



Examination Statement

Prepared on behalf of Bellway Homes Ltd and Crest Nicholson (Representor Number 1194442)

Land East of Billingshurst

Horsham District Council Local Plan
Examination in Public

Matter 4: Conserving and Enhancing the Natural Environment

Examination Statement – Horsham District Local Plan

Land East of Billingshurst



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Appendices

Appendix A – Glossary

1. Introduction

- 1.1. This Examination Statement has been prepared by Savills, on behalf of Bellway Homes ('Bellway') and Crest Nicholson ('Crest'), to respond to the relevant questions the Inspector has raised in relation to **Matter 4**. Bellway and Crest are the joint promoters for the draft strategic allocation Land East of Billingshurst (otherwise referred to as 'the Site' or 'the Promotion').
- 1.2. Prior to the submission of the Horsham District Local Plan (HDLP) to the Planning Inspectorate for examination, Bellway and Crest have participated in the formal consultation of the Local Plan at Regulation 18 (R18) (April - May 2018) and Regulation 19 (R19) stages (January - March 2024). The respondent ID is 1194442.
- 1.3. As evidenced within the R19 representation, Bellway and Crest confirmed their general support for the emerging Local Plan and the representation should be read alongside this Examination Statement. It is therefore considered that the Plan is broadly supported subject to minor objections with regards to the wording of the emerging policies. Overall, the Plan is currently not considered sound given its failings in positive preparation, effectiveness and consistency with national policy (due to technicalities including the approach to water neutrality and that it does not appropriately account for identified housing need in accordance with the Standard Method).
- 1.4. As per the area of the emerging allocation HA4, the location of the Site, its surroundings and the development vision have been set out in detail at the R18 and R19 consultations and have therefore not been reproduced in detail for this statement. For the avoidance of doubt, this includes the land being promoted by Crest and Bellway and the approved Amblehurst Green development which all sits within the area of the emerging allocation HA4.
- 1.5. For the avoidance of doubt, any policies referred to within this Statement relate to the emerging Local Plan unless otherwise stated.

2. Response to the Inspectors Questions

Matter 4 – Conserving and Enhancing the Natural Environment

Issue 1 – Whether the approach to environmental protection and air quality is justified, effective, consistent with national policy and positively prepared?

Q2 - Is Strategic Policy 12: Air Quality sound? a) Is it necessary for proposals to take account of relevant guidance and other development plan policies? b) Should this policy specifically reference the Air Quality Management Areas and does this policy or any parts of it have a geographical application which should be identified on the submission Policies Map?

- 2.1. Since the Regulation 19 consultation in March 2024, HDC have uploaded further documentation to their evidence base which has not been consulted on. This includes SD09 - Habitats Regulations Air Quality Addendum (September 2024) and SD10 - Habitats Regulations Assessment Air Quality Mitigation Strategy (September 2024) prepared by AECOM.
- 2.2. SD09 has assessed the potential impact of the projected housing growth on the air quality across the District for protected species and habitats. It was concluded within the Addendum that no adverse effect on the integrity of the Mens Special Area of Conservation (SAC) will arise from nitrogen deposition or NOx in the atmosphere, despite the forecasted increase in traffic flows. The Mens SAC is located approximately 5.4km west of the Site and a range of measures will be incorporated into the Promotion to encourage the use of sustainable transport methods. These measures will be in line with those proposed in document SD10 and criterion 5 of Strategic Policy 12. A future planning application(s) on the site Promotion land, will of course, be supported by a EIA and further transport / air quality assessment.
- 2.3. The Site is arguably the most sustainable greenfield site allocation within the HDLP, located on the eastern edge of Billingshurst's built up area boundary and within a short walking distance of Billingshurst train station. Furthermore, due to the Site's location on the eastern edge of Billingshurst, it is expected that future traffic flows from the Site will primarily travel to the north and east of the Site towards the A23/A24, Brighton Horsham, Haywards Heath, Gatwick respectively (locations of employment) and therefore away from the Mens SAC.

- 2.4. Secondly HDC currently has two Air Quality Management Areas (AQMA) due to the recognition of elevated levels of NO₂ near the main roads and villages. These are located in the town centre of Storrington and the village of Cowfold located circa 11km and 12km from the Site, respectively. Therefore the Site is located at a significant distance from these AQMAs and is not subject to an Air Quality Action Plan.
- 2.5. Overall Bellway and Crest consider Strategic Policy 12 to be sound and support the importance of managing air quality however, for greater clarity, the policy should look to separate the requirements for future proposals located within an AQMA from those that are not.

Issue 2 – Whether the approach to the natural environment, biodiversity, landscape, coalescence, countryside, green and blue infrastructure and local green space is justified, effective, consistent with national policy and positively prepared?

Q1 - Is Strategic Policy 13: The Natural Environment and Landscape Character sound? a) Are the words “inappropriate development” in the opening paragraph effective? b) Is “where practicable” in criterion 2 consistent with national policy?

- 2.6. As set out in the submitted R19 representations, Bellway and Crest are supportive of this policy and therefore consider it to be sound.
- 2.7. Amended wording of criterion 2 is proposed by HDC, as set out in the Schedule of Suggested Modifications (SD14), to reflect the increasing importance to be given to biodiversity and nature based solutions:
- “2. Maintain and enhance the Green Infrastructure Network, the Local Nature Recovery Strategy and National Nature Recovery Network and, ~~where practicable~~, help to address any identified needs and deficiencies, these networks across the District;”*
- 2.8. Bellway and Crest have no further comments to make on this proposed amendment and have demonstrated throughout the Promotion of the Site (Strategic Policy HA4), that the future development proposal will be landscape led to ensure there is no substantial harm to the landscape character.

Q5 – Is Strategic Policy 17: Green Infrastructure and Biodiversity sound? a) Does “Green Infrastructure” mean “Green and Blue Infrastructure”? Are main modifications needed to address this? b) Is the requirement for relevant development proposals to deliver at least a 12% biodiversity net gain justified and effective? c) Are the requirements for off-site biodiversity net gain justified? c) Is criterion 7 effective? d) Is criterion 8 consistent with national policy and legislation?

- 2.9. The drafted 12% BNG requirement is above the national requirement of 10% brought into force by Schedule 7A of the Town and Country Planning Act 1990 (as amended). The Government considers 10% to be sufficient to ensure that net gains in biodiversity are achieved and address the requirement set out in paragraph 180(d) of the NPPF for development to ensure net gains in biodiversity. It could therefore be argued that a requirement to go beyond the 10% minimum set out in legislation is unjustified and inconsistent with national policy as it is not required to make development acceptable in planning terms.
- 2.10. As part of the Schedule of Modifications (SD 14) proposed by HDC to the R19 Local Plan, all references to ‘green infrastructure’ are to be amended to refer to ‘green and blue infrastructure’ including the policy title. The modification proposed by HDC is to clarify that opportunities to enhance and consider the water environment are reflected.
- 2.11. Bellway and Crest would advise that it may be beneficial to include additional commentary on HDC’s blue infrastructure strategy within the supporting text for this policy. This will help to provide clearer guidance on what is expected from future development and how they should look to incorporate blue infrastructure as part of their proposals. In regard to the Site, there are no existing water features located where residential and community development is proposed and the Promotion will incorporate Sustainable Drainage Systems (SuDS) to manage surface water flows.
- 2.12. Furthermore policy criterion 8 has been amended to state the following:
- “Proposals must give appropriate consideration to protected, priority and notable species. They will be expected to protect populations of protected, priority and notable species and seek to aid their recovery, and must conserve, restore and enhance priority habitats, and should create and manage appropriate new habitats, taking into account pollination, where practicable.”*
- 2.13. Bellway and Crest have no comments to make on this proposed amendment.

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2.14. Overall Bellway and Crest maintain their objection to this policy in principle given its lack of inconsistency with national policy and guidance. In order to make Strategic Policy 17 sound, the BNG requirement should be set at a minimum of 10%. No compelling local reasons have been advanced as to why HDC should be different to the national standards.



3. Conclusion

- 3.1. This Examination Statement for Matter 4 has been prepared by Savills, on behalf of Bellway and Crest with regards to representation 1194442. Bellway and Crest are promoting Land East of Billingshurst (Strategic Policy HA4) but have also provided responses to the Inspector's questions in relation to Strategic Policies 12, 13 and 17.
- 3.2. Overall, the changes Bellway and Crest are seeking to the HDLP are to lower the BNG target in Strategic Policy 17 from 12% to 10% in line with national guidance and lack of robust evidence to support 12%. Alongside other minor amendments that have been raised as part of this Examination Statement and the R19 representation.

Appendix A

Glossary

GLOSSARY

BNG	Biodiversity Net Gain
HRA	Habitat Regulations Assessment
WSCC	West Sussex County Council
LLV	Local Landscape of Value
HDC	Horsham District Council
HDPF	Horsham District Planning Framework
DHDLP	Draft Horsham District Local Plan
NPPF	National Planning Policy Framework
R18	Regulation 18
R19	Regulation 19
RP	Registered Provider
SA	Sustainability Assessment
SHELAA	Strategic Housing and Economic Land Availability Assessment
SSSI	Site of Special Scientific Interest
SuDS	Sustainable Drainage Systems
SNOWS	Sussex North Offsetting Water Scheme
SNWRZ	Sussex North Water Resource Zone
5YHLS	Five-year Housing Land Supply

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