Horsham District Council

# DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0012
Land Parcel at 507911 125837, Newbridge Road, Billingshurst, West Sussex,

DESCRIPTION:
Application for Approval of Details Reserved by Condition 6, 10, 16 and 18 to approved application DC/21/1558

RELEVANT PLANNING HISTORY:

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|---|---|---|
| DC/21/1558 | Erection of a roadside facility comprising a PFS, linked kiosk store and drive thru coffee unit (Sui Generis Use) | Application Permitted on 31.08.2022 |
| DC/19/0295 | Hybrid application for the erection of petrol filling station with convenience store and sandwich bar, car wash, jet wash and car parking; motorcycle showroom and workshop with associated car parking; outline planning permission for flexible employment space (B1b/B1c/B2/B8) totalling 4,627sqm with associated car parking and circulation space (scale, landscaping and appearance reserved); new access to the site from A272 and pedestrian link to footbridge over A29. | Application Permitted on 10.01.2020 |

PLANNING ASSESSMENT
Planning Application DC/21/1558 was granted consent on 31/08/2022. This permission was for the following:
**Erection of a roadside facility comprising a PFS, linked kiosk store and drive thru coffee unit (Sui Generis Use)**

Consent is sought to discharge the details reserved by conditions 6, 10, 16 and 18.

**Condition 6**:
Pre-Commencement Condition: Notwithstanding the levels included on the Flood Exceedance Route Plan [502 Rev A] no development shall take place until full details of the final land levels and finished floor levels for the development (in relation to nearby datum points) have been submitted to and approved by the Local Planning Authority in writing. The details shall include the proposed grading of land areas including the levels and contours to be formed, any required retaining walls / structures, and shall show the relationship of proposed land levels to existing vegetation and surrounding landform. The site levelling works shall be completed in accordance with the approved details prior to the commencement of development.

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).

All the submitted plans show a consistent set of finished floor levels of the buildings within the application site insofar as the levels are concerned, which accord with those indicated on the approved application under DC/21/1558. Within the remainder of the application parcel, proposed levels appear higher than the existing ground levels but this reflects the wider sloping site which had higher natural ground levels to the southern side and around the eastern edge of the site than to the north side. The

post-development levels and are therefore considered acceptable to this site and the wider context, and accord with the consented development.

The requirements of the condition have been satisfied [Drawing P14923-509 'Earthworks Strategy Plan']

**Condition 10**:
Pre-Occupation Condition: Notwithstanding the landscape scheme shown on Landscape Plan [4775.01 Rev A], full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority, prior to first use of the
development hereby permitted. 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, including the location, specification and details of the acoustic fence
- Details of all external lighting;
- Ecological enhancement measures and recommendations set out within the Extended Phase 1 Habitat Survey (Rachel Hacking Ecology, May 2021)

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 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).

Officers and the Council's Landscape Team have reviewed the submitted details in respect of the landscape and planting, lighting, hard surfacing, ecological enhancement measures and boundary treatments and find that there is a series of conflicts presented between the submitted plans, and which do not reflect details that have been sought or approved across this parcel under other applications.

Given the apparent conflicts between the various plans that have been submitted, officers cannot be satisfied that the planting can be delivered as set out in some locations given the conflict with parking areas and drainage, bin enclosures and signage. It is also noted that the EV parking has been relocated which also creates a conflict with the deliverability of the planting. At this stage, the details show what could result in a clear diminishment in the ability to deliver beneficial and qualitative landscape and biodiversity enhancements across this parcel over and above the approved scheme.

The requirements of the condition have not been satisfied on account of the level of inconsistencies and conflicts between submitted drawings and details. Officers have sought clarification for these details, but at this time, these details remain outstanding.

**Condition 16**:
Pre-Occupation Condition: Prior to the first use of the development hereby permitted, details for the provision and storage of refuse and recycling bins shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include the size of bins, their location, means of enclosure and the details of the proposed refuse collector. These facilities shall thereafter be retained for use at all times in accordance with the approved details.

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

The submitted details show the refused compound on drawing 'Ancillary Details 221013-101' to be a 2m high timber enclosure. The plan details set out on drawing 'Finishes Layout 221013-100-C' indicates the compound to be located south of the main PFS building, with the coffee shop to be provided with its own compound to the north side of the building. However, on the plan 'Earthworks Strategy Plan P14923-509' the location of the refuse compound is show as being two parking spaces (which aligns with the site plan approved under DC/21/1558). Further confusion is created by the submitted 'Landscape Layout 4774-01 Rev B' which shows this space occupied by trees, shrubs / planting and a parking space.

Although no details are provided for the coffeeshop refuse enclosure, the original drawings for this building under DC/21/1558 show an internal 'service yard' to the north side of the building.

Officers consider that the requirements of the condition have not been satisfied on account of the level of inconsistencies and conflicts between submitted drawings. Officers have sought clarification for these details, but at this time, these details remain outstanding.

**Condition 18**:
Pre-Occupation Condition: Prior to the first use of the development hereby permitted, details of secure and covered cycle parking facilities shall have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking facilities shall implemented in accordance with the approved details, and thereafter be retained at all times for their designated use.

Reason: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies, and to ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

The cycle provision is shown to be galvanised hoops only. WSCC expect all cycle spaces to be secure and covered (incentivise staff to cycle) - as per the approved details that accompanied the outline consent DC/19/0295 (Cycle parking will be provided for all elements of the proposals. The TA confirms the spaces will be secure and covered)

The submitted details show the provision of cycle hoops (Sheffield Stands) on drawing 'Ancillary Details 221013-101'. The plan details set out on drawing 'Finishes Layout 221013-100-C' indicated 'sheltered cycle parking' to the south of the PFS entrance and to the north of the coffee drive-through entrance. The 'Earthworks Strategy Plan P14923-509' reveals the cycle hoops in a different location to the frontage of the coffee drive-through. No details of the 'shelters' have been provided.

Officers consider that the requirements of the condition have not been satisfied on account of the level of inconsistencies and conflicts between submitted drawings and details and the lack of certainty over whether there is to be a shelter over the cycle stands. Officers have sought clarification for these details, but at this time, these details remain outstanding.

Officers are aware that works at the site are now complete with the PFS and coffee shop open to trade (as of Aug 2024).

**Recommendation: Split Decision**

**Consent is hereby GRANTED pursuant to Condition 6.**

**Consent is hereby REFUSED pursuant to conditions 10, 16 and 18 for the following reasons:**

1 The submitted details fail to provide the level of detail and clarity in order to discharge all the landscape-related details set out under Condition 10. The Local Planning Authority are therefore unable to discharge this condition.

2 The submitted details fail to provide the level of detail and clarity over the location of the refuse / recycling enclosure within the site and thus the Local Planning Authority are unable to discharge condition 16.

3 The submitted details fail to provide the level of detail and clarity over the location of the cycle stands within the site and whether or not there is to be a shelter provided for the cycle stands, thus the Local Planning Authority are unable to discharge condition 18.

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.

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**Plans list for: DISC/24/0012**

(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 |
|---|---|---|---|
| Plans | Earthworks Strategy Plan (levels only) | P14923-509 | 14.03.2024 |

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

| Plan Type | Description | Drawing Number | Received Date |
|---|---|---|---|
| Plans | Drainage Layout | P14923-509 C | 14.03.2024 |
| Plans | Landscape Layout | 01 B | 29.01.2024 |
| Plans | Finishes Layout | 221013-100-C | 14.03.2024 |
| Plans | Ancillary Details | 221013-101 | 14.03.2024 |

**DELEGATED**

Case Officer sign/initial Nicola Pettifer Date: 09.09.2024

Authorising Officer sign/initial Adrian Smith Date: 10/09/2024