WS PLANNING & ARCHITECTURE
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Ms. E. Parkes
Head of Development and Building Control
Horsham District Council
Albery House
Springfield Road
Horsham
RH12 2GB

13 July 2026

Our Ref: J004997

Dear Ms. E. Parkes

Application for the Discharge of Conditions 2, 3, 4, 7, and 8 of Planning Permission DC/26/0362 at Land north west of Junipers, Harbolets Road, West Chiltington, West Sussex

I refer to the above. WS Planning & Architecture have been instructed by Mr Casey to prepare and submit a planning application for the Discharge of Conditions 2, 3, 4, 7, and 8 of Planning Permission DC/26/0362 regarding Land north west of Junipers, Harbolets Road, West Chiltington, West Sussex. In support of the application we attach,

01 Completed application forms,

02 Drawing no. J004997-TD-01 Technical Development Scheme

03 1553 – Land North of Junipers – Drainage Strategy prepared by Flume Consulting Engineers

This covering letter should be read in conjunction with the submitted documents as it forms part of the submission.

Preliminary Matters

Whilst the details submitted are considered to be favourable to the LPA, it is important to remind the LPA that the necessary tests to be applied on such matters (conditions details) was re-emphasised by the courts on 12 August 2022 in **R. (on the application of Cathie) v Cheshire West and Chester BC**, Bird J held at [65] that the relevant test was,

> *"… I am satisfied that the test for discharge in the present case is whether the OMP proposed a "satisfactory" solution to the impact of the farming operations on residential amenity at the House. It is plain that a satisfactory solution does not need to be an ideal solution…"*

Therefore, whilst it is recognised that comments in response to the details supplied may be forthcoming, and amendments may be requested, the test to be applied is whether or not the details are satisfactory, i.e. a workable solution and meeting the

requirements of the conditions as they are worded. As such, whilst amendments could be sought, the details are considered to meet the requirements of the conditions imposed, and present to the LPA workable solutions, that are satisfactory solutions.

Condition 2 – Foul Water Drainage

Condition 2 of DC/26/0362 is set out below,

> *"Within three months of the date of this decision, a drainage strategy detailing the proposed means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority. Within three months of the scheme being approved, the approved scheme shall be implemented and thereafter retained as such."*

Details submitted in support of the discharge of Condition 2

In relation to foul drainage, please refer to the Drainage Strategy that has been submitted alongside this application.

A sealed cesspool is proposed. There is no available public sewer connection and the site constraints prevent the provision of a compliant drainage field, so this represents the only feasible and appropriate solution. This has been set out clearly to address the relevant planning condition. The report also includes a drainage plan demonstrating the solution to be provided.

Condition 3 – Surface Water Drainage

Condition 3 of DC/26/0362 is set out below,

> *"Within three months of the date of this decision a detailed surface water drainage scheme including a Surface Water Drainage Statement, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall be fully coordinated with the landscape scheme. Within three months of the scheme being approved, the approved scheme shall be implemented and thereafter retained as such."*

Details submitted in support of the discharge of Condition 3

In relation to surface water drainage, please refer to the Drainage Strategy that has been submitted alongside this application.

The drainage strategy is based on a fully infiltration-led approach. BRE365 testing confirms that infiltration is viable at the site, with consistent results achieved across multiple cycles. Surface water will therefore be managed using permeable paving across the development, providing distributed attenuation within the sub-base and gradual discharge to ground. No off-site discharge is proposed and the system has been designed for the 1 in 100 year event including a 40% climate change allowance. This approach aligns with the drainage hierarchy and removes reliance on any external

outfall. Exceedance flows are managed on-site in accordance with the existing topography, ensuring no increase in flood risk.

Condition 4 – Hard and Soft Landscaping

Condition 4 of DC/26/0362 is set out below,

> *"Within three months of the date of this decision full details of all hard and soft landscaping works shall have been submitted to and been approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:*
>
> *(a) Details of all existing trees and planting to be removed and retained*
>
> *(b) Appropriate and additional native hedgerow and tree planting along the less vegetated boundaries with Harbolets Road – planted in double staggered rows at 5 plants per linear metre*
>
> *(c) Additional soft landscaping within the site including wildflowers, flowering lawns and trees*
>
> *(d) Details of all hard surfacing materials and finishes*
>
> *(e) Details of all external lighting*
>
> *(f) Details of Ecological and Biodiversity Enhancements"*

Details submitted in support of the discharge of Condition 4

With regard to this condition, it is notable that a previous discharge of conditions application was partially refused in relation to this matter for the original planning permission. The Landscape Officer's comments are referred to which assist in the determination of this application.

Firstly, it is pertinent to consider that what is put forward is a proposed scheme. We do not ask that you assess the development on the ground, as we accept that changes would have to be made to ensure that it is acceptable.

Furthermore, the details must be within the scope of what this planning permission can consider. As a starting point, within the application proposed plans were assessed, and that is the basis on which the application was approved. It is clear that these proposed plans included one shared access, and we do not consider that it falls within the scope of the application to consider two separate accesses. Therefore, this is clearly a matter which is subject to its own issue which must be brought into accordance with the approved plans, or otherwise accepted by a separate planning submission.

The comments invite this to be shown on the plans, with planting relocated to be on either side of the gates. Again, this is not considered to be within the scope of the planning permission and cannot be included. That does not mean that the details should be refused, but instead that the details should be assessed on the basis of the proposed scheme, not what is on the ground.

This extends to other matters, such as internal layout, the close board entrance gates, brick walls and pillars, and existing planting. These matters, on the ground, do not align with the proposed scheme. That is the purpose of the proposal, to demonstrate how the site can be brought in to a more acceptable design and appearance.

Therefore, we ask that the Council consider what is proposed, which is shown on the drawing J004997-TD-01. This displays extensive proposed planting that would be provided to adequately landscape the site.

Hedgerows

The species of all new hedge planting proposed is as follows:

- 60% Hawthorn (Crataegus monogyna),
- 20% Blackthorn (Prunus spinosa),
- 10% Hazel (Corylus avellana), and
- 10% Holly (Ilex aquifolum).

The scheme would comprise a double staggered row at 0.5m centres, providing 5 plants per linear metre.

This is clearly displayed on the proposed technical plan, and would bound the entirety of the site, on the exterior of the close board fencing, to provide a strong native screen.

Trees

In addition, new tree planting is proposed on the site at the entrance, front corners, and internally. This is proposed to comprise of Silver Birch (Betula pendula), of the following specification: 90-120cm 1+1 transplant.

The Landscape Officer's comments on the previous discharge of conditions application referred to a reinstatement of the mature treeline and hedgerow along the southwestern boundary. This has therefore been demonstrated on the proposed plan. On this basis, the provision of 16no. Oak (Quercus robur) trees are proposed along this boundary. In light of the maturity of the trees removed, these are proposed to be Extra Heavy Standard stock.

Wildflower

Areas for both wildflower meadows proposed on the relevant site plan.

The wildflower meadow would comprise of an MG5 Meadow Mix, species as follows:

Species	Common name	%
20	**% wildflowers**	
Achillea millefolium	Yarrow	1
Agrimonia eupatoria	Agrimony	1
Alchemilla glabra	Smooth Lady's Mantle	0.1
Centaurea nigra	Common Knapweed	2
Cerastium fontanum	Common Mousear	1
Galium verum	Lady's Bedstraw	1
Lathyrus pratensis	Meadow Vetchling	1

Leucanthemum vulgare	Ox-eye Daisy	2
Plantago lanceolata	Ribwort Plantain	2
Primula veris	Cowslip	0.5
Prunella vulgaris	Selfheal	1
Ranunculus acris	Meadow Buttercup	1.5
Rhinanthus minor	Yellow Rattle	1
Rumex acetosa	Common Sorrel	1
Scorzoneroides autumnalis	Autumn Hawkbit	1.3
Succisa pratensis	Devils-bit Scabious	1
Trifolium pratense	Red Clover	0.5
Veronica chamaedrys	Germander Speedwell	0.1
80	**% grasses**	
Agrostis capillaris	Common Bent	10
Alopecurus pratensis	Meadow Foxtail	5
Anthoxanthum odoratum	Sweet Vernal Grass	5
Briza media	Quaking Grass	2
Cynosurus cristatus	Crested Dog's Tail	10
Festuca ovina	Sheep's Fescue	15
Festuca rubra	Red Fescue	33

Flowering Lawn

The flowering lawn is also shown on the proposed plan. This would comprise of an SCM6 Flowering Lawn Mix, species as follows:

Species	Common name	%
20	**% wildflowers**	
Achillea millefolium	Yarrow	1.5
Ajuga reptans	Bugle	0.7
Anthyllis vulneraria	Kidney Vetch	1.6
Bellis perennis	Daisy	0.4
Fragaria vesca	Wild Strawberry	0.2
Galium verum	Lady's Bedstraw	2.5
Helianthemum nummularium	Rock Rose	0.4
Hypochaeris radicata	Cat's Ear	0.5
Origanum vulgare	Wild Marjoram	0.1
Pimpinella saxifraga	Burnet Saxifrage	0.1
Plantago lanceolata	Ribwort Plantain	0.2
Primula veris	Cowslip	1
Prunella vulgaris	Selfheal	2.5
Ranunculus acris	Meadow Buttercup	2.5
Rumex acetosella	Sheeps Sorell	1.1
Scorzoneroides autumnalis	Autumn Hawkbit	0.5
Silene vulgaris	Bladder Campion	0.5
Stellaria graminea	Lesser Stitchwort	0.5

Succisa pratensis	Devils-bit Scabious	0.5
Taraxacum officinalis	Dandelion	0.5
Thymus polytrichus	Wild Thyme	1
Trifolium repens	White Clover	0.5
Veronica chamaedrys	Germander Speedwell	0.1
Veronica officinalis	Common Speedwell	0.2
Viola riviniana	Common Dog Violet	0.5
80	**% grasses**	
Agrostis capillaris	Common Bent (c)	9
Anthoxanthum odoratum	Sweet Vernal Grass	1
Festuca rubra ssp. commutata	Chewings Fescue (c)	36
Poa pratensis	Smooth-stalked Meadow Grass (c)	34

Maintenance and Management

Each Planting element will be sourced by an appropriate supplier and planted on the site within the next Planting Season, subject to Planning Permission being granted, in accordance with these details. The applicant and owner of the site would be responsible for the measures going forward.

All plant stock to conform to the standards set out in the National Plant Specification, to be sturdy, healthy and vigorous of good shape and without elongated shoots, grown in a suitable environment and hardened off, free form pests, diseases, discoloration, weeds and physiological disorders, have a balanced branch system and be true to name.

Plant Handling, Storage and Transportation to accord with HTA "Handling and establishing landscape plants". Preparation of Planting Beds will require that prior to planting, all topsoil to be dug over to a depth of 150mm within 2-3 days prior to planting when weather and ground is suitably dry. Leave to regular and even levels, 25mm above adjoining paving or kerbs. Remove all visible weeds and large stones exceeding 50mm.

All new hedge plants will be 60/90cm bare rooted or pot grown, to be planted in pits 150mm wider and deeper than container or roots when fully spread. All pit bottoms to be broken up to a depth of 150mm, incorporating soil ameliorant at 50g/m2 and well consolidated. All shrub planted areas to be mulched with Ornamental Grade Mulch (Melcourt, or equal approved) to a depth of 75mm and watered to soil field capacity.

Planting will be protected with shrub guards or spiral guards against deer and rabbits, and all guards and stakes and ties to be inspected regularly to ensure they are effective and removed after 3 years or when planting is fully established.

With regard to the maintenance of the proposed and existing planting, any hedgerow, tree, or planting that dies, is removed, uprooted, or destroyed within 5 years of their planting, or the approval of these details, shall be replaced by planting of the same species during the next available planting season.

In addition, the following operations shall also be undertaken as general maintenance measures within the site:

(i) Ensure that all planting areas are kept free from litter,

(ii) Removal of any leaf litter and either compost on the site or remove from site entirely,

(iii) Regularly undertake weeding of planted areas,

(iv) Undertake watering (as required) to ensure healthy growth of planting,

(v) Ensure that all hardsurfaced areas are swept/treated in order to be kept free from litter and leaves.

After five years the maintenance plan will be reviewed to ensure the satisfactory management of the planting on the site.

Ecological and Biodiversity Enhancements

In relation to the ecological and biodiversity enhancements, the tree, hedgerow, wildflower, and flowering lawn scheme shown and specified within the landscaping details entails a significantly biodiverse and ecologically beneficial solution for the site. This demonstrates all planting measures to support biodiversity and ecology.

In addition, swift nest boxes are proposed to be integrated on the proposed dayrooms. The locations of the proposed bird boxes are shown on the plan. The proposed nest boxes should require no management or maintenance. Prevention of physical disturbance of boxes will increase the chances of occupation by roosting birds. It is recommended that the boxes are inspected annually.

Hedgehog box and pathways are also proposed which aims to ensure good connectivity between the site and wider landscape for hedgehogs. The proposed hedgehog house should require no management or maintenance. Prevention of physical disturbance of the hedgehog house will increase the chances of occupation by hedgehogs. It is recommended that the hedgehogs houses are inspected annually.

Hard Surfacing

Hard surfacing is as per the surface water drainage scheme, which is permeable paving through the form of 20mm gravel hardstanding.

External Lighting

The external lighting is pre-fixed to the mobile homes. It is understood that these can be replaced, and in line with the Landscape Officer's comments, this is therefore proposed in the locations shown on the attached plan.

The type of lighting propose is the ARK - Dark Sky Residential Wall Light A – 4 sided with Passive Infrared light sensor, which features the following specifications: 3000K 8W LED, 419 lumens, 0% upward light output.

Condition 7 – Refuse Storage and Collection

Condition 7 of DC/24/1409 is set out below,

> *"Within three months of the date of this decision, details for the provision for the storage of refuse and recycling facilities shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided within three months of the approval of these details and thereafter be retained for use at all times."*

Details submitted in support of the discharge of Condition 7

Refuse storage areas and a collection point are specified within the plan J004997-TD-01.

These details were accepted within the previous discharge of conditions application.

Condition 8 – Fire Hydrant

Condition 8 of DC/24/1409 is set out below,

> *"Within three months of the date of this decision a fire hydrant(s) to BS 750 standards or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) shall be installed, connected to a water supply with appropriate pressure and volume for firefighting, and made ready for use in consultation with the WSCC Fire and Rescue Service. The hydrant(s) or stored water supply shall thereafter be retained as such."*

Details submitted in support of the discharge of Condition 8

The location of a fire hydrant is shown on the proposed plan J004997-TD-01. Installation shall accord entirely with BS 750 standards.

These details were accepted within the previous discharge of conditions application.

Conclusion

In summary, it is considered that the details submitted are acceptable. It is hereby requested that the appointed planning officer look favourably upon the submitted detail and permit the conditions to be discharged.

It should also be noted that the applicant remains content to discuss any amendments and alterations as may be required, but considers the details provided sufficient to discharge the condition. As such, whilst it requested that the details are looked upon favourably, should the LPA take a different view, the first port of call should be requests of amendment, as opposed to refusal of the details.

If you have any queries regarding the above, or require clarification on any matters please do not hesitate to contact me.

Yours sincerely,



Brian Woods
Chairman & Founder