

SENT BY EMAIL
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21/08/26

Dear Sir/ Madam

HORSHAM LOCAL PLAN – MAIN MODIFICATIONS

1. Thank you for consulting with the Home Builders Federation (HBF) on the main modifications to the Horsham Local Plan.
2. HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which include multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.

MM78

3. HBF supports the decision not to require development to meet a higher level of BNG than that proposed by the Environment Act 2021 as there was no justification to support the policy as submitted. However, HBF continues to consider that the other proposed modifications do not address all the soundness issues with this policy. Firstly, it is not clear why the new part c is required given part 6 of the policy also makes reference to the need to submit information to show how net gain will be achieved. Given this repetition and the fact that legislation and guidance already provide detail as to the information required to show that net gains will be delivered HBF do not consider the new part c to be necessary and it should be deleted.

MM79

4. As mentioned above HBF welcome the proposed amendment in MM79. However, HBF do not consider this to be sufficient to make this particular paragraph sound. The section continues to state that submissions must make it clear what is provided to meet no net loss and what is provided to deliver net gains. On the basis of paragraph 6.52 this would appear to be a reference to the mitigation hierarchy in paragraph 180 of the NPPF. This establishes the need for applicants, in addition to demonstrating that net gains have been achieved, that they have also looked to ensure that any significant harm has either been avoided, mitigated or compensated for. While HBF agrees that there must be distinction between the mitigation hierarchy and the BNG hierarchy we do not consider the current wording to provide the necessary clarity given that PPG makes it clear these are distinct from one another. HBF would suggest the following wording is more accurate, "*Submissions must make it clear as to which actions are being undertaken to avoid, mitigate or compensate any significant harm and those undertaken to deliver the required net gains in biodiversity*".

5. HBF also considers the third sentence of part 6 to be unsound as it requires off site net gains to be delivered through off site net gains within the district. This is not consistent with paragraph 74-008 of PPG which simply makes reference to registered offsite credits. While it will be advantageous to the developer to deliver offsite credits in the borough due to the spatial risk multiplier in the metric, it is not for the council to dictate where offsite gains will be delivered. The following amendment is suggested.

The net gain must be achieved through the delivery of appropriate on-site biodiversity net gain or, where this is not practicable, through off-site net gain. ~~within the District especially areas, as suitable to the habitats subject to gain, identified in the District's Green Infrastructure Strategy or the Local Nature Recovery Strategy, or as agreed by the Council~~

MM90-93

6. HBF acknowledges that development proposals need to be supported by appropriate infrastructure, and that proportional mitigation may be required from proposals. However, we are concerned that the operation of Strategic Policy 23 and supporting paragraphs 8.5 and 8.6, particularly in relation to wastewater infrastructure and network capacity, goes beyond considerations of land use planning and is inconsistent with paragraph 201 of the NPPF which states that decision makers can assume that the control of other processes can be assumed to be effective. In other words, as there is already as well established statutory Framework governing the provision of water and waste water infrastructure, the Council can have the necessary confidence that utilities companies can fulfil their statutory duties.
7. The proposed modifications continue to imply that development delivery may be dependent upon infrastructure upgrades that are the responsibility of statutory undertakers rather than developers. HBF are concerned that the approach outlined risks delaying decisions that enable the delivery of sustainable development where infrastructure improvements are outside the control of applicants and developers. Water and wastewater undertakers have statutory responsibilities to plan, maintain and upgrade their networks to accommodate growth identified through the development plan process. Development proposals should not be prevented from coming forward due to delays in infrastructure investment programmes operated by third parties, especially where it has been established through a local plan examination that there are sufficient resources to support what is being proposed. HBF therefore recommend that the reference to the developer demonstrating that infrastructure capacity can be delivered in MM90 should be deleted and the supporting text amended to establish:
- water and wastewater infrastructure is the responsibility of the relevant statutory undertaker;
 - development management processes should not duplicate existing statutory procedures governing network capacity and infrastructure provision;
 - developers must not be required to address pre-existing deficiencies within the infrastructure; and
 - where capacity upgrades are required, these should be addressed through the established statutory processes operated by the relevant utility provider.

8. HBF welcomes the allocation of additional sites and the increased housing requirement that meets half of Crawley's unmet needs and delivers a further 884 homes to meet the needs of the Worthing and Adur. It is stated that this is based on a methodology that was prepared in partnership with Mid Sussex. While we could not find this methodology in the supporting evidence, the consultation on the Main Modifications Mid Sussex District Plan does set out in their Housing Post Hearing Update (MS-TP4) the methodology they have used, and we have therefore assumed the same approach has been used by Horsham District Council (HDC).
9. In arriving at the number of homes HDC should include in their housing requirement to support Worthing and Adur meet their needs the Council have taken the proportion of all out migration from Worthing and Adur to Horsham and then applied this to the level of unmet need. This has resulted in the Council proposing to increase their housing requirement by 884 dwellings over the plan period (544 homes for Worthing and 340 homes for Adur). The use of migration data is in our opinion reasonable. However, we would disagree that the proportion is based on all out migration from Worthing and Adur. In arriving at the proportion, it is our opinion that consideration should be given to paragraph 61 of the NPPF which indicates that unmet needs must be considered by neighbouring areas. As such HBF would suggest that the proportion should be based on the total migration from Adur and Worthing to the Sussex LPAs and not the whole of the country.
10. Using the most recent figures on internal moves between local authorities from ONS a total of 572 people moved from Adur and Worth to Horsham during the year ending 2025. The number of moves from Adur to Worth to the rest of Sussex in total was 6,276 people. Therefore 9.1% of moves within Sussex from those two areas were to Horsham. Without access to the exact level of unmet needs used by the Council to arrive at its estimates we have had to extrapolate these from the outcomes of the Council's approach. This result in the unmet need from Adur and Worthing being in the region of 15,500 homes. Using our proposed method would require the Council to uplift their requirement by 1,410 homes.
11. In addition, HBF are concerned that no allowance has been included to account for the unmet needs of Brighton and Hove despite the relatively strong migratory links between the two areas, as set out in Table 1 and 2 of our statements to Matter 1 of the resumed hearings. HBF therefore consider that the Council should include a contribution towards Brighton and Hove's identified unmet needs. Using the approach advocated by HBF this would require the Council to provide for 6.2% of Brighton and Hove's identified unmet needs. Based on the document mstp04 the unmet needs of Brighton are in the region of 25,000 homes and means the Horsham should be seeking to meet a further 1,550 homes in response to Brighton's expected unmet needs.
12. In conclusion HBF consider our approach to be more appropriate given that it reflects the NPPF's position that it is for neighbouring areas to take account of unmet needs. It is also necessary for Brighton and Hove's unmet needs to also be factored into any assumptions given the relatively strong migratory patterns between the two areas. As such it is HBF's position that the total housing requirement in this local plan should be increased by 2,960 homes.

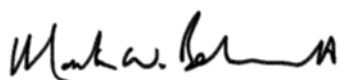
MM146 and MM147

13. HBF does not consider the proposed stepped requirement to be sound. While the use of a stepped requirement is considered in PPG to be appropriate where there is to be a significant change in the level of housing requirement between emerging and previous policies or where strategic sites will have a phased delivery or are likely to be delivered later in the plan period. However, it is also important to note that stepped trajectories where they are used do not unnecessary seek to delay meeting identified development needs. However, this is what the proposed step does by reducing the requirement so significantly in the early years of the plan. This means that the council could deliver well below what is expected and still maintain a five year land supply. HBF therefore consider a more challenging stepped requirement of 601 dpa for years 1 and 2, 700 for years 3 to 7, 1,100 for years 8 to 10 and then 1,530 dpa for the remaining years. Based on the trajectory in the Housing Delivery Study Update (HDCJB20) this would still ensure a five year land supply on adoption but recognise the significant back log in supply that already exists.
14. The Council will also need to update the trajectory in the submitted local plan to reflect the most up to date delivery expectations as this does not appear to have been included in the main modifications. We would also suggest that the trajectory includes the actual delivery expectations as has been presented in Figure 5.1 of HDCJB20.

Future Engagement

15. I trust that the Council will find these comments useful as it continues to progress its Local Plan. I would be happy to discuss these issues in greater detail or assist in facilitating discussions with the wider housebuilding industry.
16. The HBF would like to be kept informed of all forthcoming consultations upon the Local Plan and associated documents. Please use the contact details provided below for future correspondence.

Yours sincerely,



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