Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0014
Leonardslee Gardens Brighton Road Lower Beeding West Sussex RH13 6PP

DESCRIPTION:
Application for Approval of Details Reserved by Condition 6 (rectification works) and 7 (revised Conservation Management Plan and allied Conservation Garden Management Plan) to approved application DC/22/2229 (Construction of enlarged and rationalised existing car park and grassed enclosure for overflow car parking. Installation of new children's play area. Amendments to road layout within the site).

DETAILED DESCRIPTION:

Planning Application DC/22/2229 was permitted on 10th July 2023, for construction of enlarged and rationalised existing car park and grassed enclosure for overflow car parking. Installation of new children's play area. Amendments to road layout within the site.

Approval is now sought for submitted details pursuant to conditions 6 (rectification works) and 7 (revised Conservation Management Plan and allied Conservation Garden Management Plan) of that permission – the details comprise: -

- Leonardslee Park and Gardens Conservation Management Plan Addendum Version 2 Final report Dated 28.02.2025 by Land Use Consultants Ltd February 2025
- Conservation Management Plan 2023 and Gazetteer Revision 3 (October 2024) by Donald Insall Associates
- PHOTOGRAPHIC EVIDENCE TO SUPPORT CONDITION 6

Details submitted pursuant to Condition 6

The Applicant's nominated contractor has commenced work to remove the unconsented car park works; all areas of unconsented parking to the western edge of the site, along the A281 have been removed, with plastic paving and gravel removed, and affected area re-filled with earth and reseeded and achieved grass coverage, as evidenced, and this area has been replanted as a new landscape buffer in accordance with the agreed strategy. The area to the West of this, which is ultimately to be reseeded with grass, losing the unconsented gravel layer, but retaining the plastic paving, has been reseeded with grass.

Completion of the works was significantly delayed due to unforeseen changes to how surface water drainage was treated in planning decision-making, which occurred post issuing of the permission. In negotiation with the Local Lead Flood Authority to address this, revision of the drainage strategy and onsite infrastructure, including routing and drain provision underneath the overflow car park was required and took several months before agreement was secured.

Details submitted pursuant to Condition 7

Earlier Conservation Management Plan and allied Gardens Conservation Management Plan versions dated 9th February 2024; 9th October 2024 have been the subject to amendment following commentary from Historic England (11th March and 21st Nov 2024) and (Sussex) Gardens Trust (12th March and 31st Oct 2024).

RELEVANT PLANNING HISTORY:

DC/22/2229	Construction of enlarged and rationalised existing car park and grassed enclosure for overflow car parking, with tree planting. Installation of new children's play area. Relocation of chicken enclosure. Amendments to road layout within the site, with associated enlarged and enhanced landscape buffer and reinstatement of hedge to A281 boundary. (Part-retrospective).	Permitted 10.07.2023
DISC/23/0258	Approval of details reserved by condition 5 (surface water drainage strategy) of planning permission DC/22/2229 (Construction of enlarged and rationalised existing car park and grassed enclosure for overflow car parking, with tree planting).	Permitted 01-10-2024

CONSULTATIONS (comments summarised below)

Historic England: (third and final):
Content for Condition 7 to be discharged.
Content to defer to LPA with regards to discharge of Condition 6.

Gardens Trust and Sussex Gardens Trust: (second and final):
Applicant responded positively by commissioning Addendum to GCMP.

HDC Landscapes: (second and final): *Advice*

REPRESENTATIONS
None received.

Other Considerations

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

The applications seeks discharge of the details submitted pursuant to conditions 6 (rectification works) and 7 (revised Conservation Management Plan and allied Conservation Garden Management Plan)

Condition 6 (rectification works) reads:

Within 6 calendar months of the date of this permission, the rectification works listed below shall have been completed with details to be agreed by the local planning authority, other than associated planting which shall be completed in the first planting season following completion of the works.

I. removal of the unauthorised car park spaces within the previously approved landscape buffer approved under DC/18/0689 and incorporation of this land into an enhanced landscape buffer between the car park and A281.

II. partial retention but reduction of the unauthorised parking area to the south of the exit, with the gravel top layer removed, and grass seed/soil installed above the existing Truck Pave system. The grass seed will be an all-purpose law mixture suited to a wide range of domestic and landscape applications.

Reason: As this matter is fundamental to mitigate harm that has arisen onto the setting of Designated Heritage Assets, the landscape character within the High Weald Area of Outstanding Natural Beauty, and in the interests of visual amenity and to conserve and enhance 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) in accordance with Policies 25, 30, 31, 32, 33, 34 of the Horsham District Planning Framework (2015).

The process of rectification has been implemented to continue whilst allowing the Gardens to remain open to the public, working with seasonal planting windows and facilitating the approved development works elsewhere on site.

A site visit by the Council's Landscape Architect was carried out on 14/03/2024, to check the rectification works. At that time whilst progress on rectification of works had been made and the grass is taking in some areas, much is still to be done to bring the works closer to the approved plans.

A further site visit was conducted on 03/02/2025 by the Council's Landscape Architect, who upon visiting was satisfied the rectification works had been completed in both areas noting however that within the southern car park, many areas are heavily compacted, and the grass had not taken up. To address this, it is recommended a methodology be included for the ongoing management and maintenance within Condition 8 Landscape Management and Maintenance Plan to approved DC/22/2229, still to be discharged. The Applicant would be advised of this by condition.

The remediation works undertaken have therefore been completed in accordance with the agreed strategy to mitigate the harm that had arisen to the heritage setting and qualities of the National Landscape (previously the Area of Outstanding Natural Beauty) as well as visual and ecological interests.

<u>Condition 7 (revised Conservation Management Plan and allied Conservation Garden Management Plan)</u>

Within 6 calendar months of the date of this permission a revised Conservation Management Plan and allied Conservation Garden Management Plan for the Registered Park and Garden shall be submitted to and approved in writing by the Local Planning Authority. The Conservation Management Plan and allied Conservation Garden Management Plan once approved shall thereafter be implemented as specified within the approved documents. The Plans shall be informed by the Historic England and Gardens Trust consultation response submitted to this application.

Reason: To ensure a satisfactory development that is sympathetic to the landscape character within the High Weald Area of Outstanding Natural Beauty and the settings of Designated Heritage Assets, and in the interests of visual amenity in accordance with Policies 25, 30, 31, 32, 33, 34 of the Horsham District Planning Framework (2015).

A combined Conservation Management Plan and Conservation Garden Management Plan has been compiled by Donald Insall Associates, with input from Leonardslee Gardens' Head Gardener. This has been subject to several iterations following commentary from heritage specialists at Historic England and the (Sussex) Gardens Trust. It has also revised due to informed changes to future management of the estate and its garden determined at the applicant's own instigation.

From a landscape perspective, the Council's Landscape Architect supports the findings and recommendations within the conservation garden management plan.

Historic England (HE) has reviewed that latest iterations and has confirmed they are pleased to see that Landscape Architects have been employed to provide an addendum to the CMP which has much to commend with in it. The Addendum responds to Historic England's previous advice regarding providing a vision statement to guide the future planning of the estate as well policies and actions with the aim of preserving and enhancing the cultural and natural heritage significance of Leonardslee Park and Gardens. Likewise, the Sussex Gardens Trust (SGT) has confirmed its position that the applicant has responded positively to their previous comments by commissioning the GCMP Addendum. SGT welcomes the greater in-depth approach to the understanding and conservation of the site provided by this Addendum. How the comments SGT (and HE) will be addressed is clearly set out in table 1.2. Of particular value is the provision of supplementary baseline information (about the Park and Garden's cultural and natural heritage assets) and the detailed contextual reference to Historic England's Conservation Principles in establishing an overall Vision Statement. SGT approves the Vision Statement and additionally comments that this approach offers a valuable explanation to all parties involved of how such a statement is achieved – the client team, staff, volunteers and the Council.

HE particularly welcomes that research has been undertaken to better understand visitor numbers and visitor capacity and that there are actions to address: climate change, habitat management and the need for a conservation repair programme for vulnerable structures and components of the designed landscape. SGT had previously commented on the considerable areas of knowledge requiring expert survey and analysis and welcomes these now being addressed, likewise the issue of identifying landscape sensitivity in the gazetteer. SGT welcomes the logical progression from Vision Statement through analysis of current management aspects/forces for change/identification of gaps in baseline data to the development of the additional policies and actions (complementary to the GCMP) set out in chapter 5.

SGT is now content with the Addendum polices, likewise highlighting particularly policy IM1 – that the GCMP and Addendum and Building CMPs are to be jointly adopted by the Client Team and the Council with all plans being reviewed after 5 years. HE likewise strongly supports the commitment to review the CMPs and the Addendum in 5 years and the action recommending the garden and buildings CMPs to be jointly adopted by the applicant and the Council. HE would also be pleased to be part of the partnership working team with the other High Weald Garden and High Weald National Landscape Teams providing guidance to address shared goals and issues.

Conclusion

The remediation works have been completed in accordance with the approved strategy pursuant to condition 7. The submitted Conservation (Garden and Building) Management Plans pursuant to the condition 6 are to the satisfaction of Horsham District Council Planning Officers, the latest iterations receiving support in consultation with statutory consultees Historic England and The Gardens Trust.

The details pursuant to both conditions are therefore acceptable.

Water Neutrality Note: No further Habitat Regulations Appropriate Assessment (HRA) is required at conditions discharge stage if a scheme has already undertaken HRA for Water Neutrality prior to being granted. The permitted scheme (DC/22/2229) was judged water neutral under the Habitat Regulations and the details pursuant to conditions 6 and7 will not require re-assessment of that outcome as there is no change in water usage previous assessed arising from the details pursuant.

Recommendation: Application Permitted

NOTES TO APPLICANT

The applicant is advised from site visit on 03/02/2025 by the Council's Landscape Architect, it is noted that within the southern car park, many areas are heavily compacted, and the seeded grass has not taken up. To address this, it is recommended a methodology be included for the ongoing management and maintenance within Condition 8 Landscape Management and Maintenance Plan to approved DC/22/2229, still to be discharged.

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/25/0014
(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	Leonardslee Park and Gardens Conservation Management Plan Addendum Version 2 Final report Dated 28.02.2025 by Land Use Consultants Ltd February 2025		04.03.2025
Supporting Docs	Conservation Management Plan 2023 and Gazetteer Revision 3 (October 2024) by Donald Insall Associates		04.03.2025
Supporting Docs	PHOTOGRAPHIC EVIDENCE TO SUPPORT CONDITION 6		09.02.2024

DELEGATED

Case Officer sign/initial Matthew Porter Date: 31-03-2025

Authorising Officer sign/initial J Hawkes Date: 01.04.2025