Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0265
The Cobblers, Hayes Lane, Slinfold, West Sussex, RH13 0SA

DESCRIPTION:
Application for Approval of Details Reserved by Condition 23 (lighting design scheme) to approved application DC/22/2197 (Variation of approved application DC/20/2578 (Construction of 12No. flats with associated car parking, landscaping and replacement scout hut).

DETAILED DESCRIPTION:

Planning Permission DC/22/2197 was permitted on 30.03.2023. This permission was for variation of the approved plans of DC/22/2197 sought for repositioning of units 1-4 and 9-12 of a 12-no. residential flat scheme, alongside details pursuant to discharge of conditions imposed on DC/20/2578.

This application seeks details of condition 23 (lighting design scheme) of that permission. The submitted details comprise an external lighting installation scheme by Tamlite Date 15.10.2024 Project Number: 20212; WER/1729/23 REV C Landscape Proposal & Ecological Enhancements; and Emails from the applicant (Sunninghill Construction Co. Limited) dated 29 November 2024.

The Emails and WER/1729/23 REV C plan are evidence that the lighting design has been informed by ecologist input (the original Ecological Consultant, Allen-Allen, who has reviewed the lighting proposal and has confirmed it meets their requirements). The lighting scheme has been designed by the lighting specialist, to:

- Ensure bollard lighting where possible to ensure light levels above 3 lux does not spill outside of the site boundary.
- Lighting design to achieve minimum lux levels required by CIBSE guidance for emergency lighting and car parks for safety reasons = 0.5-1 Lux (including for wellbeing of visitors to Scout Hut)
- Two car park columns set at 3.3m high which is significantly lower than the max. 8m to accord with ecology report Westridge commissioned.
- Extensive “Dark areas” created to southern and western boundaries, adjacent to where bat boxes located, to protect existing mature tree/hedge line to neighbouring property.
- Dark areas to north created surrounding existing mature trees to further enhance bat habitat

RELEVANT PLANNING HISTORY:

DC/22/2197	Variation of condition 1 of approved application DC/20/2578 (Demolition of existing retirement housing and construction of 12No. flats with associated car parking and landscaping and replacement scout hut). Variation sought for repositioning of units 1-4 and 9-12, alongside details pursuant to discharge of conditions 6 (foul and surface water disposal), 7 (surface water drainage statement), 8 (contamination), 9 (finished floor levels), 10 (underground services), and 11 (materials and finishes).	Application Permitted on 30.03.2023.

CONSULTATIONS:

HDC Ecology: *Reviewed lighting report Installation (Tamlite, October 2024), email from Sunninghill Construction (29th November 2024) and Landscape Proposal & Ecological Enhancements Drawing Number WER/1729/23 Rev C (Allen-Allen Partnership, November 2024). Satisfied submitted information includes detail required by this condition.*

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.

ASSESSMENT:

Condition 9:

Regulatory Condition: Prior to the installation of any external lighting within each phase, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. The scheme must also be designed by a suitably qualified person in accordance with the recommendations for environmental zone E2 in the Institute of Lighting Professional's Guidance document "Guidance Notes for the Reduction of Obtrusive Light GN01:2020. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To 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), and in accordance with Policies 31 and 33 of the Horsham District Planning Framework (2015) and Policy 4 of the Slinfold Neighbourhood Plan.

Following submission of additional information by the applicant in response to an initial request for further information from the Council's consultant Ecologist, it has now been evidenced that the scheme identifies those features on site particularly sensitive for bays and shown how and where external lighting will be installed to demonstrate that areas to be lit will not disturb or prevent bats using their territory. The scheme has been designed by a suitably qualified person and informed by Ecologist input and agreement to the detail.

The submitted revised details are acceptable pursuant to the requirements of the condition.

Water Neutrality Note: No further Habitat Regulations Assessment (HRA) is required at conditions discharge stage if a scheme has already undertaken HRA for Water Neutrality prior to being granted and details to be discharged do not alter the water usage assessed at that stage. The permitted scheme (DC/22/2197) is already Water Neutral being subject of a favourable HRA AA in 28 March 2023.

Recommendation: Application Permitted

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/24/0265
(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	Sunninghill Construction Co. Limited Email dated 29 November 2024 12:00 Re: disc/24/0265 The Cobblers		29.11.2024
Supporting Docs	Sunninghill Construction Co. Limited Email dated 29 November 2024 15:25 RE: disc/24/0265 The Cobblers		29.11.2024
Plans	Landscape Proposal & Ecological Enhancements	WER/1729/23 REV C	29.11.2024
Supporting Docs	COBBLERS EXT Installation by Tamlite Date 15.10.2024 Project Number: 20212		22.10.2024

DELEGATED

Case Officer sign/initial Matthew Porter Date: 06-12-2024

Authorising Officer sign/initial J Hawkes Date: 06.12.2024