Horsham District Council

Horsham District Local Plan Examination

Land South of New House Farm (HOR3)

October 2026

Document Reference:

HDCJB44

MM234 – Strategic Policy HA10 Horsham (HOR3 (b))

1. Local Plan Inspector, Jonathan Bore, has asked Horsham District Council to investigate the validity of criterion (b) of the HOR3: Land South of New House Farm:

   (b) *All areas of ancient woodland, veteran trees and trees subject to Tree Preservation Orders shall be retained and protected. A minimum of underdeveloped buffer of at least 15 metres, measured from the woodland edge, shall be provided, no built development, including gardens, drainage features or lighting, will be permitted within the buffer zone;*

2. Land South of New House Farm lies on the eastern edge of Horsham and is allocated for 120 homes as a main modification (MM234) to the Submission Horsham District Local Plan (2040). Figure 1. Highlights the allocation known as Land South of New House Farm and is outline in red and abuts woodland to the east (outlined in green) known as “The Birches”.



Figure 1: Land South of New House Farm is highlighted in red. The Birches is highlighted in green.

3. The Birches is not classified as ancient woodland and there are no Tree Preservation Orders or veteran trees identified within the woodland or on the perimeter. The woodland is however identified as Priority Habitat (Lowland Mixed Deciduous Woodland). **Lowland Mixed Deciduous Woodland** is a **Section 41 Priority Habitat under Natural Environment and Rural Communities Act (NERC Act 2006)** and benefits from strong biodiversity protection.

4. Habitats and species identified under Section 41 Priority Habitat are of principle importance for the conservation of biodiversity in England. The Section 41 list is used to guide decision-makers such as public bodies, including local authorities, in implementing their legal duty under Section 40 of the NERC Act, to have regard to the conservation of biodiversity in England when carrying out their normal functions.

5. It is therefore proposed Policy HOR3 criterion b is amended to reflect the correct status of The Birches as a Priority Habitat as follows:

   (b) ~~All areas of ancient woodland, veteran trees and trees subject to Tree Preservation Orders shall be retained and protected. A minimum of underdeveloped buffer of at least 15 metres, measured from the woodland edge, shall be provided, no built development, including gardens, drainage features or lighting, will be permitted within the buffer zone;~~

Amended policy criterion (b) to read:

(b) Are supported by a preliminary ecological appraisal to assess whether proposals will result in any direct or indirect impacts on the Priority Habitat Inventory woodland (The Birches) to the east of the allocation. Where impacts are identified, proposals will need to demonstrate compliance with Strategic Policy 17: Green Infrastructure and Biodiversity.