Planning Inspectorate

Examination of the Horsham District Local Plan 2023-2040

Inspector: Jonathan Bore MRTPI

Programme Officers: Kerry Trueman, Ian Bussey

Telephone: 07582 310364

Email: programmeofficer@horsham.gov.uk

Address: Pendragon House, 1 Bertram Drive, Wirral, CH47 0LG

Website: https://www.horsham.gov.uk/planning/local-plan/local-plan-examination

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Dear Mrs Howe

I am writing in connection with the examination into the soundness and legal compliance of the Horsham District Local Plan 2023-2040, which was submitted for examination on 26 July 2024. As you know, I have just completed week 3 of the hearings and do not anticipate the need for any further sittings. This letter sets out my conclusions at this stage of the examination.

Background

The plan as submitted for examination did not meet the District's local housing needs in full and did not assist in meeting the unmet housing needs of neighbouring authorities. It was produced in the context of Natural England's Water Neutrality Position Statement (September 2021) which advised that any new development in the Sussex North Water Supply Zone must not increase overall water use in the region to avoid potential adverse effects on the Arun Valley Special Area of Conservation, Special Protection Area and Ramsar Site. The Council considered at the time that, having regard to paragraph 11b(i) of the Framework, the application of policies in the Framework that protect areas or assets of particular importance provided a strong reason for restricting the overall scale of development in the plan area.

The examination began with Mr Luke Fleming as the appointed Inspector, but the hearings which commenced on 10 December 2024 did not proceed beyond the first week because the Inspector had concerns that the legal Duty to Cooperate had not been met. These concerns related to the degree of cooperation between stakeholders in attempting to address the impacts of the Water Neutrality Position Statement. Mr Fleming informed the Council of this in an interim findings letter dated on 4 April 2025.

However, on 31 October 2025, Natural England wrote to the Council announcing that the Water Neutrality Position Statement was to be withdrawn. Then, through a Written Ministerial Statement issued on 27 November 2025, the Government announced its intention to remove the Duty to Cooperate. The Duty to Cooperate was removed from the local plan system on 25 March 2026.

This enabled the examination to continue and provided the opportunity to reconsider the plan's housing requirement. On 28 January 2026 I was appointed to examine the plan in place of Mr Fleming and decided to conduct the examination afresh.

April 2026 hearings

I held a first week of hearings from 21 April 2026 to 24 April 2026 to consider the plan's housing requirement, unmet housing needs in nearby authorities, affordable housing, housing supply and headroom, homes to meet the needs of all the community, and business and industrial needs.

Following the hearings, I wrote to the Council on 5 May 2026 (IDJB05) setting out my interim conclusions and action points, including advice on the figure for local housing need and the contribution to be made by Horsham District towards meeting the unmet housing needs of neighbouring authorities. The key points in my letter were as follows.

- The plan should meet local housing need in full, calculated using the methodology that existed at the time of the September 2023 NPPF and updated using the most recent evidence.

- The plan should accommodate half of the unmet housing need from Crawley as identified in its local plan, the other half being accommodated in Mid Sussex District.

- The plan should include an allowance for some of the unmet housing need arising on the south coast.

- The housing requirement should follow a stepped trajectory, starting low to reflect the depressed level of housing supply arising from Natural England's Water Neutrality Position Statement, but rising over time in anticipation of a recovery in housing supply.

- In order to meet the housing requirement, the plan should identify a range of additional housing sites which should be incorporated into a draft Schedule of Main Modifications and published for consultation.

There were a number of other policy points listed in my letter.

To meet the housing requirement, the Council carried out a site assessment update (HDCJB14) to identify additional sites and updated the evidence base (the HDCJB series of documents on the examination website).

Draft main modifications

Main modifications are changes to the plan that are necessary to make it sound. Taking my initial findings into account, the Council produced a draft Schedule of Main Modifications (HDCJB29) and published it for consultation for 6 weeks from 13 July 2026 to 24 August 2026. The Council carried out an updated Sustainability Appraisal (HDCJB13) and Habitats Regulations Assessment (HDCJB12) in respect of the draft main modifications.

The schedule included a main modification to Strategic Policy 37 (MM147) to raise the plan's housing requirement to 18,712 homes for the plan period to 2040, setting out a stepped trajectory and introducing new site allocations. It also included main modifications to the supporting text (MM133 to MM146) to explain the various components of the housing requirement, including local housing need and the contributions to be made towards meeting unmet housing need from neighbouring local authority areas.

The proposed main modifications to the housing requirement were all as discussed during the April hearings, and they reflected the interim conclusions in my letter of 5 May 2026, so it was not necessary to hold further hearings into these matters. The same applied to policies for affordable housing, housing for different groups and policies to meet business needs. There had been a separate written dialogue with the Council on the subject of the plan's development management policies (IDJB04, IDJB05 appendix, IDJB09), the outcome of which was also reflected in the Schedule of Main Modifications.

October 2026 hearings

The spatial strategy and specific site allocations in the submission plan had not been considered in the April 2026 hearings, nor of course had the proposed new site allocations which were introduced by the draft Schedule of Main Modifications. Therefore, having considered all the representations, I held a further two weeks of hearings from 13 October 2026 to 22 October 2026 to consider these matters. These hearings focused on the larger sites; I sent a set of questions to the Council about the smaller site allocations that were not the subject of the hearings (IDJB09, IDJB10) to which the Council responded (HDCJB24).

The hearings were attended by many participants representing different stakeholders' views. John Milne MP and Andrew Griffith MP made statements at two of the sessions. Through this letter, I should like to thank all the participants, including the residents from different communities and the representatives from different organisations and companies, for their assistance at the hearings and their high quality evidence. Not least, I should like to thank the Council for carrying out, within a demanding timetable, a substantial volume of additional work on site assessment and selection, habitats regulation, sustainability appraisal, transport assessment and other subjects.

Conclusions at this stage of the examination

Housing requirement

Having carefully considered the updated evidence base, I consider that the proposed updated housing requirement and trajectory set out in the main modifications (Strategic Policy 37, MM147) are sound, as is the approach towards affordable housing provision, housing for all the community, business development and the development management policies. I will deal with these matters in more detail in my report. The updated housing requirement has formed an appropriate basis for the updated spatial strategy and site selection process.

Spatial strategy and the site selection process

The plan's spatial strategy (including that of the main modifications) distributes development in a logical way to meet the plan's housing requirement. Taking into account existing large commitments, it concentrates the greatest amounts development in locations with good access to services and facilities, including sites close to Crawley, and smaller amounts of development at the lower tier towns. To help to meet the raised housing requirement, the main modifications seek to create a new freestanding settlement of sufficient size to support its own range of services and facilities. The plan addresses understandable concerns about the need for schools, health and other social facilities by locating most development near to facilities or public transport routes and by including policies that require land and contributions towards the provision or improvement of these facilities where appropriate, thus helping to limit the need to travel.

This is an appropriate way to address housing and community needs, movement impacts and climate change.

The spatial strategy also makes appropriate use of the existing road network and existing public transport services. Road congestion at peak times including school traffic is a fact of life but I am satisfied from the evidence that, accounting for the cumulative effects of development, the road network would operate effectively, subject to the junction mitigation measures and active travel interventions described in the plan and the main modifications.

The allocated sites are almost all on greenfield land because there is very limited scope to use brownfield land in the District to meet housing need. But the plan contains strong policies to avoid substantial harm to heritage assets, designated and valued landscapes, habitats and protected species. Those policies ensure that appropriate studies into, for example, landscape, heritage, ecology or habitats, are carried out at the planning application stage. The plan's policies also require masterplans to be produced for the larger sites, in which these important factors would be considered in the round.

Having read the evidence base, including the Habitats Regulations Assessment (SD03), the Sustainability Appraisal (SD07), and their respective updates (HDCJB12 and HDCJB13), I have concluded that the plan overall has met its range of requirements in respect of legal compliance, including the need to align policies with

neighbouring districts. More specific legal requirements including matters related to protected habitats and species have been considered in relation to individual site allocations.

The Council have considered reasonable alternatives supported by proportionate evidence. Some have called for much more detailed studies at this stage. However, for the plan-making process and examination to be effective and timely, the evidence supporting the plan must be proportionate. Detailed site-specific evidence on relevant matters is normally submitted with planning applications.

It is a commonplace and perhaps inevitable aspect of plan-making that some potential development sites will score well against certain site selection and sustainability criteria but will not be included in the plan. The sustainability appraisal informs the selection process, but site selection is not a technocratic scoring exercise and the Council as an elected body are entitled as far as is reasonable to take into account their own local knowledge and objectives – such as the desirability of providing a new secondary school in a particular location. The evidence that I have seen and read during the course of the examination does not suggest that the site selection process is unsound.

Whilst I have noted concerns about the supply of utilities, it is for the statutory undertakers to work with the Council and developers and to organise their programmes and capital investment to support the future planning of the District. The Council have engaged adequately with service providers over the course of plan preparation and during the site selection process. Whilst phasing might be necessary on some sites, I have not read or heard anything in evidence to suggest that the spatial strategy or any of its components is unsound because of a fundamental inability to provide services and utilities.

In my assessment the spatial strategy represents an appropriate strategy taking into account reasonable alternatives, and is sound.

Site allocations

This highlights some points discussed in the hearings but is not a full analysis. Sites will be referred to in more detail in my report.

- There is no doubt that the allocation at Land West of Ifield (Strategic Policy HA2) would change the character of this area, which is largely green and is used for golf and informal recreation. This must be weighed against the advantages of delivering a large amount of much-needed housing and affordable housing, and a range of community facilities, in a highly sustainable location next to Crawley. I consider that the plan strikes the right balance. The golf course would not be retained, but the site is large enough to provide for significant amounts of open space and recreation. Concerns about heritage and green infrastructure are capable of being addressed adequately through masterplanning and planning applications. It would be unrealistic for a development of this scale to deliver the whole of the proposed western multi-modal relief road, but the allocation would deliver the central portion. A number of junctions within Crawley are congested, but the transport

assessment (HDCJB15b) shows that for the most part, the allocation would not make a significant difference to them. The site would have the positive attribute of being well placed for Crawley and the policy promotes bus and active travel connections into the town. MM191 increases the anticipated number of homes delivered in the plan period from at least 1,600 to 2,500 to reflect the most recent information from the site promoter, but the overall size of the allocation would not change.

- The proposed free standing settlement at Adversane (Kingswood) (Strategic Policy HA(NP1) (MM227) would be large enough to support a range of facilities including primary schools and a secondary school and improved public transport. It would have limited landscape impact and low levels of flood risk. Heritage and habitat impacts are capable of mitigation through careful design. To deliver the whole allocation would require significant investment in bridge infrastructure. Precise costs cannot be ascertained for all elements, but it must be recognised that it is not practical at the stage of a local plan examination to pin down all project costs. The available viability evidence appears to take realistic costs, risks and contingencies into account in an appropriate and proportionate manner, whilst the extent of the site promoters' engagement with the local plan process and with the relevant bodies creates confidence in the deliverability and soundness of the allocation. The evidence does not lead to the conclusion that the allocation is unsound because it cannot be delivered.

- Land East of Billingshurst (Strategic Policy HA4, MM226) and Land North West of Southwater (Strategic Policy HA3) are in highly sustainable locations that would make good use of, and support, existing facilities, and in the case of Billingshurst, would be very close to a railway station. As regards the footbridge infrastructure required for Land East of Billingshurst, my conclusions are similar to those for Adversane (Kingswood).

- Kilnwood Vale (Strategic Policy HA(NP3), MM235) is a logical extension of existing development near Crawley and its design would take into account a landscape and visual impact assessment owing to its proximity to the National Landscape.

- In some of the lower tier small towns and larger villages, the cumulative amount of new development would be relatively large in proportion to the existing built up area. In addition, certain of the proposed site allocations would go beyond or contradict the provisions of neighbourhood plans. However, circumstances have changed since the neighbourhood plans were made. The local plan must identify sufficient land to meet the District's housing requirement to 2040 and the proposed allocations would make an important contribution in this regard. Provided schemes are well designed, a matter that can be addressed at the planning application stage, there is no reason why they should harm settlement character. All the chosen site allocations are logical village extensions with relatively limited impacts and are appropriately located to take advantage of and support facilities in these villages.

Conclusion

My view at this stage of the examination is that the plan is sound, subject to the proposed main modifications and the limited number of further changes discussed below. The plan and proposed modifications are supported by proportionate evidence and sound analysis.

Ultimately the success of the site allocations and the quality of their delivery will lie in their detailed design, the appropriate provision of social and community facilities and greenspace, and the careful management of their relationship with wildlife, trees, heritage assets, transport and so on. The policies in the plan as a whole, and the policies for the individual site allocations, are designed to ensure that these important issues will be fully addressed at the time of each planning application, when there will be a further rigorous process of scrutiny as well as full public consultation.

Relatively few changes to the draft Schedule of Main Modifications (MMJB01) are required. I need not repeat them here; I discussed main modifications and further actions with the Council on the last day of the hearings on 22 October in a live streamed session. The changes to the draft Schedule of Main Modifications will be published for consultation and it is worth making clear that any representations will be strictly limited to those changes. The Council may produce a separate list of minor modifications, such as factual updates and clarifications, which do not alter the effect of the plan's policies and do not require further consultation.

I will submit a report to the Council in due course, which will recommend main modifications required to make the plan sound. I anticipate submitting this no later than January 2027. The examination will remain open until my report is submitted.

Finally, I should like to thank again the Council, and through this letter, all other contributors, for your assistance and hard work over the course of this examination.

Jonathan Bore

INSPECTOR

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