

Horsham District Local Plan Hearings 2026

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Matter 1: The Housing Requirement

For (just over) a 4 year period, planning permissions for housing development in Horsham District were severely curtailed by the requirement to abide by the Natural England (NE) position statement of September 2021. Not to properly comply with this directive would have resulted in breaches of various Habitat Regulations i.e. the law could well have been broken.

As a consequence, housing delivery in Horsham District, where virtually 100% of the area was subject to this 'embargo', was significantly reduced for the 4 planning years running from 1/3/2022 to 31/3/2026 i.e. appropriately starting/finishing (approximately) 6 months after the NE beginning/end announcements.

For Plan Making, at paragraph 11 b) i of the NPPF23, this scenario is specifically catered for as a legitimate constraint in not meeting 'calculated' housing need.

But, despite this clear and valid exception, both of the 'performance tests' in the NPPF (HDT for delivery & 5-year-land for supply) fail to take this exceptional situation into account. This has resulted in the penalty of 'presumption' being somewhat unreasonably applied to Horsham district. Bluntly put, to avoid the NPPF penalties HDC would have to have ignored the NE directive and potentially broken the law.

So, now that the district has exited the water neutrality period, the emerging local plan (the HDLP) needs not only to plan for the future, but also ensure that the severe restrictions of these past water neutrality years are taken into account and addressed in the metrics submitted.

HDC has rightly noted that the first 3 years of the plan period proposed sit within the water neutrality period affecting delivery and proposed that the plan housing requirement for each of those 3 years be set to equate to the number of homes actually delivered. See Table 2 of Topic Paper: Housing Supply and Headroom – Matter 2.

This seems a reasonable approach in that (arguably) to have delivered any more homes in those years would have been unlawful and also that the NPPF (as previously noted) states this as a valid reason not to meet calculated need.

It is unfortunate that the plan was not set to start a year earlier i.e. from 1/4/2022 as then all 4 water neutrality years could have had the requirement so 'retrospectively' adjusted.

This is of some concern because the 2023 (latest published) HDT result is hugely affected by the application of an unconstrained need target to a year that was massively constrained by the NE water neutrality directive.

The HDT metrics for that year 2022/23 (the omitted year) are:

- 1098 – Homes Required
- 396 – Homes Delivered
- 37.7% - Delivered/Required percentage for this year alone

As this highly constrained year for housing is not included in the HDLP, thereby attracting a proposed adjusted requirement, then the figures above will feature in the HDT results until the 2026 version, when they would finally drop out of the rolling 3 year calculations.

This means that HDT results will remain below 75% (consequence of presumption) for some time, maybe a year or more, even after the HDLP is adopted.

This gives the highly undesirable outcome that the HDLP could be approved by the inspector (with necessary modifications) having satisfied the 5-year land supply checks (with appropriate buffer), adopted by the council and yet still have universal 'presumption' applicable for decision making. (Accepting of course that the December 2025 NPPF proposals have 'presumption always on' in specific decision making circumstances).

This situation is not, I would respectfully suggest, what the community expects when a new local plan is adopted, having been 'signed off' by a planning inspector. It could be seen by the community to bring the whole plan making process into disrepute.

To further reinforce how unacceptable this would be can I draw reference to the Inspectors response in 'Inspector's comments on DM policies and the HDS (*sic*) schedule of expected mods (JB01)' where against 'Strategic Policy 14' it is noted 'Development under S5.1.j. can be avoided if the Council has enough supply headroom above its housing requirement'. Unfortunately the HDT legacy explained above means that this will not actually be the case until the 2026 HDT is published. Given the failure of MHCLG to publish the HDT results in a timely manner this could be some considerable time after potential adoption of the HDLP.

What should be the minimum Housing Requirement for the Plan ?

Examination of the figures proposed by HDC shows that for the first 3 years of the plan (in aggregate) there would be:

1242 - Total Delivery (accepting that year 2025/2026 is currently estimated)

2605 – Total Horsham Unconstrained Need (890 + 896 +819)

663 – Crawley Unmet Need (3 x 221)

HDC quite correctly proposes that for these years the Requirement be set to match actual delivery. As justification, at paragraph 11 b) i of the NPPF23, this scenario is specifically catered for as a legitimate constraint in not meeting 'calculated' housing need.

For the 14 remaining years of the plan (commencing 1/4/2026) with the water neutrality embargo removed, it is to be expected that Horsham District should, as a minimum, meet its own need. So, for these 14 years the Requirement should (as a minimum) equate to its need calculation for those years.

Looking at the figures supplied by HDC in the paper 'Housing Requirement Topic Paper: Matter 1' I would challenge Table 6 in that it somewhat confuses need/requirement.

It should instead be:

Years 1-3

- 2605 - Total Calculated Need (890+896+819)
- 1242 – Total Requirement (452+320+472)

Years 4-17

- 11466 – Total Calculated Need (14x819)
- 11466 – Total Requirement (as a minimum to match calculated need)

So, 12,708 Total Plan Requirement for Horsham for all 17 years

Plus

3,757 for Crawley

16,465 Overall (minimum) Plan Total Requirement

It does not seem at all correct (as HDC has done) to carry forward a shortfall of need (in those first 3 years) having legitimately set a lower requirement arising from the heavily constrained water neutrality period.

But there will be those that argue that the housing need for those years has not gone away, and that it should somehow be taken into account.

I do have some empathy with that point but, as proposed, the LHN for the remaining 14 years of the plan is subsequently calculated by utilising the standard method which automatically takes into account past under delivery anyway.

The relevant PPG states: The affordability adjustment is applied to take account of past under-delivery. The standard method identifies the minimum uplift that will be required and therefore it is not a requirement to specifically address under-delivery separately.

Paragraph: 011 Reference ID: 2a-011-20190220 Revision date: 20 02 2019

There is therefore a case to be made for calculating the LHN at 1/4/2026 in order to apply the very latest affordability metrics. If this were done then the SM baseline for these years would be 823 per annum (rather than 838 – the 1/4/2025 figure).

(N.B. For the Mid-Sussex plan examination Inspector Bore wrote in IDJB-12 (24/3/2026) “The plan is being examined under the September 2023 National Planning Policy Framework and the starting point for local housing need (LHN) is the figure derived from the LHN formula that existed at that time” and went on to sanction “using the most recent evidence for inputs” as the appropriate

starting point for the LHN calculation for future years (for Mid Sussex this was '2025 onwards'). For consistency, the Horsham plan should follow this approach in calculating its LHN for future years i.e. '2026 onwards'.

In any event 'under delivery' is, to the best of my knowledge, calculated as any under delivery of Requirement, not of Need. If Requirement is legitimately set lower than Need then 'under delivery' means failure to meet Requirement.

So Table 6 as presented by the Council is flawed in effectively carrying forward unmet need. The correct calculation of Requirement is, using the principles explained, 16,465 and not 17,828. It is however fully accepted that this is a minimum.

So, the minimum overall plan housing requirement should be:

16,465 representing 12,708 for Horsham and 3,757 for Crawley

However if, as proposed, we should be using the most recent evidence for inputs then this is further adjusted as follows:

$14 \times (838 - 823) = 210$ minus 2.3% SDNP = a difference of 205

16,260 representing 12,503 for Horsham and 3,757 for Crawley

The following spreadsheet pdf shows an **example** (for the 14 future plan years from 1/4/2026) as to how 'satisfactory' figures might be achieved following the above logic and also using the latest inputs to the 2023SM. N.B. The initial 3 years are not shown as there is no c/f of under supply of (requirement) and requirement in those 3 years could not include any of Crawley's taken need (so the 14 future years incorporate 100% of the now proposed taken need from Crawley)

Amongst other points, it shows that there is an overall supply shortfall (against Requirement) of almost 1,000 homes which should be manageable.

Analysis of Housing Metrics from 1st April 2026 to 31st March 2940

The Minimum Requirement in these 14 years is 16260 minus 1242 being the Requirement of Years 1-3 i.e. **15018**

	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	36/37	37/38	38/39	39/40			
CBC	268	268	268	268	268	268	268	268	268	268	268	268	268	268	3752		
HDC	823	823	823	823	823	823	823	823	823	823	823	823	823	823	11522		
																SDNP Adjust	
																-265	2.30%
																Total Need	
																15009	
Supply	637	1047	1340	1264	1160	1043	1129	1200	1023	980	898	865	850	750	14186		
																	Average
Reqd ??	743	743	743	743	1218	1218	1218	1218	1218	1218	1218	1218	1218	1218	15152	1082	
...CBC	268	268	268	268	268	268	268	268	268	268	268	268	268	268	3752	268	
...HDC	475	475	475	475	950	950	950	950	950	950	950	950	950	950	11400	814	

The proposed taken need from CBC of 3752 (50%) is all included and evenly spread over 14 years

The projected supply is 14186

Setting Requirement for HDC at 475 for 4 years and then stepping up to 950 for 10 years gives an overall Requirement of 15152

The Supply shortfall is therefore 966 homes v Requirement of 15152

This would give an annual average requirement of 1082 (over the 14 years) that would exceed 80% of the LHN as calculated under latest NPPF (80% of 1338 = 1070)

HDC total requirement of 11400 is greater than HDC Need of 11522 minus 265 SDNP = 11257. So HDC meets own need in full.