Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0021
Mowbray Development Site, Horsham, West Sussex,

DESCRIPTION:
Application for Approval of Details Reserved by Condition 7 to approved application DC/16/1677 (Phase 1)

RELEVANT PLANNING HISTORY:

DC/16/1677	Outline planning application with all matters reserved except access for a mixed use strategic development to include housing (up to 2,750 dwellings), business park (up to 46,450 m2), retail, community centre, leisure facilities, education facilities, public open space, landscaping and related infrastructure	Application Permitted on 01.03.2018
DC/19/0984	Non material amendments to approved application DC/16/1677 (the North Horsham Development site) for amendments to the wording of conditions 5,7,8,9,11,12,13,14,16,17,18,19,22,28, 31 & 54 and the introduction of a new condition to enable the Principal Access Works to come forward	Application Permitted on 12.06.2019
DC/21/0181	Non Material Amendment to condition 2 of DC/16/1677 (Outline planning permission for Land North of Horsham strategic site) to amend all parameter plans.	Application Permitted 12.03.2021

PLANNING ASSESSMENT
Consent is sought to discharge the details reserved by condition 7 (Reserved Matters Areas Plan) for Phase 1. The wording condition relates to the amended wording approved under DC/19/0984.

Condition 7: Pre-Commencement Condition: No later than the submission of the first application for approval of Reserved Matters for any Phase, save for the Principal Access Works as identified on drawing 25216/2001/SK020 Rev E, a Reserved Matters Areas Plan covering the entirety of that Phase and demarking the extent of the areas to come forward as individual applications for approval of Reserved Matters (hereafter referred to as Reserved Matters Areas) shall be submitted to and subsequently approved in writing by the Local Planning Authority. Thereafter the applications for approval of Reserved Matters shall be submitted broadly in accordance with the approved Reserved Matters Areas Plan, or such updated Reserved Matters Areas Plan as may be subsequently agreed in writing with the Local Planning Authority. For clarity, the entirety of any Phase shall mean including all areas of open space and landscape buffers in addition to developable areas within that phase.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

Permission is sought to approved the Reserved Matters Areas Plan for Phase 1 of the Mowbray Development Site. Previously, under DISC/20/0178, permission was granted for a RM area plan for

Phase 1. An amended plan is sought under this application, to take into account minor changes to the plan. Phase 1 covering infrastructure have been extended to reflect the areas covered by the East West Greenspace RMA (DC/22/0369) and the Community Centre RMA (DC/22/2355). As a consequence of this amendment RMA Areas 3, 5 and 6 have changed in size, with 3 and 5 getting smaller and 6 getting bigger.

The proposed changes are considered appropriate and the layout would still be in compliance with the outline planning permission granted under DC/16/1677. The requirements of the condition have been satisfied.

Water Neutrality

On 14 September 2021, the Council received a Position Statement from Natural England. Information collected by Natural England shows that water abstraction for drinking water supplies is having a negative impact on the wildlife sites in the Arun Valley. They have advised that any new development that takes place must not add to this negative impact.

This application seeks to approve details reserved by a condition. As a 'pre-commencement condition', the wording of the condition is considered a 'conditions precedent'. However, this is an amendment to a previous approval for the RM Area Plan and works have already substantially commenced at Phase 1. The Council as Competent Authority under its duties imposed by the Habitat Regulations has therefore 'screened out' this application for water neutrality purposes with water neutrality to be addressed at RM stage within each development parcel. No adverse effects on the Arun Valley habitat sites will therefore occur.

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/24/0021
(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
Plans	Reserved Matters Areas Plan (Condition 7)	34854-S19	21.02.2024
Supporting Docs	Covering Letter		21.02.2024
Plans	RED LINE BOUNDARY	25216/2001/P/PH1 /001	21.02.2024
Location plan	Location Plan Red Line on OS Base	2153A - 01	21.02.2024

DELEGATED

Case Officer sign/initial Jason Hawkes Date: 09.04.2024

Authorising Officer sign/initial Adrian Smith Date: 09/04/2024