Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0094
Topham Farm, Rusper Road, Horsham, West Sussex, RH12 4QS,

DESCRIPTION:
Application for Approval of Details Reserved by Conditions 1,2,3,4,5,6,7 and 8 to approved application DC/23/0213

RELEVANT PLANNING HISTORY:

DC/23/0213	Erection of an agricultural livestock building (360 sq metres) and temporary rural workers dwelling (98.4 sq m)	Application Permitted on 14.03.2024

PLANNING ASSESSMENT

Planning Application DC/23/0213 was granted consent on 14.03.2024. This permission was for the following:

Erection of an agricultural livestock building (360 sq metres) and temporary rural workers dwelling (98.4 sq m)

Consent is sought to discharge the details reserved by conditions 1,2,3,4,5,6,7 and 8.

Condition 1: (standard plans condition) *does not* require discharge.

Condition 2: (standard time condition) *does not* require discharge.

Condition 3:

Pre-Commencement Condition*: No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.*

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015)

The submission included various detailed documents relating to the drainage method proposed on the site for foul and surface water drainage- this includes a detailed drainage statement and technical designs. Officers note the Drainage Consultant's advice on the matter, noting several shortfalls within the technical data, and that thus the submitted detail is not sufficient pursuant to the requirements of the condition. Whilst the minutiae of the detail may not fully accepted from a technical standpoint, it does however demonstrate a suitable level of information to illustrate that it is possible, and thus the principle of the method is achievable. In any case, the requested level of detail anticipated from the drainage consultant would not be expected at the planning stage, but rather detailed as part of the applicant's

obligation to demonstrate conformity with Building Regulations. As this falls outside of the remit of the planning process, it is not considered necessary to include such detail at this time. With the above in mind, the submitted detail is therefore considered satisfactory pursuant to condition 3.

Condition 4:

Pre-Commencement (Slab Level) Condition*: If, during development, contamination is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted to and approved by the local planning authority detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.*

Reason: To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

The wording of the condition request details of a remediation strategy for any unknown contamination if found on site during the carrying out of the works. The submission does not detail that this is the case at this point in time. Accordingly, the condition *does not* require formal discharge.

Condition 5:

Pre-commencement (slab level) Condition*: No development above ground floor slab level shall commence until a management and maintenance plan for the rainwater harvesting system has been submitted to and approved in writing by the Local Planning Authority. The management and maintenance plan shall include the following details:*

- *The sampling regime and parameters etc, recognising that the sampling will need to be undertaken a DWI certified sampler and analysed by a UKAS accredited lab.*
- *Detail on how any failure of any samples will be investigated and managed.*
- *Details, including a plan or schematic, showing the supply - storage tanks, treatment etc, and means to record the total water consumption of each unit*
- *Detail on what type of treatment that will be installed on the supply with information clearly indicating that it is appropriate for the amount of water being used.*
- *Detail on how the treatment system, pipework, tanks etc will be cleaned and maintained and who will maintain them for the lifetime of the development. This should include any re-activation of the system after it has been out of use due to lack of rainfall/use.*
- *The completion and sharing of the Regulation 6 risk assessment by a suitably competent person (as required by the Private Water Supply (England) Regulations 2016) prior to the water supply being put into use.*
- *Detail on the continuity of supply during dry periods extending beyond 35 days.*
- *Arrangements for keeping written records of all sampling, results of analysis, inspection, cleaning, and maintenance.*
- *Details of contingency plans to ensure any failure's or reported concerns with the supply are investigated and rectified as soon as possible, including timeframes. This should include notification of the investigation and corrective actions to the local authority*

The management and maintenance plan shall be operated in full at all times. No alterations or revisions to the approved management plan shall be implemented without the written approval of 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).

Whilst there is a requirement under the private water supplies regulations for Local Authorities to regulate private water supplies, given the number of private water supplies that are being proposed (both

rainwater harvesting systems and onsite boreholes) to satisfy ongoing water neutrality requirements we have taken the decision that the most appropriate mechanism to regulate these private supplies is through the planning process.

With regards to condition 5 for this application – this requires a private water management and maintenance system to be provided, undertaken by a suitably competent consultant who specialises in private water supplies. Environmental Health have reviewed the above-mentioned information and we are now satisfied that condition 5 of application DC/23/0213 can be formally discharged. As detailed in the wording for condition 5 The management and maintenance plan shall be operated in full at all times. No alterations or revisions to the approved management plan shall be implemented without the written approval of the Local Planning Authority. The requirements of the condition have therefore been satisfied.

Condition 6:

Pre-Occupation Condition*: The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (cgs civils C2719, dated 30th June 2023). No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, evidence they meet the required water consumption flow rates, and evidence of the installation and connection of the rainwater harvesting system and appropriate storage tanks to provide a minimum 35 days storage capacity. The installed measures shall be retained and operated as such at all times thereafter.*

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).

Condition 6 requires confirmation that the mitigations and efficiency measures detailed within the approved water neutrality statement have been completed in accordance with the strategy. An update strategy has been included as part of the submission, largely as a means to satisfy the rainwater harvesting treatment system as required by condition 5. However, no such detail has been provided as part of the application that details the fixtures installed or indeed confirmation that the works have been carried out in accordance with the approved details. As such, the submitted details is not considered satisfactory pursuant to condition 6.

Condition 7:

Pre-Occupation Condition*: No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:*

- *Details of all hard surfacing materials and finishes*
- *Details of all boundary treatments*

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Details have been submitted to discharge this application which include:

- Permeable hardcore for hardstanding
- Post and rail fencing and standard stock farm fencing
- Native hedgerow planting (Crataegus commonly called hawthorn, quickthorn, thornapple, May-tree, whitethorn, Mayflower or hawberry).

The landscape officer has raised no concerns in relation to details submitted and this condition has been satisfied.

Condition 8:

Pre-Occupation Condition*: No part of the development hereby permitted shall be occupied until details for the provision for the storage of refuse and recycling facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided prior to occupation (or use) of the development hereby permitted and thereafter be retained for use at all times.*

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

The area for the bin storage is shown as being adjacent to the parking area behind the livestock building. This is considered to be an acceptable location and this condition can be discharged.

Recommendation: Split Decision

Consent is hereby GRANTED pursuant to Conditions 3, 5, 7 and 8.

Consent is hereby REFUSED pursuant to Condition 6 for the following reason:

1 Insufficient detail has been provided to demonstrate that the approved water neutrality statement attached to application DC/23/0213 has been carried out in full as per the requirement of condition 6.

NOTE TO APPLICANT

It is noted that Conditions 1 (plans), 2 (time) and 4 (unexpected contamination) were submitted for formal discharge within the application form and description of the application. However, owing to the wording of the conditions, formal discharge is not required for conditions 1, 2 and 4.

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/24/0094

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	FOUL AND SURFACE WATER DRAINAGE REPORT		31.10.2024
Supporting Statement	MAINTENANCE SCHEDULE		16.10.2024

Supporting Statement	WATER NEUTRALITY REPORT		20.08.2024
Supporting Docs	GRAF CARAT RAINWATER HARVESTING SOLUTIONS		01.05.2024
Supporting Docs	GRAF WASTEWATER TREATMENT SYSTEM		01.05.2024
Details plan	CONSTRUCTION DETAILS	C2719 PL 301 PL2	31.10.2024
Details plan	IMPERMEABLE AREAS & OVERLAND FLOW ROUTE PLAN	C2719 PL 401 PL2	16.10.2024
Details plan	DRAINAGE LAYOUT SHEET 2 OF 2	C2719 PL 102 PL2	16.10.2024
Details plan	DRAINAGE LAYOUT SHEET 1 OF 2	C2719 PL 101 PL2	16.10.2024
Block plan	BLOCK PLAN		01.05.2024
Design & Access Statement	DISCHARGE OF CONDITIONS FOR A LIVESTOCK BUILDING AND RURAL WORKERS DWELLING		01.05.2024

DELEGATED

Case Officer sign/initial Kate Turner Date: 28.01.2025

Authorising Officer sign/initial RHERMITAGE Date: 28.01.2025