Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0109
Oakfield , Cox Green, Rudgwick, West Sussex, RH12 3DD

DESCRIPTION:
Application for Approval of Details Reserved by Conditions 4, 5, 7 to approved application DC/23/0235

RELEVANT PLANNING HISTORY:

DC/23/0235	Erection of 1no detached two-storey dwelling with integral garage and associated access and erection of a detached garden room to the rear.	Application Permitted on 17.08.2023.

PLANNING ASSESSMENT
Planning Application DC/23/0235 was granted consent on 17.08.2023. This permission was for the following:

Erection of 1no detached two-storey dwelling with integral garage and associated access and erection of a detached garden room to the rear.

Consent is sought to discharge the details reserved by conditions 4, 5 and 7.

Condition 4: Hazel Dormouse Method Statement

{\b Pre-Commencement Condition}: Prior to the commencement of the development, a Non-Licensed Hazel Dormouse Method Statement shall be submitted to and approved in writing by the local planning authority. This should contain precautionary mitigation measures and/or works to reduce potential impacts to Hazel Dormouse during the construction phase. The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To conserve protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

The Applicants have submitted a Dormouse Precautionary Method Statement (The Ecology Co-op, 8 May 2024) which seeks to address the requirements of Condition 4.

The Method Statement sets out reasonable avoidance methods to ensure that potential impacts to dormice are kept to a minimum.

The Application relates to Plot 3 adjacent to Oakfield, as demonstrated within the Method Statement.

The Method Statement sets out in Paragraph 1.3 (background) that '*a section of the south-eastern boundary hedgerow which is situated outside Plot 3's southern red line boundary but is connected to the rest of this site was removed under supervision on the 21 February 2024 as part of a separate planning application DC/23/0340'.* The Statement further advises that *'this work was supervised by an ecologist with a level 1 dormouse survey licence and involved a thorough pre-works inspection of the hedgerow that included both the above ground vegetation and root network for signs of dormice including nests'* and that *'no evidence of dormice was found and immediately after the search, the above ground*

vegetation was removed, and the root network inspected again. The second search confirmed no presence of dormice and as a result the roots of the hedgerow were dug out one by one. The time of the year was chosen to avoid the nesting bird season and coincide with the end of the dormouse hibernation season.'

Section 3 of the Method Statement addresses 'Design Stage Impact Avoidance Measures', and states that '*all of the boundary hedgerows across the site will be retained. There may be a small amount of grass and small shrubs to be removed from a section of the northern boundary, but the hedgerow will remain intact.'*

Section 4.1 of the Method Statement sets out details of 'Habitat Manipulation' and advises that '*all retained hedgerows must be protected from direct and indirect damage.'* It also sets out the procedures in the event that any small areas of shrubs / grassland need to be removed in order to facilitate the development. Measures are set out for the continued protection of the hedgerow, as well as for the protection of nesting birds or for evidence or dormice which are to be carried out by an experienced ecologist.

Section 4.1.1 of the Method Statement advises that '*all habitat clearance work will at all times be overseen by an Ecological Clerk of Works (ECoW,'* and details as to how this should be carried out.

Section 4.1.2 of the Method Statement relates to 'Timing' for removal of shrubs between March and October provided that a thorough fingertip search of vegetation is carried out first and that works cease in the event evidence of nesting birds or dormice is found.

Section 4.1.3 of the Method Statement relates to the Lighting Strategy and advises that '*no works should take place after dark, and no artificial lighting should be used during habitat manipulation or directed to suitable habitat,*' and confirms that *'an ecologically sensitive scheme that conforms to Bat Conservation Trust guidance'* forms part of the Method Statement requirements.

The Council's Ecology Consultants have reviewed the submitted Dormouse Precautionary Method Statement (The Ecology Co-op, 8 May 2024) which has been submitted in order to discharge Condition 4.

They have advised that they are satisfied that the submitted information includes the necessary details to enable the discharge of Condition 4.

The requirements of the condition have been satisfied.

Condition 5: Biodiversity Enhancement Layout

{\b Pre-Commencement (Slab Level) Condition}: Prior to the commencement of the development above slab level, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal (The Ecology Co-op, November 2022) and the Reptile Survey Report (November 2022) shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

The Applicants have submitted a Biodiversity Enhancement Strategy (The Ecology Co-op, 13 May 2024) which seeks to address the requirements of Condition 5.

Section 3 of the Biodiversity Enhancement Strategy report sets out the location and type of proposed habitat enhancement measures for the site, involving implementing the following:
• new native species-rich hedgerow

• wildflower areas
• bat boxes
• bird boxes.

The new native species rich hedgerow will be planted parallel to the former eastern boundary which was removed under a separate planning application (ref: DC/21/2211). The hedgerow will include at least five hedge trees per linear metre and comprise of at least 50% hawthorn Crategous monogyna. The Biodiversity Enhancement Strategy report sets out that in addition to the hawthorn, a mixture of at least five or more native woody species will be included (as detailed in section 3.2 of the report).

It is advised that the '*hedgerow will be planted with a species-rich native mixture to provide valuable shelter and foraging habitat for birds, bats and dormice*.'

It is also advised within paragraph 3.3 that '*a new non-native hedgerow will be planted along the southwest boundary that divides this plot from the existing Oakfield residential property'* and that '*the hedgerow will extend up to the northwest boundary to increase connectivity across the site.'*

It is also advised within paragraph 3.4 'Wildflower' sets out that *'an area of native wildflower planting will be created between the new native hedgerow along the eastern boundary and the new hard-standing driveway of the proposed dwelling. In addition, two strips of wildflower planting will be created along the northern boundary, at least 2m wide either side of a gate leading into a neighbouring field'*.

Sections 3.5 'Bats' states that 2 x bat access tiles will be incorporated into the new roof of the proposed dwelling and that 1 x Beaumaris woodstone bat box (midi) will be fixed to the south or south-eastern elevation at least 3m form ground level and close to the eaves. Additionally, 1 x improved Cavity bat box will be fixed to a retained mature tree on the site.

Section 3.6 'Nesting Birds' states that 3 x general purposes nesting bird boxes will be installed around the site on retained semi mature trees / mature trees.

Section 3.7 'Reptiles' states that new species rich hedgerow will provide an enhancement for reptiles creating higher quality foraging habitat as well as places of shelter.

Section 3.8 of the of the Biodiversity Enhancement Strategy report includes the Proposed Enhancement Plan with location of compensation and enhancement measures as mapped.

Section 4 of the Biodiversity Enhancement Strategy report sets out the post-construction management for the proposed biodiversity enhancement features, including optimal habitat and yearly management details for hedgerows and wildflower meadow management and other matters.

Section 5 sets out the works schedule; Section 6 sets out an outline of management responsibilities and the competencies of those carrying out the works. This section also recommends that a site inspection is undertaken by a suitably qualified ecologist post-construction, to ensure compliance with this report and that all enhancement measures are correctly implemented.

The Council's Ecology Consultants have reviewed the submitted Biodiversity Enhancement Strategy (The Ecology Co-op, 13 May 2024) which has been submitted in order to discharge Condition 5.

They have advised that they are satisfied that the submitted information includes the necessary details to enable the discharge of Condition 5.

The requirements of the condition have been satisfied.

Condition 7: Air Source Heat Pump Details

{\b Pre-Commencement (Slab Level) Condition}: Prior to the commencement of any development above slab level, details of the proposed Air Source Heat Pump shall be submitted to and

approved in writing by the Local Planning Authority. The details shall include (but shall not be limited to):

- ***The manufacturer's specification of the unit (including make and model)***
- ***Details of maintenance and upkeep***
- ***Expected noise levels***
- ***Details of any noise mitigations, including design of any shrouding (if required)***

The equipment shall thereafter be installed and maintained in accordance with the approved detail unless otherwise agreed to and approved in writing by the Local Planning Authority

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

The Council's Environmental Health Officers have been consulted and they have advised in respect of the submitted technical data provided for the air source heat pump, *'that they are satisfied that it is unlikely that any significant adverse noise impact will arise from the operation of the air source heat pump.'*

Whilst the comments of the Parish Council are noted, Officers of the Council are satisfied that the information provided by the Applicants and as reviewed by the Environmental Health Department, is considered to be acceptable for the purposes of discharging Condition 7.

The requirements of the condition have been satisfied.

Recommendation: Application Permitted

NOTE TO APPLICANT

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DISC/24/0109
(The approved plans will form Condition 1 on the Decision Notice of all Permitted applications)

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Panasonic 12w ASHP Data Sheet (Air Source Heat Pump)		15.05.2024
Supporting Docs	Biodiversity Enhancement Strategy		15.05.2024
Supporting Docs	Dormouse Precautionary Method Statement		15.05.2024

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date

DELEGATED

Case Officer sign/initial	Amanda Wilkes	Date:	30.07.2024
Authorising Officer sign/initial	J Hawkes	Date:	01.08.2024