

Save Rural Southwater: Supporting Evidence for Oral Statements

Horsham District Local Plan 2023–2040 Examination

Matter 6b – Strategic Policy HA3: Land North West of Southwater

Hearing session: Friday 16 October 2026, 10:00

Submitted by Gordon Sullivan on behalf of Save Rural Southwater (SRS) · 14 October 2026

1. Introduction

1.1 This document supports the oral statements that Save Rural Southwater (SRS) intends to make at the Matter 6b hearing session on Strategic Policy HA3. It follows the six topics in the Inspector’s revised agenda (IDJB07, revised following receipt of hearing statements):

Topic	Agenda wording
(i)	Works to the Hop Oast Roundabout and the best way of dealing with this in the policy
(ii)	The adequacy and safety of active travel routes
(iii)	The location of the secondary school
(iv)	Delivery rates and phasing having regard to local market conditions and any required utilities upgrades
(v)	The impact on the setting of heritage assets
(vi)	The effect on wildlife and woodland

1.2 For each topic, the SRS statement is set out first, followed by the evidence on which it relies. References in square brackets in the statements, such as [S4.5d], correspond to the numbered evidence notes that follow each statement. Examination documents are referred to by their examination library references (for example HDCJB20 para 3.57). References to “HDC” are to Horsham District Council’s Matter 6b statement (MJB6b.01) and references to “Berkeley” are to Berkeley Strategic Land’s Matter 6b statement (MJB6b.04) unless otherwise stated.

1.3 Three items of Southern Water correspondence relied on under Topic (iv) are not in the examination library. SRS can supply copies to the Programme Officer for the examination library:

Date	Southern Water reference	Addressee	Subject
12 July 2022	DSA000012586	WSP UK Ltd (Berkeley’s drainage consultant)	Level 1 capacity check for the site: foul network inadequate; Barns Green named as the nearest point of available capacity

Date	Southern Water reference	Addressee	Subject
9 April 2025	EIR 3295	Barns Green resident (Environmental Information Regulations 2004 request)	Barns Green WwTW: current population served, capacity and plans
28 April 2026	DSA000051974	Horsham District Council (consultation response to DC/26/0366)	"Inadequate capacity in the foul network"; "No to Water capacity"

2. Summary of SRS's position

2.1 SRS's principal concern is deliverability. Southern Water's own correspondence on Berkeley's application for the site (DC/26/0366) and on Barns Green Wastewater Treatment Works, together with HDC's refusal of 68 homes at Barns Green (DC/25/2057) for lack of proven foul sewerage capacity, indicates that wastewater treatment, foul network and water supply capacity will not be available in time to support the delivery assumed in the plan. On the evidence set out below, SRS estimates that new treatment capacity at Barns Green cannot be available before 2034, and realistically 2035, which would allow about 300 homes within the plan period rather than 950.

2.2 SRS therefore asks that HA3 be removed as a strategic site and that the housing shortfall be met elsewhere in the district. If the site is retained, SRS asks that Southern Water's written position on the funding and delivery of capacity at Barns Green be established, and that a phasing criterion be introduced covering housing, the Hop Oast works and the new schools. SRS's proposed modifications on each topic are set out in Section 9.

3. Topic (i) – Works to the Hop Oast Roundabout and the best way of dealing with this in the policy

SRS statement

HDC calls Hop Oast one of two items “fundamental” to HA3 (HDC para 34) [S1.1]. Yet the plan funds it three ways: S106 in HDC’s IDP, CIL “in full or in part” in MM95, and Berkeley offers only “a fair and reasonable financial contribution” (Berkeley 1.12) [S1.1, S1.3].

WSCC, the highway authority, asked for stronger wording, and HDC refused (paras 8, 39) [S1.1]. The junction must also carry the Golf Club’s 800 homes and Berkeley’s main bus route to Horsham station. We have seen no joint modelling [S1.3, S1.5]. The new road link onto Two Mile Ash Road (Berkeley’s Junction 5, para 1.10) also opens a route around Hop Oast via Church Lane and Kerves Lane [S1.1].

I am sure other stakeholders such as HDC and Berkeley Homes will say, or have already said, that WSCC has accepted the site accesses in principle. That is true, but WSCC’s own comments say the policy wording on off-site mitigation does not go far enough. They may also say that the detail is a matter for the planning application. Yet Berkeley is asking you to weaken the Hop Oast obligation now, in the plan, and the plan is where it must be secured. And if they say CIL can pay for it, the Infrastructure Delivery Plan should show how much and when. At present it says the works will be funded through S106 [S1.4].

We ask that the policy require full signalisation by the developer, to WSCC’s specification, before the 200th occupation, which is Berkeley’s own figure (HDCJB20 para 3.55). Traffic management on Two Mile Ash Road, Church Lane and Kerves Lane should be in place before that link opens to general traffic, and WSCC’s wording should be adopted [S1.2, S1.4].

Evidence – Topic (i)

S1.1 – Hop Oast: capacity, funding and the WSCC position

- HDC (para 34) describes the Hop Oast improvements as one of two “particularly critical” items “fundamental to bringing forward development”.
- West Sussex County Council (WSCC), the highway authority, asked for additional policy criteria at the Main Modifications stage (comment 1592) and for bus safety mitigation (comment 1935). HDC (paras 8 and 39) rejects both as “unnecessary”.
- Berkeley (para 1.12) objects to the full signalisation criterion and seeks its replacement with “a fair and reasonable financial contribution”, partly CIL-funded, with other A24 junction works only “if and as required”.
- Berkeley (para 1.18) identifies bus priority at Hop Oast as the main public transport route to Horsham station, so the junction also carries the site’s rail access strategy.
- The new priority junction onto Two Mile Ash Road (Berkeley’s Junction 5; Berkeley para 1.10; HDC para 11) creates a vehicle route towards Christ’s Hospital Road via Church Lane and Kerves Lane that avoids Hop Oast.

S1.2 – SRS’s proposed policy wording

“Full signalisation of the Hop Oast roundabout, including bus priority and safe pedestrian and cycle crossings, to the specification agreed with West Sussex County Council, shall be delivered by the developer and

completed before occupation of the 200th dwelling. Traffic management measures on Two Mile Ash Road, Church Lane and Kerves Lane shall be secured before the new road link onto Two Mile Ash Road (Junction 5) is opened to general traffic.”

- **The 200-dwelling trigger:** Berkeley advised HDC’s consultant that about 200 homes can be built before the Hop Oast works are needed (HDCJB20 para 3.55).
- **“Delivered by the developer”:** the plan currently describes three different funding routes: S106 in the IDP (HDC para 37), a “fair and reasonable financial contribution” (Berkeley para 1.12), and CIL “in full or in part” (MM95). A trigger with no named deliverer is not effective.
- **“To the specification agreed with WSCC”:** reflects the highway authority’s requests (comments 1592 and 1935).

S1.3 – Supporting data

Point	Source
Hop Oast and the secondary school are the two “particularly critical” items	HDC para 34
IDP lists Hop Oast as S106-funded; cost about £3.1m from S106, WSCC and Government funding	HDCJB19 pp. 108–109; HDC para 37; HDCJB20 para 3.54
Berkeley proposes “a fair and reasonable financial contribution”	Berkeley para 1.12
MM95 states Hop Oast funding derives “in full or in part” from CIL	Berkeley para 1.12 (footnote); MMJB01 MM95
WSCC requested extra criteria (1592) and bus safety mitigation (1935); HDC rejects both	HDC paras 8, 39
Bus priority at Hop Oast carries the rail access strategy	Berkeley para 1.18
Hop Oast bus priority design was requested in 2022 stakeholder feedback	Berkeley DAS, Stakeholder Feedback Summary 2022
Horsham Golf Club, 800 homes: appeal allowed July 2025; HDC’s judicial review refused October 2025	HDC news, October 2025 ; HDCJB20 paras 3.23–3.27
New priority junction onto Two Mile Ash Road (Junction 5)	Berkeley para 1.10; HDC para 11

S1.4 – Responses to points made by other parties

Point	SRS response
WSCC has accepted all five site accesses in principle (Berkeley para 1.10)	The accesses are accepted, but WSCC’s Main Modification comments indicate that it does not consider the off-site mitigation wording sufficient.
Detail is a matter for the planning application and S278 agreement	Berkeley seeks to weaken the obligation in the plan itself; the plan is where the obligation is fixed.

Point	SRS response
CIL can fund Hop Oast under MM95	The IDP should then show the CIL sum and timing. It currently identifies S106 funding.
Signalisation adds capacity and safe crossings	SRS asks for the modelled junction capacity with HA3 and the Golf Club together; pedestrian phases and bus priority take green time from general traffic.
Rat-running is a detailed design matter	Junction 5 forms part of the access proposed in the outline application, so a policy criterion requiring traffic management is appropriate.

S1.5 – Matters on which SRS invites clarification from HDC

Whether the Local Plan Transport Assessment (HDCJB15b) included the Golf Club's 800 homes together with HA3; whether the Pollards Hill junction was modelled; and what trigger is proposed for completion of the Hop Oast works.

4. Topic (ii) – The adequacy and safety of active travel routes

SRS statement

Part 7(b) of draft Strategic Policy HA3, as modified by MM214, sets the site’s sustainable transport requirements. They are: enhancement of the Downs Link; a road link to Two Mile Ash Road and a new footway and cycleway along Station Road to Christ’s Hospital station; a car park and cycle storage at the station; and exploring bus services to the station (HDC paras 10–14). Each of the active travel elements has been weakened. The Christ’s Hospital car park has been dropped (Berkeley 1.15–1.16) [S2.1]. The Station Road footway depends on “sufficient highway land”, which HDC and Berkeley accept may not exist (HDC para 12; Berkeley 1.14) [S2.1]. Berkeley now calls the station “secondary” (1.21), though its own DAS puts it a 15–20 minute walk away [S2.3].

There is still no secured, safe A24 crossing for daily trips, or for village children walking to the new secondary school [S2.2]. HDC itself argued that the Golf Club site, on this same corridor, was unsustainable for active travel [S2.4].

I am sure other stakeholders such as HDC and Berkeley Homes will say, or have already said, that buses rise to every 15 minutes (Berkeley 1.20). For how many years is that subsidy funded, and what happens when it ends? They may also point to WSCC resurfacing the Downs Link. That is WSCC’s programmed work, not mitigation for 1,000 homes. Is it lit and safe for year-round school trips [S2.5]?

We ask that Policy HA3 part 7(b)(ii) require a specified, secured alternative route if the Station Road land is unavailable, and that safe A24 crossings be in place before the school opens [S2.5].

Evidence – Topic (ii)

S2.1 – Active travel routes, the Downs Link and Christ’s Hospital station

- Draft Policy HA3 part 7(b)(iii) required a car park and cycle storage at Christ’s Hospital station. Berkeley has removed the car park (para 1.16) and asks for the requirement to be deleted (para 1.15).
- The Station Road footway and cycleway is “subject to the availability of sufficient highway land” (HDC para 12; Berkeley para 1.14), so its delivery is not assured.
- Berkeley (para 1.21) now describes Christ’s Hospital as a “secondary” rail option, with the primary option being a bus to Horsham station via Hop Oast (para 1.20).

S2.2 – Safe routes to school

There is no evidence before the examination that children from the existing village can walk or cycle safely to the new secondary school across the A24 and the Worthing Road corridor. The location of the school is addressed under Topic (iii).

S2.3 – Walking time to Christ’s Hospital

Berkeley’s Design and Access Statement (DAS) gives Christ’s Hospital station as a 15–20 minute walk from the site, the same as Berkeley’s bus time to Horsham station (para 1.20). On that basis the quality and safety of the walking and cycling route are material, and the station cannot reasonably be regarded as “secondary” (para 1.21).

S2.4 – Supporting data

- Berkeley para 1.16: car park removed. Berkeley para 1.21: Christ’s Hospital “secondary”.
- HDC para 12 and Berkeley para 1.14: footway “subject to the availability of sufficient highway land”.
- Travel times differ within Berkeley’s own evidence: para 1.20 gives 15–20 minutes by bus to Horsham station; the DAS (Site Context) gives 24 minutes by bus and about 40 minutes on foot.
- HDC’s 2025 judicial review of the Golf Club appeal decision, supported by Active Travel England, argued that the site was unsustainable in active travel terms ([HDC news, August 2025](#)). That site lies on the same Worthing Road/A24 corridor as HA3.

S2.5 – Responses to points made by other parties

Point	SRS response
Bus frequency will rise to every 15 minutes (Berkeley para 1.20)	For how many years is the service funded, and what happens when the subsidy ends?
WSCC is resurfacing the Downs Link in 2026/27	That is WSCC’s programmed work, not mitigation for 1,000 homes. Is the route lit and suitable for year-round commuting and school journeys?
The Downs Link already provides an off-road route towards Christ’s Hospital	The issue is the lighting, surfacing and personal safety of that route for daily and school use.

5. Topic (iii) – The location of the secondary school

SRS statement

HDC accepts that the application puts the secondary school off the Neighbourhood Plan’s safeguarded SNP3 site and calls this “a departure from the development plan” (HDC para 21) [S3.1]. Berkeley asks you to rewrite MM204 to suit (1.40), partly citing the farmhouse setting (1.34, 1.37) [S3.1].

WSCC Education is only neutral on location (1.39), and Phase 1 delivers serviced land, not a school [S3.2, S3.3]. There is no evidence that village children can walk or cycle safely to either site across the A24 [S3.1].

I am sure other stakeholders such as HDC and Berkeley Homes will say, or have already said, that location is for the application. The detail may be, but the plan must say which site it means, because HDC itself calls the alternative a departure. They may also say that timing depends on pupil projections. Then the early homes generate pupils with no local secondary place.

We ask that the policy state which site it means, require safe walking and cycling routes from the existing village, and a safe transport corridor from north of the A24 for children in that catchment area, before the school opens, and set funding and delivery triggers for the school in the policy, agreed with WSCC as the education authority. Those triggers must follow the realistic housing trajectory. HDC should also fix when the land transfers, when the funding is secured and by which occupation the school must open [S3.4].

Evidence – Topic (iii)

S3.1 – Secondary school location

- HDC (para 21) accepts that the application places the secondary school off the Neighbourhood Plan’s safeguarded SNP3 site and describes this as “a departure from the development plan”.
- Berkeley (para 1.40) seeks the rewording of MM204 to remove the expectation that the school is located on the SNP3 site, partly citing the setting of Great House Farmhouse (paras 1.34, 1.37).
- WSCC Education is neutral on location (Berkeley para 1.39).
- Whichever site is chosen, children from the existing village must cross or travel along the A24/Worthing Road corridor (see Topic (ii)).

S3.2 – Supporting data

- HDC paras 19–21 and 35–36: the school is critical and needed in an early phase; timing is subject to “ongoing discussions”.
- Berkeley DAS, Design Evolution 2025: “School site is to be serviced in Phase 1” – serviced land, not a school building.
- Berkeley paras 1.32 (education land “and/or” contributions), 1.51–1.52 (IDP should not be S106-only) and 1.40 (rewording of MM204).
- Berkeley para 1.39: WSCC Education neutral on location.
- 2022 stakeholder feedback asked to “secure secondary school in phase 1” (Berkeley DAS).

S3.3 – Responses to points made by other parties

Point	SRS response
WSCC is content with either location	Neutrality on location is not a commitment to fund or open the school. Who builds it, with what funding, and when does it open?
Timing depends on pupil projections	The early homes in the trajectory would then generate pupils with no local secondary school place.
Location is a matter for the application	The detail may be, but the plan must identify which site it means, since HDC itself describes the alternative as a departure.

S3.4 – School funding and delivery triggers tied to the housing trajectory

Why triggers are needed. HDC describes the secondary school as “particularly critical” and needed in an early phase (paras 34–36). Phase 1 provides only serviced land (DAS), and Berkeley seeks education land “and/or” contributions rather than S106 alone (paras 1.32, 1.51–1.52). WSCC Education is neutral on location (para 1.39). No party has committed to fund or build the school by a defined point.

The trajectory the triggers must reflect. With new wastewater treatment capacity at Barns Green not available before 2034, and realistically 2035 (S4.5f), and delivery at 51 homes a year (S4.9):

- first occupations: 2034 at the earliest, realistically 2035;
- about 200 homes: about 2038;
- about 300 homes by 2040 (about 360 if capacity is available in 2034) (S4.9, S4.9c).

Occupation-linked S106 education contributions would therefore begin late and accumulate slowly. Unless the policy fixes the trigger points, the school would be unfunded for most of the plan period.

Triggers SRS asks to be written into the policy, agreed with WSCC as the education authority:

1. **Site:** school land identified, serviced and transferred to WSCC before first occupation.
2. **Funding:** a funding agreement with WSCC (S106 and any CIL or other contribution, with amounts and payment stages) completed before first occupation.
3. **Opening:** the school to open by an occupation threshold set with WSCC, using WSCC’s pupil yield for the realistic trajectory.
4. **Review:** if the trajectory slips, the triggers move with occupations rather than calendar dates, with HDC reporting through its monitoring.

SRS does not propose specific occupation numbers. WSCC holds the pupil yield data, and SRS invites the Inspector to require HDC and WSCC to agree and insert them.

6. Topic (iv) – Delivery rates and phasing having regard to local market conditions and any required utilities upgrades

SRS statement

Documents submitted as part of Berkeley’s planning application for 1,000 homes on the HA3 site, DC/26/0366, show that wastewater and water capacity have not been properly investigated for this examination, despite the evidence already before it. Berkeley says it knows of no unusual impediments (para 1.55), yet relies on a 2022 Southern Water check that named Barns Green as the connection, found the network inadequate and expired in 2023 [S4.5h]. Southern Water’s letters on this application, and HDC’s own decision at Barns Green to refuse 68 homes (DC/25/2057), show HA3 cannot deliver the numbers proposed [S4.5d, S4.7].

Southern Water’s response to DC/26/0366, of 28 April 2026, finds “Inadequate capacity in the foul network” and asks for phased occupation. It also says “No to Water capacity”: off-site mains are needed, and their timing “may not always align with development timelines” [S4.5d].

Barns Green Wastewater Treatment Works does not have the treatment capacity. Southern Water’s figures, of 9 April 2025, leave room for about 160 more homes against the 2,500 people HA3 would add, with “no plans to increase the capacity” [S4.5a, S4.6]. Southern Water repeated this to HDC councillors on 9 September, and CPRE reports the upgrade will start “after 2030” [S4.5, S4.5c, S4.7]. With nothing funded for 2025–30, SRS estimates that new capacity cannot come before 2034, and realistically 2035, based on planning processes and the time taken to complete the Horsham treatment works upgrade; only Southern Water can confirm it [S4.5f].

I am sure other stakeholders such as HDC and Berkeley Homes will say, or have already said, that capacity is confirmed, that Southern Water must connect, or that HDC’s new water topic paper settles this. As I said, the only capacity check has expired. A right to connect does not create treatment capacity. Horsham Wastewater Treatment Works’ headroom is committed. And HDC’s examination document HDCJB28 is about water resources: it never mentions Barns Green, wastewater or HA3 [S4.5g, S4.6a, S4.5i].

From 2035, at the 51 homes a year Broadacres achieved, that is about 300 homes by 2040, not 950, with Hop Oast and school funding pushed to the late 2030s [S4.9, S4.9c]. Together, these impediments make this plan unsound and bring into question whether any homes can be delivered within the Local Plan period [S4.9a].

We ask that HA3 be removed as a strategic site and the shortfall met elsewhere in the district. Failing that, Southern Water’s written position on the funding and delivery of capacity at Barns Green should be determined, and a phasing criterion introduced for HA3 covering housing, Hop Oast and the new schools [S4.13].

SRS can supply copies of all the Southern Water letters I have referred to, for the examination library, to the Programme Officer after this session.

Evidence – Topic (iv): wastewater, water supply and phasing

S4.5 – Southern Water’s evidence to HDC, 9 September 2026

On 9 September 2026 Southern Water gave evidence to HDC’s Communities and Place Policy and Scrutiny Committee. HDC’s recording of the meeting (from 1:33:46) records Daniel Witcher, Southern Water’s Future

Growth Lead, describing uncertainty over whether the site would connect to Horsham or Barns Green Wastewater Treatment Works, and stating that there is currently no capacity at either works. SRS's understanding of the evidence given at that meeting is also that no capacity investment is planned at Barns Green in the 2025–30 funding period.

S4.5a – Southern Water EIR response, 9 April 2025: Barns Green headroom

- **Document:** Southern Water's response under the Environmental Information Regulations 2004, reference EIR 3295, dated 9 April 2025, to a Barns Green resident's request of 14 March 2025 concerning Barns Green WwTW. A copy is held by SRS (see para 1.3).
- **Current load and capacity:** "The current population supplied by Barnes [sic] Green Wastewater Treatment Works (WwTW) is 1018 and with current estimates of daily usage per capita, the treatment works could support a population of roughly 1400 people before the dry weather flow would be over the consented limit."
- **Headroom:** 1,400 – 1,018 = about 380 people. At Berkeley's own assumption of 2.4 people per home (DAS), this equates to about 160 homes. HA3 (1,000 homes plus about 80 care units) would add about 2,500 people.
- **Consent:** consented daily discharge 227 m³/day; flow to full treatment 16 litres/second.
- **Plans:** "Currently there are no plans to increase the capacity at the treatment works at Barnes [sic] Green."
- **Relevance:** this is Southern Water's own written statement on treatment capacity at Barns Green. HDC (para 29) states that there have been "no indications from providers that would suggest that utilities cannot be provided to the site."

S4.5c – Barns Green upgrade "after 2030"

- CPRE Sussex, Regulation 19 representation on Strategic Policy HA3, para 3.6: "According to Souther [sic] Water's Clean Rivers and Seas Plan, an upgrade of the Barns Green WwTW is planned to commence 'after 2030'." (CPRE Sussex representation)
- Underlying source: Southern Water's Clean Rivers and Seas Plan map ([link](#)).
- HDC's IDP confirms that Southern Water's investment is planned in five-year periods, with AMP8 covering 2025–30 (HDCJB19 p. 20).

S4.5d – Southern Water response to DC/26/0366, 28 April 2026

- **Document:** Southern Water (Future Growth Planning Team) to Horsham District Council; HDC reference DC/26/0366; Southern Water reference DSA000051974; dated 28 April 2026; site: Land North West of Southwater. A copy is held by SRS (see para 1.3).
- **Foul network:** headed "Inadequate capacity in the foul network". Southern Water's capacity check "indicates that these additional flows may lead to a minor increased risk of impact on the sewer network".
- **Condition requested:** "Occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate waste water network capacity is available to adequately drain the development."
- **Treatment capacity:** the response states that "Network Capacity is independent of capacity at the WWTW and growth is planned in a different way". It does not address treatment capacity at Barns Green or Horsham.
- **Water supply:** headed "No to Water capacity": "additional off-site mains or upgrades to existing infrastructure will be required to provide sufficient capacity", and "the timing of infrastructure improvements by the water company may not always align with development timelines". A second condition is requested phasing occupation to water network reinforcement.
- **Relevance:** the response is Southern Water's formal position on this application. It indicates that both foul network and water supply capacity are inadequate without reinforcement, which is not reflected in HDC para 29

or Berkeley para 1.55. Southern Water itself asks for occupation to be phased.

S4.5f – Estimated date for new treatment capacity at Barns Green: 2034 at the earliest, realistically 2035

This is SRS’s estimate from publicly available information; it is not a date given by Southern Water. SRS invites the Inspector to seek Southern Water’s confirmed position.

Step	Estimated timing	Basis
No capacity investment at Barns Green in the 2025–30 funding period (AMP8); “currently there are no plans to increase the capacity”	2025–30	Southern Water EIR response, 9 April 2025 (S4.5a); 9 September 2026 committee (S4.5); HDCJB19 p. 20
Upgrade planned to commence “after 2030”	2030 onwards	CPRE Sussex Reg 19 para 3.6, citing Southern Water’s Clean Rivers and Seas Plan (S4.5c)
Ofwat final determination for 2030–35 (PR29) sets funding	About December 2029	Ofwat five-year price review cycle
Scheme development, design, Environment Agency permit variation and consents	2030–32	Permit needed to raise the consented flow (227 m ³ /day, S4.5a)
Construction and commissioning	2032–35	Comparable to the Horsham WwTW upgrade (below)
Earliest date for new capacity	2034	
Realistic date for new capacity available to HA3	2035	

Horsham WwTW comparison. Southern Water’s £31m Horsham WwTW upgrade started on site in September 2022. It was initially programmed for completion in summer 2024 at a cost of £28m, and later for spring 2025: about 2½ years of construction ([Southern Water, December 2022](#); [Costain, October 2024](#); [Water Projects Online](#)). Funding from April 2030, at least 24 months for design and permitting, and a construction period comparable to Horsham indicate new capacity at Barns Green in about 2034 at the earliest and 2035 realistically.

HDC’s consultant accepts the same funding-cycle effect for another site: for Adversane, upgrades in 2025–30 “or in the subsequent period (2030-35)” have “implications for the lead-in time” (HDCJB20 para 3.103).

Without new capacity, Southern Water’s existing headroom of about 380 people (S4.5a) would serve only about 160 homes if all of it were available to HA3; it is also needed for other development in the Barns Green catchment.

S4.5g – Responses to points made by other parties (wastewater and water supply)

Point	SRS response
Berkeley has Southern Water's confirmation of network capacity (HDCJB20 para 3.57)	The only capacity check SRS has seen (12 July 2022, S4.5h) found the foul network inadequate and expired in July 2023. Southern Water's response to DC/26/0366 is headed "Inadequate capacity in the foul network" and asks for phasing (S4.5d). Network capacity is in any case separate from treatment capacity, which the response does not address. The IDP relied on upgrades in the 2020–25 programme (AMP7), which has ended. SRS invites HDC to produce any current Southern Water confirmation, its date and the works to which it refers.
Southern Water has a statutory duty to serve growth, and developers have a right to connect (Water Industry Act 1991, ss. 94 and 106)	A right to connect does not create treatment capacity, which is funded through Ofwat's five-year price review. If capacity arrives after 2030, the trajectory is wrong regardless.
Horsham WwTW has had a £31m upgrade with additional capacity	The headroom created is largely committed (S4.6a), and the upgrade did not increase the works' permitted flows. Southern Water's 2022 check names Barns Green as the connection (S4.5h).
Grampian conditions can manage timing	That is why the trajectory cannot assume completions from 2029/30. The phasing should be in the policy and the plan-period figure adjusted.
Interim solutions such as on-site treatment or tankering	None is proposed in the application. On-site treatment would require an Environment Agency permit to discharge to an already stressed watercourse (Parsons Brook / River Adur).
The 9 September remarks were informal	The only written statement SRS has seen on treatment capacity (9 April 2025, S4.5a) says "currently there are no plans to increase the capacity at the treatment works". SRS invites HDC to produce Southern Water's written position and funded date.
The Barns Green refusal was for design and character reasons	The single reason for refusal expressly cites development "without proven foul sewerage capacity from Southern Water" (HDCJB23 para 2.17).
HDC's Water Supply and Water Quality Topic Paper (HDCJB28) shows no water or wastewater issue	HDCJB28 addresses water resources and the Arun Valley habitats. It does not mention Barns Green, wastewater treatment or HA3 (S4.5i).
First completions are some years away, so there is time	Only if the upgrade is funded now, and the evidence is that it is not funded in 2025–30.

S4.5h – Southern Water capacity check, 12 July 2022

- **Document:** Southern Water (Future Growth Planning Team) to WSP UK Ltd (Berkeley's drainage consultant); reference DSA000012586; dated 12 July 2022; "Level 1 Capacity Check Enquiry: North SouthWater, Two Mile

Ash Road, Southwater”. It forms part of the flood risk assessment and outline drainage strategy evidence for DC/26/0366. A copy is held by SRS (see para 1.3).

- **Foul network:** “There is currently inadequate capacity within the foul sewerage network to accommodate a split foul flow of 6.25 l/s and 10.69 l/s ... Additional off-site sewers or improvements to existing sewers will be required to provide sufficient capacity to service the development.”
- **Timing:** Southern Water “aim to provide this within 24 months following the date that planning has been granted for developments not identified as strategic sites ... Strategic sites are larger developments and will often take longer than 24 months for a full solution to be provided.”
- **Connection point:** “The nearest point where capacity is currently available is at Barns Green WTW which is located approximately 2 km Southwest of the proposed development site.” The letter adds that “Rights are not issued for a direct connection to Wastewater Treatment Works”.
- **Validity:** “The results quoted above are only valid for 12 months from the date of issue of this letter”. The check therefore expired in July 2023.
- **Relevance:** the check confirms that the site’s foul flows were to be directed to Barns Green. Capacity “currently available” at Barns Green in 2022 must be read with Southern Water’s 2025 figures (headroom of about 380 people and “no plans to increase the capacity”, S4.5a). The 24-month period relates to network works from the grant of planning permission, not to treatment works.

S4.5i – HDC’s Water Supply and Water Quality Topic Paper (HDCJB28, October 2026)

- **Scope:** HDCJB28 addresses water resources (abstraction at Pulborough, the Arun Valley habitats, the Hardham study, the licence cap and the withdrawal of water neutrality) and nutrient-related water quality in the Arun Valley (section 7). It records agreement by the Environment Agency, Natural England and Southern Water (para 1.3).
- **What it does not address:** it does not mention Barns Green WwTW, wastewater treatment capacity, the foul network, HA3 or DC/26/0366. The only treatment works named is Coldwaltham Brooks, which does not serve Local Plan sites (para 7.3).
- **Para 2.3:** Southern Water “have reconfirmed that there are no current concerns with ensuring a water supply to serve new development identified in the emerging Horsham District Local Plan”. This concerns supply across the Sussex North water resource zone. It is consistent with Southern Water’s site-specific response to DC/26/0366 (S4.5d), which identifies that off-site mains or upgrades are needed and that their timing “may not always align with development timelines”.
- **Para 6.2:** the 3,240,000 litres a day of headroom is zone-wide resource headroom against Pulborough abstraction, not local network capacity.
- **Para 8.1:** states that “matters relating to water supply and sewage treatment will be delivered through the Southern Water WRMP”. The Water Resources Management Plan addresses water supply; wastewater treatment is planned through Southern Water’s Drainage and Wastewater Management Plan and funded through Ofwat’s price reviews.
- **Para 8.2:** HDC’s test for the habitats mechanism is “a reasonable expectation that it will be implemented in a timely manner”. For treatment capacity at Barns Green no funded scheme has been identified.
- SRS does not dispute the conclusions of HDCJB28 on water resources, the licence cap or the withdrawal of water neutrality. SRS’s concern is local wastewater treatment and local water mains capacity.

S4.6 – Size of the two treatment works (Southern Water published figures)

Works	Population equivalent served	Effect of HA3	Source
Barns Green	1,003 (another table gives 1,075)	About 2,500 people – roughly treble the current load	Southern Water DWMP, Adur and Ouse, p. 7
Horsham	77,717; 2025 upgrade designed for 93,345 by 2035	About 2,500 people, in addition to committed growth that already draws on most of the c.15,000 headroom	Southern Water DWMP, Arun and Western Streams, p. 6; Costain

HA3’s population of about 2,500 is based on 1,000 homes at Berkeley’s 2.4 people per home (DAS) plus about 80 care units. The Horsham upgrade made no increase to the works’ permitted flows (Water Projects Online). The figures are populations served from Southern Water’s published plan data, not permitted design capacities; neither works’ spare capacity is published.

S4.6a – Development already drawing on Horsham WwTW headroom

Horsham WwTW served about 77,717 population equivalent (PE). The 2025 upgrade was designed for 93,345 PE by 2035, giving about 15,000 PE of nominal headroom. That headroom is already called on by:

Development or flow	Approx. homes	Approx. PE	Source
North Horsham (Mowbray), remaining build-out	about 3,000	about 7,000	HDCJB20; HDCJB19
Horsham Golf Club, Worthing Road (appeal allowed July 2025)	800	about 1,900	HDCJB20 paras 3.23–3.27
Flows transferred from the Mannings Heath, Warnham and Faygate works	—	transferred load	Costain; Water Projects Online (upgrade scope)
Other permitted and allocated sites in the Horsham catchment	various	further load	HDC housing trajectory

The homes figures are published. The population equivalents are SRS estimates at 2.3–2.4 people per home; Southern Water holds the net figure.

S4.7 – HDC’s decision on Barns Green (DC/25/2057)

HDC refused Miller Homes’ application for 68 homes at Barns Green (DC/25/2057) on 4 August 2026. The single reason for refusal cites, among other matters, development “without proven foul sewerage capacity from Southern Water to service the development”, contrary to Policy 32 of the Horsham District Planning Framework (HDCJB23 paras 2.16–2.17). HA3 is about fifteen times larger.

S4.8 – The positions of HDC and Berkeley on utilities

- **HDC para 29:** “There have been no indications from providers that would suggest that utilities cannot be provided to the site.” HDC’s statement is dated September 2026.
- **HDC para 40 and Berkeley para 1.55:** HDC identifies no “fundamental” delivery impediments; Berkeley is not aware of any impediments “beyond those conventionally associated” with large sites. Berkeley’s statement refers to wastewater only through the Utilities Statement accompanying the application (para 1.41).
- **HDCJB20 para 3.57:** records that Berkeley “have had confirmation from Southern Water that there is capacity in the wastewater network”. That relates to the network rather than treatment capacity, and is not consistent with Southern Water’s response of 28 April 2026 (S4.5d).
- **Earlier correspondence:** Southern Water’s letter of 17 January 2023 on the withdrawn application DC/22/1916 advised that flows could increase foul flooding risk and require sewer reinforcement (CPRE Sussex).
- **Barns Green performance:** Environment Agency Event Duration Monitoring data record 47 storm overflow discharges totalling 417 hours into Parsons Brook from Barns Green WwTW in 2025 (Top of the Poops).
- **Routing:** HDC’s HRA assumes HA3 wastewater drains to the Arun (HDCJB12 para 4.20), whereas Barns Green discharges to Parsons Brook and the Adur.

S4.9 – Effect on the housing trajectory

Applying HDC’s trajectory ramp (Table 1: 40, 70, 80, 90, 90, then 100 a year) to later start dates:

First completions	Homes by 2039/40	Shortfall against 950
2029/30 (HDC assumption)	950	0
2031/32 (two-year slip)	770	180
2034/35 (capacity at the earliest date)	470	480
2035/36 (capacity at the realistic date)	370	580

At the rate Berkeley achieved at Broadacres next door (51 homes a year; HDCJB20 Table 3.2):

New treatment capacity available	Years of delivery to 2040	Homes by 2040
2034 (earliest)	about 7	about 360
2035 (realistic)	about 6	about 300

With capacity realistically in 2035, the plan period would deliver **about 300 homes**, and no more than about 360 on the earliest date. This is below the made Neighbourhood Plan’s allocation of 422–450 (SNP2).

S4.9a – Cumulative impediments

- No wastewater treatment capacity before about 2034–35, with “no plans to increase the capacity” (S4.5a, S4.5f).
- Inadequate foul network capacity, with occupation to be phased to reinforcement (S4.5d).
- Water supply: “No to Water capacity”; off-site mains or upgrades required, with timing that “may not always align with development timelines” (S4.5d, S4.14).
- Funding for Hop Oast and the secondary school disputed, with occupation-linked triggers pushed to the late 2030s (S4.9c, S4.15).
- Build rates on comparable local sites well below the 86 a year assumed: Broadacres 51, Highwood 62 (S4.3).
- The HRA omits HA3 from The Mens SAC 12 km zone (Topic (vi), S6.3).

A strategic allocation must be developable within the plan period (NPPF September 2023, Annex 2). SRS considers that, taken together, these impediments make the plan unsound in respect of HA3 (not effective) and bring into question whether any homes can be delivered within the plan period. The shortfall should be met elsewhere in the district.

S4.9c – Effect on funding and triggers for Hop Oast and the school

If first occupations follow new treatment capacity in 2035 and the site then builds at 51 homes a year:

Year	Homes that year	Cumulative homes	Effect
2035	about 51	about 51	First occupations; first occupation-linked S106 payments
2036	about 51	about 102	—
2037	about 51	about 153	—
2038	about 51	about 204	Hop Oast works needed by about the 200th home (Berkeley's figure, HDCJB20 para 3.55)
2039	about 51	about 255	—
2040	about 51	about 306	End of plan period: about 300 homes, not 950

- **Hop Oast:** works HDC describes as “fundamental” (para 34) would not be triggered until about 2038, and their funding remains disputed (S1.1, S4.15).
- **Secondary school:** S106 education contributions are normally paid in stages on occupation, so funding would build up only from 2035. Phase 1 provides serviced land, not a school (S3.2). A school HDC says is needed in an early phase (paras 35–36) would be unfunded for most of the plan period.
- If capacity were available a year earlier (2034), the plan-period total rises to about 360 homes and the Hop Oast trigger falls in about 2037.

S4.9b – Berkeley's application DC/26/0366

Item	Source	Effect on deliverable numbers
Phasing is “illustrative and may evolve in response to delivery programming, infrastructure requirements, market conditions”	Berkeley DAS, Indicative Phasing Strategy	No committed trajectory or outlets
School site to be serviced in Phase 1 (land, not a school)	Berkeley DAS, Design Evolution 2025	Early homes generate pupils with no local secondary place
Hop Oast full signalisation replaced by “a fair and reasonable financial contribution”	Berkeley para 1.12	A “fundamental” item is unfunded

Item	Source	Effect on deliverable numbers
Education: land “and/or” contributions; IDP should not be S106-only	Berkeley paras 1.32, 1.51–1.52	Funding of the second “fundamental” item is disputed
Disagrees with some viability assumptions	Berkeley para 1.53	Risk of renegotiation and delay
Wastewater addressed only through a Utilities Statement	Berkeley para 1.41	No treatment solution identified
Southern Water: “Inadequate capacity in the foul network”; occupation phased to reinforcement; water supply upgrades needed	S4.5d	Occupation tied to infrastructure whose timing “may not always align with development timelines”
1,000 C3 + 80 C2 = 1,080 units	Berkeley para 1.48	Inconsistent with the plan’s 950 / 1,000 / 1,044

S4.13 – Modifications if HA3 is retained

SRS’s primary request is the removal of HA3 as a strategic site. If the Inspector retains the site, SRS asks that Southern Water’s written position on the funding and delivery of capacity at Barns Green be established, and that a phasing criterion be introduced covering housing, the Hop Oast works and the new schools. Proposed wording is set out in Section 9.

S4.14 – Water supply

Under the heading “No to Water capacity”, Southern Water’s response to DC/26/0366 states that “additional off-site mains or upgrades to existing infrastructure will be required to provide sufficient capacity”, that “the timing of infrastructure improvements by the water company may not always align with development timelines”, and asks for occupation to be phased to water network reinforcement (S4.5d). Local water supply network capacity is therefore a utilities constraint separate from water resources and water neutrality, which are addressed in HDCJB28 (S4.5i).

Evidence – Topic (iv): delivery rates, market conditions and infrastructure phasing

S4.1 – Delivery rates: HDC’s own evidence

- HDC’s June 2026 Strategic Site Assessment (HDCJB14b, pp. 66–67, as cited by Southwater Parish Council, MJB6b.03 para 6) said delivery was unlikely to exceed 70 homes a year and estimated about 735 homes by 2040. The Housing Delivery Study published the following month (HDCJB20) supports 950.
- Broadacres, by the same promoter on the adjoining site, averaged 51 homes a year (HDCJB20 Table 3.2). The HA3 average required is about 86 a year, about 69% higher.
- Determination has slipped: HDC now expects late 2026/early 2027 (paras 2, 31); Berkeley says October–December 2026 (para 1.46). The Planning Performance Agreement planned committee for Q3 2026 (HDCJB20 para 3.53).
- Berkeley’s phasing is “illustrative and may evolve in response to delivery programming, infrastructure requirements, market conditions” (DAS, Indicative Phasing Strategy).

S4.2 – Market conditions: competing outlets

The Golf Club’s 800 homes (firm permission following the refusal of HDC’s judicial review in October 2025) are expected to deliver about 120 homes a year to 2038/39 (HDCJB20 paras 3.25–3.27). Broadacres is delivering 540 homes plus retirement living (Berkeley DAS). These schemes sell to the same market in the same years as HA3 (see also Southwater Parish Council, MJB6b.03 para 9).

S4.3 – Supporting data: delivery rates

Point	Source
No more than 70 homes a year; about 735 by 2040	HDCJB14b pp. 66–67 (June 2026)
100 a year once built up; 950 supported	HDCJB20 paras 3.65–3.68 (July 2026)
Broadacres average 51 a year, one outlet	HDCJB20 Table 3.2, para 3.63
Highwood average 62 a year; 76 over its 2014–22 peak period (single-year high 172); Iceni’s affordable-adjusted equivalent 82 a year	HDCJB20 paras 3.63–3.64
100 a year relies on other developers being “expected” to come forward	HDCJB20 paras 3.65, 3.67–3.68
Programme described as “relatively compressed”	HDCJB20 para 3.61
Average required 86 a year ($950 \div 11$)	Southwater Parish Council, MJB6b.03 para 5
Trajectory: 40, 70, 80, 90, 90, then 100 a year, 80 in 2039/40	HDC Table 1
Decision: HDC “late 2026 / early 2027”; Berkeley “Oct–Dec 2026”	HDC paras 2, 31; Berkeley para 1.46

S4.4 – Responses to points made by other parties (delivery rates)

Point	SRS response
Several builders and outlets will raise delivery rates	None is named or contracted; the DAS phasing is illustrative.
35% affordable housing sells independently of the market	Accepted in part, but Highwood’s sustained peak-period rate was 76, and HDC’s consultant’s affordable-adjusted equivalent is 82 a year (HDCJB20 para 3.64), not 100.
The June 2026 assessment has been superseded	HDC has not explained which assumptions changed between documents published a month apart.

S4.15 – Phasing: infrastructure funding and triggers

- HDC (para 34) describes the secondary school and Hop Oast as “fundamental”; the IDP expects both to be S106-funded.
- Berkeley seeks Hop Oast reduced to “a fair and reasonable financial contribution” (para 1.12), education land “and/or” contributions (para 1.32), and the IDP changed so that education is not S106-only (paras 1.51–1.52).
- Berkeley “does not agree with all the assumptions” in the Viability Update (para 1.53).

- No Statement of Common Ground has been signed (HDC para 4). On both items HDC states that discussions are ongoing (paras 36, 38).
- Planning Practice Guidance (Plan-making, paras 059 and 060, quoted in HDCJB19 pp. 9–10) expects large sites to show that infrastructure requirements are achievable, with Statements of Common Ground with providers.
- NPPF (September 2023) para 20(b), quoted in HDCJB19 p. 8, requires strategic policies to make sufficient provision for wastewater infrastructure.

S4.17 – Housing numbers

Four figures are in play: 950 in the plan period; 1,000 in HA3 (HDC’s proposed modification, including about 80 C2 units); 1,044 (MM145 para 10.26; HDCJB19 p. 13); and Berkeley’s 1,000 C3 plus 80 C2 = 1,080 (para 1.48). A single figure should be used across MM145, MM206 and HA3, with C2 and C3 stated separately.

7. Topic (v) – The impact on the setting of heritage assets

SRS statement

Great House Farmhouse is listed Grade II*. Berkeley itself relies on its setting to justify moving the school (1.34, 1.37), so the setting is plainly a real constraint [S5.1]. The 40-metre setback, up from 10–15 metres, appears only on illustrative plans [S5.1].

The Built Heritage Assessment (1.41) has not been tested at examination. We have seen no sign that the 2022 request to assess how the setting contributes to significance was met [S5.2].

I am sure other stakeholders such as HDC and Berkeley Homes will say, or have already said, that plan-wide heritage policies already protect setting. Then a site-specific minimum costs nothing and gives certainty, especially as Berkeley describes its phasing as illustrative [S5.3].

We ask that the 40-metre setback, and the open setting it protects, be written into the policy [S5.3].

Evidence – Topic (v)

S5.1 – Great House Farmhouse (Grade II*)

- Berkeley (para 1.41) states that a Built Heritage Assessment accompanies the application. That assessment has not been tested at examination.
- The DAS shows a 40 m setback around Great House Farmhouse, increased from 10–15 m in earlier iterations, on illustrative plans only.
- Berkeley justifies moving the secondary school away from the SNP3 site partly on the farmhouse’s setting (paras 1.34, 1.37), which confirms the setting is a material constraint.

S5.2 – The 2022 request for setting assessment

The 2022 stakeholder feedback recorded in Berkeley’s DAS asked for “further heritage assessment of how setting contributes to significance”. SRS has seen no indication that this was carried out or that Historic England has commented on it.

S5.3 – SRS’s request

Heritage policies elsewhere in the plan protect setting generally. A site-specific minimum would add certainty at no cost, particularly as Berkeley describes its phasing as illustrative. SRS asks that the 40 m setback, and the open setting it protects, be written into the policy.

8. Topic (vi) – The effect on wildlife and woodland

SRS statement

Berkeley's own survey found at least ten bat species, Barbastelle at exceptional activity along Smith's Copse, a probable Bechstein's roost and a confirmed Brandt's roost [S6.1]. Measured from Natural England's boundary data, about 88% of HA3's main site, some 101 of 115 hectares, lies within 12 km of The Mens SAC, and its nearest point is about 10.8 km away. That is the Sussex Bat Protocol's wider conservation area, where flight-line effects must be assessed [S6.2].

HDC's HRA lists the allocations in that zone, including Barns Green, but leaves out HA3 (HDCJB12 paras 4.41–4.42), even though it accepts barbastelles forage up to 20 km (para 3.28) [S6.3, S6.5]. The survey data are from 2021–22, now over four years old [S6.5]. Ancient woodland buffers apply only “where possible”, next to drainage basins on Weald Clay [S6.4, S6.7].

I am sure other stakeholders such as HDC and Berkeley Homes will say, or have already said, that no statutory consultee objects (Berkeley 1.43). Has Natural England seen the 2026 survey? We ask HDC to produce its response to DC/26/0366. They may also say that HA3 is only in the wider zone. But exceptional Barbastelle activity on a woodland edge is exactly the flight-line severance the protocol targets there. Berkeley's enlarged woodland corridor is welcome, so secure it in the policy [S6.6].

We ask for an HRA update with Natural England, a dark-corridor criterion, and minimum woodland buffers with a hydrological assessment in the policy [S6.6].

Evidence – Topic (vi)

S6.1 – Bats and The Mens SAC

- Berkeley's Bat Survey Report Rev A (ES Volume II Appendix 8.7, February 2026) recorded, from 14 detector locations between June 2021 and August 2022, at least ten bat species, Barbastelle at exceptional activity along Smith's Copse, a probable Bechstein's roost and a confirmed Brandt's roost. It concludes “low district importance”, which CPRE Sussex disputes (letter of 31 March 2026).
- The Habitats Regulations impose a legal test: if an adverse effect on the integrity of the SAC cannot be ruled out, the allocation cannot proceed as drafted.
- HDC (para 25) relies on the Strategic Site Assessment and does not refer to The Mens SAC or to Barbastelle.
- Berkeley (para 1.43) states that there are “no outstanding objections from statutory consultees”.

S6.2 – Measured distance from HA3 to The Mens SAC

SRS distance study, 11 October 2026. The study used Natural England's SAC boundary for The Mens (UK0012716), with 6.5 km and 12 km buffers generated in British National Grid. The HA3 boundary was traced from Berkeley's site plan (DAS p. 10) and scaled to the stated 115.36 ha.

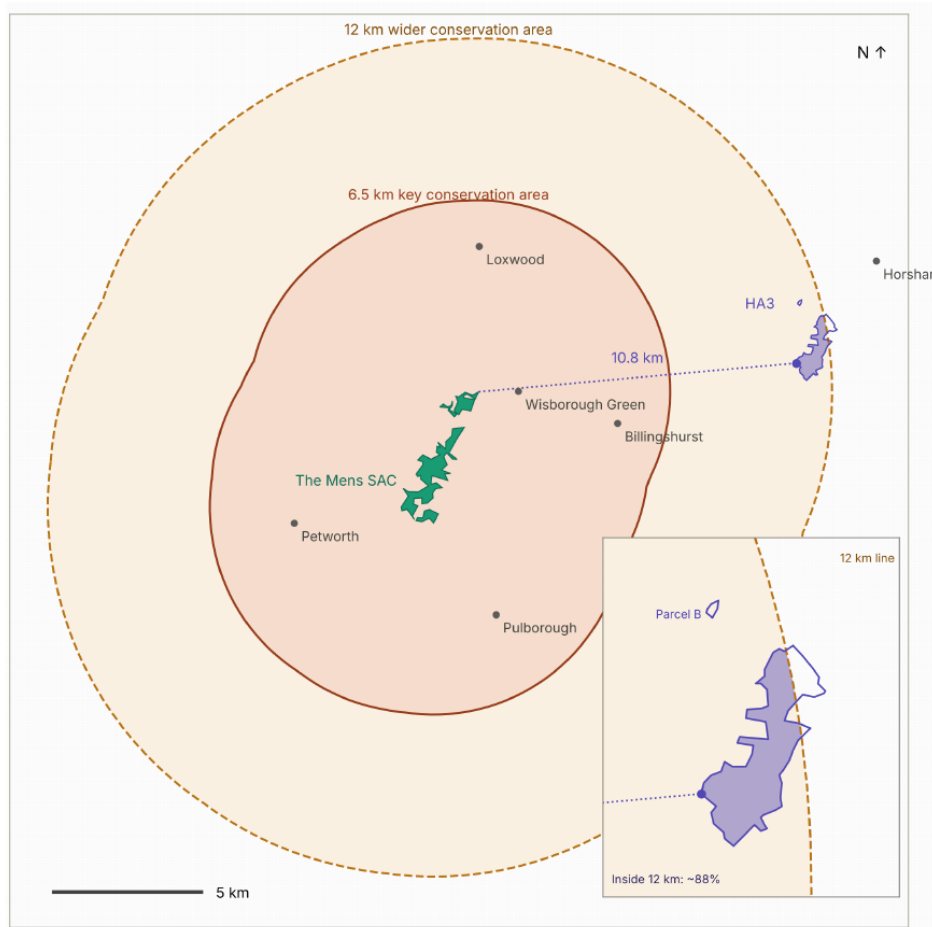
Measure	Result
Nearest point of HA3 to the SAC	about 10.8 km (south-west edge of the main site near Two Mile Ash Road, to the SAC parcel north of the A272)

Measure	Result
Main site (parcel A) within 12 km	about 101 ha of 115 ha (88%); only the north-east corner by the A24 lies outside, up to about 12.3 km
Railway parcel (parcel B)	11.2–11.4 km, entirely within 12 km
Within the 6.5 km key conservation area	No part of HA3

Accuracy is about ± 100 m. Parcel B traces to 1.39 ha against a stated 1.34 ha, and HDC's own HA3 boundary coordinate (Policies Map modification schedule, SD16) falls within about 13 m of the traced edge. The nearest point lies about 1.2 km inside the 12 km threshold, so the conclusion does not depend on the margin of error. Off-site parcels C and D were not assessed. Distances are straight-line measurements from Natural England's published boundary data and can be confirmed on Defra's MAGIC map.

HA3 Land North West of Southwater: distance to The Mens SAC

Sussex Bat SAC Protocol zones (6.5 km key conservation area, 12 km wider conservation area), prepared 11 October 2026



Buffers are measured from the edge of The Mens SAC boundary. Inset: HA3 parcels A and B; shaded area lies within 12 km. Town points are approximate centres for orientation.

Key findings

Measure	Result
Nearest point of HA3 to the SAC	about 10.8 km (south-west edge of the main site, near Two Mile Ash Road, to the SAC parcel north of the A272)
Main site (parcel A) inside 12 km	about 101 ha of 115 ha (88%); only the north-east corner by the A24 falls outside, up to about 12.3 km
Railway parcel (parcel B)	11.2 to 11.4 km, entirely inside 12 km
Inside 6.5 km key conservation area	no part of HA3

SRS distance study: HA3 and The Mens SAC 6.5 km and 12 km zones (11 October 2026)

Point checks. Straight-line distances from the SAC's easternmost boundary point (E 503,950, N 126,132; [Natural England SAC boundary data](#)):

Feature within HA3	Grid reference (E, N)	Distance	Within 12 km?
Two Mile Ash Gill (ancient woodland), west edge	514,910, 127,000	10.99 km	Yes
Courtland Wood (ancient woodland), west edge	514,927, 127,143	11.02 km	Yes
Courtland Wood, east edge	515,403, 127,371	11.52 km	Yes
Great House Farmhouse (Grade II*)	515,317, 126,928	11.39 km	Yes
Christ's Hospital station parcel (approx.)	c.514,700, 129,200	c.11.2 km	Yes

S6.3 – Omission of HA3 from the HRA

HDC's HRA (HDCJB12 paras 4.41–4.42) lists the allocations between 6.5 km and 12 km of The Mens, including Barns Green (BGR1–3), which lies further west than HA3 and therefore closer to the SAC. HA3 is not listed. The HRA's own method (para 3.29), applying the Sussex Bat Protocol, requires flight-line severance to be considered in this zone, and the HRA accepts that barbastelles can forage up to 20 km (para 3.28). SRS invites HDC to explain why HA3 is not listed in para 4.42, and asks that the HRA be updated with Natural England to screen HA3 for functionally linked habitat in light of the Barbastelle records.

S6.4 – Woodland: ancient woodland buffers and hydrology

- The site is on Weald Clay, which limits infiltration; above-ground attenuation could alter the groundwater feeding Courtland Wood and Smith's Copse.
- HDC (para 29) considers that no site-specific drainage policy is needed because other plan policies apply.
- Berkeley's DAS records the 2022 stakeholder request to "reassess proposed basin south of the Downs Link due to sensitive engineering impacts".

S6.5 – Supporting data

Point	Source
At least ten species; Barbastelle exceptional at Smith's Copse; probable Bechstein's roost; confirmed Brandt's roost; surveys June 2021–August 2022	Bat Survey Report Rev A, ES Vol II App. 8.7 (February 2026), DC/26/0366
Conclusion of "low district importance" disputed	CPRE Sussex letter, 31 March 2026
Protocol zones: 6.5 km key area (all impacts); 12 km wider area (significant impacts or flight-line severance)	Sussex Bat SAC Protocol; HDCJB12 para 3.29
Barbastelles can forage up to 20 km	HDCJB12 para 3.28
HA3 omitted from the 6.5–12 km list	HDCJB12 paras 4.41–4.42
Survey data more than three years old	CIEEM Advice Note on the lifespan of ecological reports and surveys

Point	Source
NPPF biodiversity policy	NPPF (September 2023) para 180(a); version confirmed by HDCJB20 para 1.14

S6.6 – Responses to points made by other parties, and SRS’s requests

Point	SRS response
Natural England has not objected (Berkeley para 1.43)	Has Natural England seen the 2026 Bat Survey Report? SRS invites HDC to produce Natural England’s response to DC/26/0366.
The site lies only in the wider zone, so only significant effects matter	Exceptional Barbastelle activity on a woodland edge is the flight-line severance the Protocol addresses in that zone.
The masterplan enlarges the woodland corridor to about 15,000 sq m with sensitive low-level lighting (DAS Lighting Strategy)	The enlarged corridor is welcome and should be secured in the policy.
The plan’s HRA screened this out	The HRA does not list HA3 among the allocations within 12 km of The Mens (HDCJB12 paras 4.41–4.42).

SRS requests an HRA update with Natural England screening HA3 against The Mens SAC; a dark-corridor criterion retaining the Smith’s Copse–Courtland Wood flight lines; and minimum ancient woodland buffers with a hydrological assessment in the policy.

S6.7 – Woodland buffers

Berkeley’s DAS increases woodland buffers from 15 m to 20–50 m “where possible”. As drafted, “where possible” does not secure a minimum. If other plan policies are relied on for drainage (HDC para 29), the woodland buffer and hydrology requirement should be specified in Policy HA3.

9. SRS's proposed modifications

1. **Topic (i) – Hop Oast:** full signalisation delivered by the developer, to WSCC's specification, before the 200th occupation, with traffic management on Two Mile Ash Road, Church Lane and Kerves Lane before Junction 5 opens to general traffic; adoption of WSCC's requested wording (comments 1592 and 1935) (S1.2).
2. **Topic (ii) – Active travel:** if the Station Road land is unavailable, Policy HA3 part 7(b)(ii) to require a specified, secured alternative route; safe A24 crossings in place before the school opens (S2.5).
3. **Topic (iii) – Secondary school:** the policy to identify the intended site; safe walking and cycling routes from the existing village, and a safe transport corridor from north of the A24, in place before the school opens; funding and delivery triggers agreed with WSCC and tied to the realistic housing trajectory, covering land transfer, funding and opening (S3.4).
4. **Topic (iv) – Primary request:** removal of HA3 as a strategic site, with the housing shortfall met elsewhere in the district (S4.9a).
5. **Topic (iv) – If HA3 is retained:** Southern Water's written position on the funding and delivery of treatment capacity at Barns Green to be established, and the plan-period figure set by reference to a Southern Water-confirmed date.
6. **Topic (iv) – Phasing criterion (new):** "Occupation of development shall be phased to align with the delivery of wastewater treatment, foul network and water supply capacity, in liaison with Southern Water, with no occupation until capacity is confirmed available. Delivery of the Hop Oast works and the secondary school shall be tied to the same phasing."
7. **Topic (iv) – Housing figure:** a single figure across MM145, MM206 and Policy HA3, with C2 and C3 stated separately (S4.17).
8. **Topic (v) – Heritage:** the 40 m Great House Farmhouse setback, and the open setting it protects, written into the policy (S5.3).
9. **Topic (vi) – Wildlife and woodland:** an HRA update with Natural England screening HA3 against The Mens SAC; retention of dark flight lines between Smith's Copse and Courtland Wood; minimum ancient woodland buffers and a hydrological assessment (S6.6).

10. Documents referred to

Examination documents

Reference	Document
IDJB07 (revised)	Inspector's agenda, Matter 6b
MJB6b.01	Horsham District Council, Matter 6b statement (link)
MJB6b.02	Save Rural Southwater, Matter 6b statement (link)
MJB6b.03	Southwater Parish Council, Matter 6b statement (link)
MJB6b.04	Berkeley Strategic Land, Matter 6b statement and appendices, including the Design and Access Statement (link)
MMJB01	Schedule of Proposed Main Modifications, June 2026 (link)

Reference	Document
HDCJB12	Habitats Regulations Assessment Update, July 2026 (link)
HDCJB14b	Strategic Site Assessment, June 2026 (link)
HDCJB15b	Local Plan Transport Assessment (link)
HDCJB19	Infrastructure Delivery Plan, June 2026 (link)
HDCJB20	Housing Delivery Study Update, July 2026 (link)
HDCJB23	Statement of Common Ground between HDC and Miller Homes Ltd, site BGR1 (link)
HDCJB28	Water Supply and Water Quality Topic Paper, October 2026

Other documents

- Southern Water correspondence of 12 July 2022, 9 April 2025 and 28 April 2026 (see para 1.3).
- Berkeley Strategic Land, outline planning application DC/26/0366, including the Bat Survey Report Rev A (ES Volume II Appendix 8.7, February 2026).
- HDC planning application DC/25/2057 (Miller Homes, Barns Green), refused 4 August 2026.
- HDC Communities and Place Policy and Scrutiny Committee, 9 September 2026, meeting recording (from 1:33:46).
- CPRE Sussex, Regulation 19 representation on Strategic Policy HA3 ([link](#)); CPRE Sussex letter of 31 March 2026.
- Southern Water Drainage and Wastewater Management Plan catchment overviews: Adur and Ouse ([link](#)); Arun and Western Streams ([link](#)).
- Southern Water, Clean Rivers and Seas Plan map ([link](#)).
- Sussex Bat SAC Protocol ([link](#)).
- Water Industry Act 1991, sections 94 and 106.
- National Planning Policy Framework (September 2023).