

## Examination Statement

### Matter 4

### Horsham District Local Plan 2023-2040

*Prepared For*  
**Fairfax Acquisitions Limited**  
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## 1 INTRODUCTION

- 1.1 This statement has been prepared on behalf of Fairfax Acquisitions Limited, who have land interests at Newhouse Farm, Horsham, land to the north of Church Farm Walk, Upper Beeding, and Storrington (allocation HA18 ST01).
- 1.2 These representations provide a response to the matters and questions raised by the Inspector and to that extent do not focus on sites not included in the plan, that could otherwise be known as omission sites.
- 1.3 This response focuses on the questions asked in light of the soundness requirements set out in paragraph 35 of the NPPF (September 2023) that requires the plan to be positively prepared, justified, effective and consistent with national policy.



## 2 MATTER 4 – CONSERVING AND ENHANCING THE NATURAL ENVIRONMENT

### **MATTER 4, 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?**

#### **Is Strategic policy 13: The Natural Environment and Landscape Character sound?**

- 2.1 Policy 13 is too restrictive, requiring development to “*protect, conserve and enhance the landscape and townscape character*”. It will not always be the case that development can protect landscape and townscape character as ultimately the impact of development invariably changes the landscape. Inclusion of the word ‘protect’ could jeopardise the delivery of sustainable development and is not a sound approach to this policy.
- 2.2 Inappropriate development is not defined in the policy and therefore it’s inclusion in the policy working is not effective or justified as it is not clear what type of development will be considered ‘inappropriate’.
- 2.3 It is our view the policy would conflict with other policies in the plan seeking to deliver housing and employment growth and make it challenging for the plan to enable the delivery of small sites and windfall development.

#### **Is strategic policy 14: Countryside Protection sound?**

- 2.4 This policy is overly restrictive and therefore not positive, effective or justified. It is important that places out of settlement boundaries, and therefore in the countryside, are allowed to grow and develop.
- 2.5 The wording is in our view more restrictive than green belt policy that would allow for instance, limited infilling in villages and outdoor sport and recreation that is not required to be ‘quiet’. Given the under-deliver of the plan and the failure to identify sufficient small sites to meet the requirements of NPPF 69 a) and the Council’s main modification HM048 encouraging small sites to come forward, it is more essential that there is



flexibility to enable an appropriate level of growth in the plan period outside of settlement boundaries.

- 2.6 It is our view this policy conflicts with Strategic Policy 3 Settlement Expansion and the allocations in the plan and would conflict with modification HM048 to policy 37.

**Is strategic policy 15: Settlement Coalescence sound?**

- 2.7 The policy is not clear as to which areas of land it applies, the implication being it could apply to the whole district given that any piece of land lies between one settlement and another, and as such would unduly restrict development, even of allocated sites, and renders the plan not sound.

- 2.8 HDC (Horsham District Council) does not require separate policies protecting the countryside and settlements, it is a negative approach that will unduly restrict growth and create conflict in the determination of planning application with different policies in the plan.

- 2.9 It is our view this policy conflicts with Strategic Policy 3 Settlement Expansion and the allocations in the plan.

**Is strategic policy 16: Protected Landscapes sound?**

- 2.10 The policy does not accord with the NPPF in regard to major development in the AONB and is therefore not sound (paragraph 177). In this instance it may be best to require major development to accord within the principle of the NPPF as opposed to re-write national planning policy.

**Is strategic Policy 17: Green Infrastructure and Biodiversity Sound?**

- 2.11 The approach to biodiversity net gain is not in accordance with the Planning Practice Guidance, as there is no justification for seeking a high percentage of biodiversity net gain. The Council's Biodiversity Net Gain Thresholds, Site Assessment Study and Green Call for sites' document confirms small site could not achieve 12% net gain and this would unduly restrict development on small sites which are essential to the overall delivery of housing in the plan period.



2.12 Biodiversity requirements came in force for all sites in April this year and it is our experience that it is proving incredible difficult to achieve 10% net gain on site due to the restrictions in the use of the matrix and it is incredibly expensive to purchase off-site credits. There is a very significant concern that requiring above and beyond the statutory minimum will put all development under significant pressure and result in a lack of or delay in delivery.