

Examination of the Horsham District Local Plan 2023-2040

Inspector's questions concerning the proposed main modifications and the site allocations

Please will the Council respond to the following questions by Friday 25 September 2026.

If changes to the text of the submitted plan or main modifications are needed in response to any of the questions below, the Council are encouraged to propose a simple alteration to the policy or explanatory text that does not change the effect or force of the policy.

Policy questions

MM38, para 4.37: in the sentence "This policy also provides the context... should arise" the word "further" should be omitted, as in "further shortfall". The plan does not provide for a shortfall.

MM39, Strategic Policy 3: to ensure that adequate control is still exercised over development outside settlements following the deletion of Criterion 1, Criterion 2 needs to say "The level of expansion is appropriate to the scale and function of the settlement type and development is well related to the settlement and to transport facilities". Criterion 3 needs to be changed to say "The development is demonstrated to meet evidenced unmet local housing needs or..."

MM47, paragraph 5.12 and MM58 Strategic Policy 8: there needs to be some recognition of the potential to re-use material and structures so I suggest that in place of the deleted paragraph, and also as part of Strategic Policy 8, the plan should say "take advantage of opportunities to reuse existing structures and materials" which is an expression from Policy CC2 (1) (d) of the 2026 NPPF.

MM59, Strategic Policy 9. I question whether it is necessary or effective to say "Should tighter national standards be introduced during the Local Plan period applicable for areas of serious water stress, they will be applied." It is not clear how this would work in practice for sites allocated in the plan which are being brought forward under present standards, or sites with extant planning permissions. Should standards be tightened, any transitional arrangements are likely to be contained within the Building Regulations so this sentence should be omitted.

MM61, Strategic Policy 10: the policy should have an addition which recognises the potential for site specific flood and hydraulic modelling to inform the developability, design and layout of a site. (See the representation from Homes England).

MM67, paragraph 6.16: the contents of this paragraph do not belong here because there is nothing in Strategic Policy 12 that refers to The Mens SAC. The text belongs in the preamble to Strategic Policy 17.

The representation from Natural England to MM67 is noted but their proposed wording carries the potential for the triggering of a sudden blanket moratorium on development pending the production of a further mitigation strategy (when one already exists). This is not helpful in a local plan that is meant to meet the District's needs to 2040. I would add that using ANPR to count the number of EVs appears to be a blunt proxy for monitoring emissions because it does not account for emissions reductions working their way through the fleet as a result of past progressive tightening of emissions regulations. The Habitats Regulations contain their own safeguards because development would not be able to proceed if it failed to address likely significant effects to the integrity of the SAC, and Strategic Policy 17(13) requires an HRA and AA

in appropriate circumstances. The Council's policy as modified by MM67 is broadly similar to the Epping Forest Plan's approach which was found sound at examination. I suggest the following, which is very close to the wording in Policy DM2 of the Epping Forest Local Plan:

"New development for which it is not possible to conclude no adverse effect on the integrity of The Mens SAC either alone or in combination with other plans or projects, will not be permitted. Where development would have likely significant effects, mitigation measures will be required to ensure that it will have no adverse effect on the integrity of the area. In designing mitigation measures, regard should be had to the Horsham and Chichester Local Plans Air Quality Strategy (AECOM, September 2024) which sets out actions to ensure there is no adverse effect on the integrity of The Mens SAC, especially from ammonia pollution. (Then carry on with MM67.) I would also make the point that the critical parts of MM67 including the first sentence of the suggested wording above should appear in Strategic Policy 17 itself. The Council are invited to comment, preferably in consultation with Natural England, to reach a constructive outcome.

MM76, MM77 and MM78: the 2026 NPPF allows for biodiversity enhancements which exceed the statutory objective for biodiversity net gain if they are set out for specific site allocations, but I do not consider that there is sufficient evidence to support a blanket 12% and the proposed modifications, which refer to "at least 10%" are therefore satisfactory.

MM82, paragraph 7.3: I suggest the Council use the passage from the NPPF which states [Public Spaces] include spaces that are safe, secure, inclusive, and accessible for all ages and abilities, including for groups such as women and girls; and which facilitate and encourage social interaction, play and healthy lifestyles.

MM84: Strategic Policy 19: should there be an addition which refers to the need to have regard to the space requirements of utilities?

MM84: Strategic Policy 19 1(f) is not entirely effective because it does not recognise that these tree and landscape features will often become part of the development, and also will not always be of good quality or in the right place to make the best use of a site. Would it be more effective to say "Retains existing good quality landscape belts, trees, hedgerows and watercourses where they contribute to the character of the landscape or where they will enhance the quality of the development".

MM90-MM93: Strategic Policy 23: I should like the Council to consider whether further clarification (as a minor modification) would be useful in the background text in respect of the statutory duties of the water authorities, drainage authorities and other statutory undertakers.

MM93, Strategic Policy 23: in addition to the above, an issue has been raised about how impacts outside the District's boundaries (such as on Crawley) would be mitigated, or improvements funded, in the circumstances where the funding was intended to be from Horsham's CIL. Please can the Council provide an explanation for this and consider whether there needs to be a brief reference to the matter in the supporting text. Also, should there be a list of projects that the Council intend to be funded from CIL?

MM91, paragraph 8.6: there is no need to refer to "Grampian" A reference simply to "conditions" will suffice since there may be a number of possible approaches in the circumstances.

MM96-MM97, Strategic Policy 24: do the Council think it is necessary to refer to connections to networks beyond the District, in the interests of effectiveness?

MM107, Policy 28: the policy tends to conflate the open space/recreation criteria with those for other community facilities. It is suggested that the Council inserts the policy as set out in paragraph 103 of the December 2023 NPPF.

MM121, Strategic Policy 30: (i) should the Thakeham Mushroom Site be protected for employment purposes? (ii) Should the Thakeham Tiles site be shown as outside the settlement boundary?

MM127, Policy 32: should the policy contain a requirement to survey for protected species to ensure consistency with paragraph 9.34?

MM249, MM250, MM256, MM261, definitions: should the definitions be based on the titles in the NPPF glossary?

Site specific questions

HA6 Barns Green

To what extent would the submitted plan and main modifications differ from the Neighbourhood Plan and how would the two work together in the future?

Site BGR 1: I understand that planning permission has been refused for the development of this site. What does the Council expect of development here and does Policy BGR1 accurately and fairly reflect those expectations?

Site BGR4: MM230 requires the use of the southern section of the site for sport and recreation. Is this in excess of what is required to make the development acceptable given the numerically small size of the allocation? Can the Council's offer a simple text amendment / explanation to set out its expectations here?

HA8 Cowfold

To what extent would the submitted plan and main modifications differ from the Neighbourhood Plan and how would the two work together in the future?

Under the first part of Strategic Policy HA8 the total number of homes would be 170, not 100.

Site CW3, MM232: What are the Council's expectations regarding the design of development on this site, how through design it might be integrated with the village, adequately address the recreation ground and avoid appearing as a separate and isolated scheme? Can the Council's offer a simple text amendment / explanation to set out its expectations here?

HA12 Partridge Green

What is the Council's response to the WSCC representation seeking contributions to mitigate impacts on the A272/A281 roundabout?

Site PG4, MM237: Under criterion (b), what is meant by "enhance connectivity with"? If there is no direct access to RoW 2800 how would a proposal comply?

Jonathan Bore

INSPECTOR

7 September 2026