 2040 ('the Local Plan') was submitted to the Secretary of State for examination before 31 December 2026, transitional provisions contained in the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026 apply. The effect of these provisions is that Part 2 of the Planning and Compulsory Purchase Act ('PCPA') 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 ('the 2012 Regulations') as they had effect prior to 25 March 2026 apply to the Local Plan, with the exception of section 33A of the PCPA 2004 and regulation 4 of the 2012 Regulations which relate to the duty to co-operate.
- 7.2 The Local Plan is a development plan document, having been specified as such in the Council's Local Development Scheme (Section 37(3) of the PCPA 2004).
- 7.3 Section 20 of the PCPA 2004 concerns the examination of development plan documents by a person appointed by the Secretary of State.
- 7.4 Section 20(5) of the PCPA 2004 provides that the purpose of the examination is to determine whether the development plan document (a) satisfies certain requirements and (b) is sound. The requirements referred to are those contained in sections 19 and 24(1), regulations under section 17(7) and any regulations under section 36 of the PCPA 2004.
- 7.5 Section 20(7B) of the PCPA 2004 provides that, if the person appointed to carry out the examination does not consider that, in all the circumstances, it would be reasonable to conclude that the document satisfies the aforementioned requirements and is sound, section 20(7C) of the PCPA 2004 applies. Section 20(7C) of the PCPA 2004 requires the person appointed to carry out the examination to recommend modifications to the document that would make it one that satisfies the aforementioned requirements and is sound if requested to do so by the local planning authority.

- 7.6 In its [letter of submission dated 26 July 2024](#), Horsham District Council (as the local planning authority) requested that, if necessary, the appointed inspector recommends modifications to the plan in order to make it sound and compliant in accordance with the requirements of section 20(7C) of the PCPA 2004. The Council is consulting on main modifications that it believes addresses the concerns raised by the Inspector as to soundness and compliance throughout the course of the examination.
- 7.7 Consulting on the proposed main modifications is consistent with the Council's Local Development Scheme. It is also consistent with the Government's Planning Practice Guidance on Plan-making which states that the Planning Inspector "will require the local planning authority to consult on all proposed main modifications" (Paragraph: 057).
- 7.8 The duration of the consultation is consistent with the Government's Procedure Guide for Local Plan Examinations which states that "the nature and duration of the consultation [on proposed main modifications] should reflect that of the consultation held at Regulation 19 stage, where appropriate. This means it should last at least six weeks" (Paragraph 6.9).
- 7.9 As part of the work to identify the main modifications identified as necessary by the Inspector, it was considered necessary and appropriate to update the Sustainability Appraisal, incorporating the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 and Habitat Regulations Assessment in accordance with the Conservation of Habitats and Species Regulations 2017. Further details in relation to this documentation, are set out in sections 1 of this report.

8. Risk Analysis and Mitigation:

- 8.1 With the preparation of any Development Plan Document, there is a risk that the process could be subject to a Judicial Review on the adoption of the plan. By following the required legal processes as set out in the relevant legislation and undertaking an additional period of representation on the proposed modifications, the risk of a successful challenge is considered to be as low.
- 8.2 Another key risk to the continued progression of the Local Plan through examination may stem from the organisational capacity to incorporate unexpected additional work arising from the examination process, the commencement of the new style local plan 'Horsham District 2045' and potential impact on other projects such as the capacity to support Neighbourhood Plans (albeit the latter has been mitigated through the procurement of external resources). Careful work programming has been carried out by the Planning Policy team to ensure streamlined processes are in place and therefore minimise this risk as far as is possible.
- 8.3 As set out elsewhere in this report, the provisions of the Planning and Compulsory Purchase Act 2004 (as amended by the Levelling-up and Regeneration Act 2023) and the Town and County Planning (Local Planning) (England) Regulations 2026 require that Horsham District Council commences plan making on a future local plan to cover the period beyond 2040. Until this plan is adopted, the Council will therefore have two local plans undergoing preparation simultaneously. Whilst this

has arisen due to legislative requirements, it is nevertheless considered that there is considerable risk of confusion by stakeholders between the two plans, and understandable queries from the community as to why the Council is working on two local plans at once. This issue has been mitigated as far as possible by having a distinct name for the new style plan, 'Horsham District 2045', clear consultation material and utilising separate methods of communication for each (such as different emails) and FAQs.

- 8.4 This document sets out what the Council considers to be the Main modifications necessary to make the plan sound. Following publication of the documentation, and as part of the examination process, there is potential for the Inspector to provide additional views or guidance - for example that some modifications are not required for soundness of the plan. In such circumstances the Council would still continue to consult on the modifications but would do so as 'additional modifications'. To manage this potential risk delegated authority to amend the format of the main modifications has been requested to cover off this eventuality should it be necessary.

9. Procurement Implications:

- 9.1 There are no direct procurement implications arising from this report. It has been necessary to procure additional advice and evidence base updates to support the proposed modifications set out in Appendix 1. The procurement has been undertaken in accordance with the Council's procurement policies.

10. Equalities, Human Rights & Public Sector Equality Duty Considerations:

- 10.1 The Equality Act 2010 is concerned with discrimination in respect of specific "protected characteristics" being age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Public Sector Equality Duty requires local authorities to have due regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity between different groups and foster good relations between different groups.
- 10.2 The preparation of the Local Plan and any required consultations have been and will continue be undertaken with regard to the requirements contained in the two aforementioned statutory provisions. For example, the consultation materials and facilities for submitting representations will be made available through a range of channels, including online access, hard copies and, if required, in-person support at Council offices. The Inspector will also consider whether he considers that the Council has met its legal obligations as part of the examination.
- 10.3 An Equalities Impact Assessment (EqIA) has been undertaken to ensure that the impact of the plan on race, disability, gender including gender reassignment, age, sexual orientation, pregnancy and maternity, religion or belief has been considered. This document was submitted to the Secretary of State and forms part of the suite of examination documentation.
- 10.4 It is recognised that the identification of additional allocations of land for houses together with changes to the development management policies set out within the

plan have the potential to impact the initial conclusions of the EqAI. This update is set out in the Councils updated evidence base referenced in paragraph 1.19. In broad terms however, the allocation of additional land for housing will ensure the ongoing provision of homes including for those with protected characteristics. The allocation of additional land also increases the provision of sites to provide for the identified housing needs of Gypsies and Travellers within Horsham District.

- 10.5 Given that the amended policies remain subject to consultation and further amendment on the recommendation of the Planning Inspector, the impact of the plan on those with protected characteristics will continue to be kept under review.
- 10.6 The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to. These rights have been considered during the preparation of the Local Plan and it is considered that no adverse implications on human rights will arise as a result of the eventual formal adoption of the Local Plan.

11. Environmental Implications:

- 11.1 The environmental implications of the amendments to the Local Plan have been considered through both the Habitat Regulations Assessment and Sustainability Appraisal outlined earlier in this document. In addition, the Council has undertaken a revised Sequential and Exception Flood Risk Test for the revised list of sites proposed for allocation. This documentation can be viewed from the link provided in paragraph 1.19. These have informed the recommendations as to the potential site allocations and updated policy amendments to ensure that no further harm to The Mens woodland will arise during the plan period.
- 11.2 Notwithstanding the assessments outlined above it is however noted that the amendments to the climate change policies and the proposed amendment to the biodiversity policy to require 10% biodiversity net gain (BNG) rather than 12% in the submitted plan have the potential to reduce the environmental benefits of the plan.
- 11.3 These changes have been necessary to ensure that the plan accords with the emerging NPPF which is expected to be published later this year. With regards to climate change policies, many of the requirements to ensure increased energy efficiency of buildings and reductions in carbon will be delivered through the building control regime and in accordance with national standards, rather than through the planning system.
- 11.4 Whilst the reduction in BNG targets is disappointing, it is nevertheless considered that there remain considerable opportunities to deliver nature restoration across Horsham District, for example as part of its Wilder Horsham District initiative and in embedding the Local Nature Restoration Strategy recently completed by West Sussex County Council. Outside the planning system there therefore continues to be significant and ongoing opportunities to protect and enhance ecosystems across the whole of Horsham District. Horsham District Council is already actively engaged in these projects.

12. Other Considerations:

- 12.1 There are no direct crime and disorder consequences arising from the content of this report. Comments submitted to the Council as part of the representation period will be processed in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation.

13. Urgency:

- 13.1 This decision is being treated as urgent on the basis that any delay in its implementation would pose a risk of harm to residents and/or prejudice the interests of the Council given the Council would not be able to meet the Local Plan Inspector's timetable for consultation on the Main Modifications. The associated work – requiring substantial technical input - was not ready to be presented to the Cabinet prior to the date of this report.