Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DISC/25/0012
Cobweb Cottage, Emms Lane, Brooks Green, West Sussex, RH13 0TR

DESCRIPTION:

Application for Approval of Details Reserved by Condition 5, 6 and 8 to approved application DC/23/1667

RELEVANT PLANNING HISTORY:

DC/23/1667	Demolition of existing cottage and erection of single storey replacement dwelling and associated outbuilding.	Application Permitted on 12.02.2024.

PLANNING ASSESSMENT

Planning Application DC/23/1667 was granted consent on 12.02.2024. This permission was for the following:

Demolition of existing cottage and erection of single storey replacement dwelling and associated outbuilding.

Consent is sought to discharge the details reserved by conditions 5, 6 and 8.

Condition 5:

Pre-Commencement (slab level) Condition*: No development above ground floor slab level shall commence until a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal and Preliminary Roost Assessment (ArbTech, March 2023) and Bat Emergence and Re-entry Surveys (ArbTech, July 2023) 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 LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats and species).

The submitted information includes a Biodiversity Enhancement and External Lighting Plan, which contains information relating to the proposed enhancement measures. The plan indicates where the external lights will be positioned, the location of the vegetation and trees and the other biodiversity enhancement measures will be, as per the recommendations. The Council's Ecologist was consulted and are satisfied that the submitted information included the details required by the conditions. Subject to the implementation in full, the requirements of the condition have been satisfied.

Condition 6:

Pre-commencement (slab level) Condition*: No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater/greywater harvesting system required by the approved water neutrality strategy (received 07.09.2023) have been submitted to and approved in writing by the Local Planning Authority.*

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

The applicant has provided a list of the specifications for the proposed energy efficient fixtures and fittings. However, the specifications do not correspond to the water neutrality statement approved under the application. As such, the requirements of the condition have not been satisfied.

Condition 8:
***Pre-Occupation Condition**: Prior to the first occupation of any part of the development hereby permitted, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority, if lighting is required. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.*

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority."

Reason: To allow the LPA 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) and Policy 31 of the Horsham Development Framework.

The submitted information includes a Biodiversity and Enhancement and External Lighting Plan which contains information relating to the proposed external lighting scheme. The proposed lighting follows ecological recommendations, such as bulbs not bare and pointing upwards, light spill reduced with hoods and narrow spectrum light source. Ecology was consulted and were satisfied that the submitted information includes the details required by the condition. Subject to implementation in full, the requirements of the condition have been satisfied.

Recommendation: Split Decision

Condition 5 and 8 APPROVED

Condition 6 REFUSED

1 Insufficient information has been received regarding the water efficiency measures proposed and it cannot be confirmed therefore be confirmed that the measures would accord with the details specified in the approved Water Neutrality Statement.

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/25/0012
(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 Statement	Response to Planning Conditions		13.01.2025
Plans	Biodiversity Enhancement & External Lighting Plan	A150-4-003 A	13.01.2025

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

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Water Neutrality Report		13.01.2025
Supporting Docs	Water Fittings Specifications		13.01.2025

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 17.03.2025

Authorising Officer sign/initial Tamara Dale Date: 18.03.2025