Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0092
South Lodge Hotel, Brighton Road, Lower Beeding, West Sussex, RH13 6PS

DESCRIPTION:
Application for Approval of Details Reserved by Conditions 10, 11, 12 and 14 to approved application DC/22/1205

RELEVANT PLANNING HISTORY:

DC/22/1205	Erection of 8no. Eco Lodges and a Yoga Suite to lake side within grounds of South Lodge Hotel.	Application Permitted on 10.02.2023.

PLANNING ASSESSMENT
Planning Application DC/22/1205 was granted consent on 10.02.2023. This permission was for the following:

'Erection of 8no. Eco Lodges and a Yoga Suite to lake side within grounds of South Lodge Hotel.'

Consent is sought to discharge the details reserved by conditions 10,11,12 and 14.

Condition 10: Ecology (Biodiversity Enhancement Layout)

Pre-Commencement (Slab Level) Condition: No development above ground floor slab level of any part of the development hereby permitted shall take place until a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Badger Survey Report (Phlorum Limited, November 2022), Reptile Survey Report (Phlorum Limited, November 2022), Great Crested Newt Report (Phlorum Limited, July 2022) and the Preliminary Ecological Appraisal (Phlorum Limited, June 2022) has been 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 & habitats and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species).

The Council's Landscape Architects have no comments to make in regard to Condition 10 provided that they are discharged to the satisfaction of the Council's Ecology Consultants.

The Council's Ecology Consultants have been consulted on this application in regard to *Ecology* matters. They have confirmed that they are satisfied that '*the submitted information within the Biodiversity Enhancement Plan (Phlorum Limited, April 2024) shows the specifications and locations for the bat and bird boxes, log piles, hibernacula and wildlife planting, as well as the management of invasive non-native plant species.'*

The requirements of the condition have been satisfied.

Condition 11: Hard and Soft Landscaping

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 existing trees and planting to be retained.***
- ***Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details***
- ***Details of all hard surfacing materials and finishes.***
- ***Details of all boundary treatments***
- ***Details of indicating areas of vegetation clearance required within Access Paths (G1)***
- ***Detailed planting proposals plan to demonstrate filtered views to the yoga suite from PRoW 1732.***
- ***Details of all external lighting (including wildlife and bat sensitive lighting, the location of the lights; The dimensions of the lights; The angle and wattage of the lights; The hours of use; Measures to avoid illumination of boundary habitats, and waterbodies, to avoid disturbance to bats (showing modelled areas of light spill and predicted lux levels)***

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*)**.

The Applicants have submitted wildlife and bat sensitive external lighting details as shown in the document Landscaping Proposal 2453.5.1 – 160 Revision C to Discharge Condition 11 (undated); as well as details relating to the soft landscaping, Proposed Planting Landscape Plan 2453.5.1-500 (subsequently amended and submitted in July 2024 as 2453.5.1-500 Rev B); and the Landscape Maintenance Management Plan (originally submitted April 2024) subsequently amended and submitted July 2024.

The Council's Landscape Architects have been consulted throughout. Initial concerns were raised in relation to the level of information received and subsequently amended plans (as above) and 'Applicants 1st Response' to the HDC Landscape Architects were submitted' which sought to address the concerns raised.

The Council's Landscape Architects were re-consulted for a second time, and they advised that notwithstanding the additional information provided, further information was still required as the details provided at that time were not considered insufficient to discharge Condition 11.

In response to the Council's Landscape Architects further comments, additional information was immediately re-submitted by the Applicants which sought to address the concerns raised. The Council's Landscape Architects were re-consulted for a third time and have advised that they maintain their landscape concerns in regard of Condition 11.

The Council's Landscape Architects has, in both consultation responses, explained how the Applicants can address the concerns which have been raised in regard to planting options. However, it is clear from

the ‘Applicant’s 2nd Response’ to Officers of the Council that they still wish to discuss their preferences and choices in regard to the planting proposals which differ from the advice provided by the Council’s Landscape Architects. Given the passage of time, and the fact that the Applicants still wish to discuss matters further, it is considered that these discussions should take place outside of the application process.

Notwithstanding this, the Council’s Landscape Architects have confirmed that some of the information submitted within their ‘Applicant’s 2nd Response’ (as addressed below) addresses some of the outstanding information required. However, it is advised that overall further modification is required in order to secure an acceptable landscape strategy in order to fully discharge Condition 11. .

With reference to the Council’s Landscape Architect point 1 (Consultation responses), it is advised that whilst generally, some details have been provided by the Applicant and are considered acceptable including Tree Pit details, these should have been provided in a separate document, however, the submitted details are considered to be accepted as they stand and a separate document is not required to be submitted on this occasion as details have been provided in the Applicants most recent response.

Details for successful establishment of the trees include.

- *Tree pit size no deeper than the root system and at least one and a half times as wide.*
- *Base of tree pit should be left undisturbed unless significant drainage problems are apparent.*
- *Backfill should replicate existing soil profile by using soil excavated from planting pits, only amended with imported soils if necessary. No fertiliser should be used.*
- *Minimum 50mm layer of mulch should be applied to a 1m diameter around the tree. Leave a 120mm collar free of mulch to prevent the trunk from rotting.*

With reference to the Council’s Landscape Architects Point 2: This relates to the details of all proposed trees and planting within a planting schedule specifying sizes, densities, numbers, and species in Latin names. It is noted that these have now been provided in Appendix A of the Applicants most recent response, whilst this schedule should have been submitted as a separate document, it is not required to be submitted on this occasion.

With reference to the Council’s Landscape Architects Point 3: In regard to replacement planting, your Officers note that as detailed in point 7a, Prunus laurocerasus is not an appropriate plant species replacement, despite its current presence within the grounds. It is advised that the Applicants refer to appendix E of the PEA to replace Prunus laurocerasus with a suitable alternative. It is advised that plants in the ‘Suggested Compensatory Planting’ list are unlikely to cause maintenance issues over and above the existing proposed planting palette.

Furthermore, in addition to Point 3, the Council’s Landscape Architects recommend further tree planting to the north of lodges 7 & 8 to mitigate the loss of vegetation and therefore the effects on the visual amenity of users of the public footpath and character of the area. It is considered that opportunity for further tree planting to the north of lodges 7 & 8 still remains, as the proposed hedgerow would not solely or sufficiently mitigate visual effects. Mitigation planting as proposed in the original LVIA has not been provided.

With reference to the Council’s Landscape Architects Point 4a: In regard to the planting for filtered views to the yoga suite, the indicative location has now been provided and is considered acceptable.

With reference to the Council’s Landscape Architects Point 4b: The Council’s Landscape Architects have advised that there is a need to reinforce and enhance the existing strip of trees with native trees and understory planting from south of the site to Birch Copse. This location relates to, the treeline connecting the south of the site to the woodland, as seen in Appendix A in the LVIA. Please review Figure 5.1, sections 5.0 and 6.13 of the LVIA for guidance. Whilst the proposed planting palette as submitted is welcomed, in order to fulfil the requirements of the condition, it is advised that the location should be added to the plan and a planting schedule should also be provided.

With reference to the Council’s Landscape Architects Point 4c: In addition to the above, it is noted that buffer planting for the engineered reed bed has not yet been provided. As with 4b, Officers request these

details are shown on plan and as with the above points and recommend the Applicants refer to Appendix E of the PEA for guidance. As above, these details must be added to the plan and a planting schedule provided in order to discharge this condition.

With reference to the Council's Landscape Architects Point 5: The Council's Landscape Architects have advised that the planting proposals should be detailed rather than indicative; Officers requested the locations and densities of specific species in plan. Whilst this has been provided in the recent submission, it is requested that this information is provided within a separate document along with an updated species schedule as discussed in points 3, 4, 6 and 7. Please provide updated proposals once points 3 & 6 above have been addressed.

With reference to the Council's Landscape Architects Point 6: The Council's Landscape Architects previously noted the loss of mature planting and vegetation behind lodges 7 & 8, as marked to be maintained under Proposed Landscape Planting. It was advised that these areas must be appropriately replaced to mitigate the visual effects experienced from the footpath and that to ensure proposals can be delivered, a new plan should be produced demonstrating areas of removed and retained planting, as well as updated proposed planting and should include mature, native specimens for more instant impact. These details have not yet been addressed.

With reference to the Council's Landscape Architects Point 7a: Officers have previously advised that following the mitigation and enhancement measures listed within the LVIA under DC/22/1205, vegetation should be reinforced by native tree and understory planting. It was advised that Prunus laurocerasus is invasive and outcompetes native species, and that a suitable alternative such as Ligustrum vulgare, Hedera helix or a mixed native hedgerow with Carpinus betulus for semi-evergreen cover is preferred, this has not been addressed. Any further discussion on this matter should now take place outside of the application process. Alternative species may be used to ones suggested above, such as those listed in Appendix E of the PEA. The Council's Landscape Architects advise against invasive species such as Prunus Laurocerasus (refer to point 3 above).

The following information although satisfactory cannot be formally discharged at this time as all details relating to Conditions 11 need to be addressed in full. However, for information the Council's Landscape Architects have advised that Points 7b, 7c, 7d; and Point 8 (locations of bird and bat boxes, log piles and the hibernacula in plan) are satisfactory.

For completeness, these details should be included with the updated information within any future discharge of condition application submission to discharge condition 11 in full.

The Council's Ecology Consultants have been consulted on this application regarding Ecology matters. They have advised that they are generally satisfied that the submitted information includes the detail required by Condition 11 with regard to wildlife and bat sensitive external lighting as shown in the document Landscaping Proposal to Discharge Condition 11 (South Lodge Hotel, undated). As requested, a service plan indicating the locations of the lighting bollards has been submitted by the Applicants Proposed (New Lodges Setting Out Plan Drawing Number 2453.5.1 – 160 Revision C Felce & Guy Partnership, July 2023) and the Councils Ecology Consultants have also confirmed that the location of the bollards are acceptable and would not impact on Ecology. These details should be resubmitted as part of any future landscape scheme submitted for completeness and formal discharge.

The requirements of the condition <u>have not</u> been satisfied.

Condition 12: Landscape Management and Maintenance Plan (LMMP).

Pre-Occupation Condition: No part of the development hereby permitted shall be occupied until a landscape management and maintenance plan (to include the existing pond) (including long term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility) for all communal landscape areas has been submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

The Applicants have submitted wildlife and bat sensitive external lighting details as shown in the document Landscaping Proposal 2453.5.1 – 160 Revision C to Discharge Condition 11 (undated); as well as details relating to the soft landscaping, Proposed Planting Landscape Plan 2453.5.1-500 (subsequently amended and submitted in July 2024 as 2453.5.1-500 Rev B); and the Landscape Maintenance Management Plan (originally submitted April 2024) subsequently amended and submitted July 2024.

The Council's Landscape Architects have been consulted throughout. Initial concerns were raised in relation to the level of information originally received. Subsequently amended plans were submitted (as above).

The Council's Landscape Architects have been re-consulted in regard to the amended LMMP (July 2024) provided by the Applicant. The additional detailed information satisfied Points 9-15 of the Council's Landscape Architects comments within their consultation response relating to the LMMP), these matters related to Points 9 (tree stakes and guards),10 (watering schedules), 11 (weed removal and tree establishment), 12 (coppice management); 13 (external lighting), 14 (light intrusion / spillage) and 15 (utilities plan) which are now considered to be acceptable.

The Council's Ecology Consultants have been consulted on this application in regard to Ecology matters. They have confirmed that they have reviewed the Proposed Landscape Planting Plan Drawing Number 2453.5.1 – 500 Revision A (Felce & Guy Partnership LLP, June 2024) and Landscape Maintenance Management Plan (submitted May 2024) which have been submitted in order to discharge Condition 12 and that in regard to *ecology matters only*, they are satisfied that the submitted information includes the detail required to enable the discharge of condition 12.

The requirements of the condition have been satisfied.

Condition 14: Refuse and Recycling Facilities

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 Council's Landscape Architects have advised that they have no landscape concerns on regards to details relating to Condition 14.

The standing advice for refuse and recycling advises that for commercial developments, businesses can either pay for the council to remove their waste and recycling or pay for a separate company such as Biffa to do so.

The Applicants have confirmed that their waste contract is with Grundon and that they have 3 collections each week. The Applicants advise that refuse and recycling facilities are located on the submitted plan.

The Applicants advise that there are bins provided within each lodge (no external bins), lodges will be serviced each day and any waste or refuse taken to the central area by the cleaning staff. Waste will be taken from the lodges via buggies to the Spa. The waste and refuse will be transported via buggies which the cleaners use to get from the hotel to the lodges. These will drive to the edge of the footpath serving each lodge and the cleaners will use a trolley to get their equipment to each lodge entrance. The waste will be placed on the trolley and taken back to the buggy. There is no need to carry any waste any more than a few metres. The waste from the lodges will be taken to the Spa refuse area for collection.

The requirements of the condition have been satisfied.

Recommendation: Split Decision

Approve conditions 10, 12 and 14; refuse condition 11.

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/24/0092
(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	Response (2nd) to HDC RE: Condition 12 (LMMP)		11.07.2024
Supporting Docs	Bollard lighting locations	2453.5.1-160 Rev C	02.07.2024
Supporting Docs	Bollards (collingwood_b103pis_datasheet		07.06.2024
Supporting Docs	Biodiversity Enhancement Plan (Phlorum - 19 April 2024)	Rev 0	26.04.2024
Plans	Site Services (Proposed eco lodges and yoga room)	22045-DGE-XX-00-DR-MEP-7302 D3 Rev C05	11.07.2204
Supporting Docs	Landscape Management and Maintenance Plan - The Reeds (July 24)		11.07.2024
Supporting Docs	Refuse and Recycling storage provision to discharge condition 14.		15.05.2024

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

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Response (2nd) to HDC RE: Condition 11 (landscape details)		11.07.2024
Plans	Proposed landscape planting plan.	2453.5.1 - 500 Rev B	11.07.2024

DELEGATED

Case Officer sign/initial Amanda Wilkes Date: 24/07/2024

Authorising Officer sign/initial Adrian Smith Date: 25/07/2024