Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0306
Kilnwood Vale Sub-Phase 3DEFG , Kilnwood Vale, Crawley Road, Horsham, Faygate,

DESCRIPTION:
Approval of details reserved by conditions 5,9 and 12 to approved application DC/23/0856

RELEVANT PLANNING HISTORY:

DC/23/0856 APP/Z3825/W/23/3333968	Reserved Matters approval sought for Layout, Appearance, Landscaping, Scale and Access (in accordance with DC/15/2813) for Phase 3 D, E, F and G of the Kilnwood Vale development, comprising 280 dwellings with associated landscaping, access and parking.	Appeal Allowed on 25.10.2024

PLANNING ASSESSMENT

Reserved matters consent in relation to matters of layout, appearance, landscaping and scale in relation to Kilnwood Vale sub-phases 3 D, E, F and G (DEFG) was granted by way of appeal on 25.10.2024.

Consent is now sought for an approval of details reserved by Condition 5, 9 and 12 as imposed by the Secretary of State.

It should be noted that, as initially submitted, consent was also sought for an approval of details reserved by Conditions 12, 28, 29 (in part) and 41 as attached to the grant of outline planning permission pursuant to ref: DC/15/2813. As agreed with the applicant details submitted in relation to these 'outline' conditions have been withdrawn from consideration and have been made subject of a separate application (ref: DISC/24/0316). This is confirmed by receipt of an amended covering letter dated 11.02.2025.

The applicant, further, by way of email correspondence dated 10.07.2025, has confirmed that the approval of details reserved by Condition 3 attached to the decision of the Secretary of State has also been withdrawn from consideration.

Condition 5:

Condition 5 states:-

> *"No development above ground floor slab level shall commence until full details of the water efficiency measures required to achieve a maximum of 91.4 l/p/d have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the specification of all fixtures and fittings to be included in all dwellings, and a completed Part G calculator confirming the targeted water consumption is achieved.*
>
> *i) No dwelling hereby permitted shall be occupied until the approved water efficiency measures to serve that dwelling have been installed and made available for use in accordance with approved details, with evidence of installation submitted to an approved in the writing by the Local Planning Authority.*

ii) The installed water efficiency measures, or any subsequent replacement of measures over the lifetime of the development, shall achieve equivalent or higher standards of water efficiency to those approved unless otherwise agreed in writing with the Local Planning Authority."

In response to the above the applicant has provided a schedule of water calculations pursuant to Part G of the Building Regulations. This schedule specifies standards of efficiency for individual fixtures, fittings and appliances, and for dwellings of different types and sizes consented pursuant to ref: DC/23/0856.

The submitted details demonstrate that approved dwellings would achieve a standard of water efficiency ranging between 88.7 litres/person/day (l/p/d) to 91.0 l/p/d. These standards of efficiency are greater than the maximum standard of 91.4 l/p/d stipulated within the appellants evidence to the appeal (ref: APP/Z3825/W/23/3333968). It is, therefore, considered that the details submitted satisfy the requirements of Condition 5, which can be discharged accordingly.

Condition 9

Condition 9 states:-

"Prior to the first occupation of any part of the development, a landscape management responsibilities plan (delineating areas of ownership and maintenance responsibility) for all communal landscape areas shall be submitted to and approved in writing by the Local Planning Authority. The landscape areas shall be managed and maintained in accordance with the approved details."

In response to the above condition the applicant has provided a landscape maintenance and management responsibilities plan. The submitted responsibilities plan concerns the proposals consented pursuant to ref: DC/23/0856 (housing) and ref: DC/23/1314 (infrastructure).

As the details in this instance are submitted solely in respect of ref: DC/23/0856, these details are only capable of approval insofar as these concern ref: DC/23/0856 specifically. Details as to the management of main vehicular and pedestrian infrastructure in addition to parkland (as approved pursuant to ref: DC/23/1314) fall outside a scope of consideration in this instance.

Omitting the main routes and components of public open space addressed above (which fall exclusively within the scope of ref: DC/23/1314), the management of remaining land within Phase 3DEFG will be dedicated to a management company or to future residents.

The private management company is indicated to assume responsibility for the maintenance/management of secondary routes, in addition to areas of proposed public-open space, car-parking, landscaping and shared green/garden space (to flatted development). This is considered expected given the arrangement of landscaping and car-parking as proposed pursuant to ref: DC/23/0856 and recognising that secondary routes featured within Phase 3DEFG were not proposed for adoption by the County Council.

The submitted management responsibilities plan does not leave areas of proposed soft-landscaping to the responsibility of future individual occupiers, except where this is to form the front garden of an individual dwelling. Responsibilities for the management of private driveway and rear gardens, further, is shown to fall to future individual residents. This is, again, considered an expected and acceptable arrangement.

The Council's landscape team have reviewed the proposals and did not seek to raise concern with the proposed management and maintenance responsibilities plan. It is acknowledged that some concerns were expressed in relation to expected conflict between proposed services and tree-planting, though, this relates to matters now withdrawn from consideration and is unrelated to future maintenance/management responsibilities. It is recommended that the details submitted pursuant to Condition 9 be discharged.

Condition 12:

Condition 12 states:-

> *"No part of the development shall be occupied until details of the proposed solar PV apparatus, including locations and amounts, have been submitted to and approved in writing by the Local Planning Authority. The equipment shall, be installed prior to the first occupation of each respective dwelling in accordance with the approved details."*

In response to the above condition the applicant has provided a schedule denoting the provision of solar PV equipment to buildings approved within 3DEFG, together with relevant specifications for solar PV equipment. Plans, in addition, have been provided denoting the layout and positioning of solar PV equipment on individual dwellings.

The submitted details confirm that each dwelling/flat at Kilnwood Vale would be provided with solar PV equipment such as to convey the indicative sustainability benefits suggested in association with ref: DC/23/0856 by reducing expected energy demand and increasing renewable generation capacity. These benefits accord with the provisions of HDPF Policies 35-37, which collectively promote measures to reduce resource use and mitigate the contribution of new development to climate change.

The submitted details, further, indicate that the provision of solar PV equipment would not prove unduly dominant to any particular dwelling such as to unacceptably diminish the design quality of approved development. There is, similarly, no evidence to indicate that the introduction of solar PV equipment would unacceptably impact upon the living conditions of existing or future occupiers. The proposals, therefore, are considered compliant with the provisions of HDPF Policies 32 and 33 in these respects.

It is, overall, considered that the submitted details would benefit the sustainability credentials of the approved development and would assist in lessening the contribution of development to climate change. It is, therefore, recommended that these details be discharged accordingly.

Arun Valley SAC, SPA and Ramsar (Water Neutrality)

The decision of the Secretary of State following ref: DC/23/0856 gave explicit consideration to the effects of the appeal proposals upon the integrity of the Arun Valley SAC, SPA and Ramsar designations. The SoS determined to grant planning permission subject to the incorporation of a grampian style planning condition, the effect of which is to prevent the occupation of approved development unless and until relevant water-neutrality mitigations had been implemented.

The Council's determination in this instance, therefore, would not facilitate a development which had not previously proven the absence of adverse habitats effects contrary to the determination to the Supreme Court pursuant to *CG Fry & Son Ltd v Secretary of State for Levelling Up, Housing and Communities and Anor* [2024] EWCA Civ 730.

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/24/0306
(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
Details plan	PV ARRAY DESIGN AND LAYOUT	23490 / ASHTEAD (3)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	23490 / DARTFORD (5)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	23490 / DORKING (6)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	23490 / FILEY (2)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	23490 / HEXHAM (2)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	23490 / HEXHAM (3)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	23490 / HEXHAM (4)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	23490 / LEIGH (2)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	23490 / ROMSEY (4)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	23490 / ROMSEY (5)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	23490 / WINKFIELD (5)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	23490 / WINKFIELD (6)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	23490 / YORKLEY (5)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / AFR-02 3AR (2)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / AFR-03 4AR (2)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / AFSO-3B4P (3)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / AMBLESIDE (5+4+4+5)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / BUILDING 1 (12)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / BUILDING 2 (8)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / CHESHAM (3)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / CHESHAM (4)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / CHESHAM (6)	10.12.2024

Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / DROMER (8)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / DROMER FOG (9)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / HATFIELD (2)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / HATFIELD (3)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / OXFORD (3)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / PLOTS 476-478 (2+2+2+2)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / PLOTS 475-478 (8)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / PLOTS 479-481 (3)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / PLOTS 482-484 (2+3+2)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / PLOTS 486-489 (3)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / PLOTS 532-534 AND 537-539 (2+2+2)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / PLOTS 562-563 (2)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / PLOTS 571-574 (3+3+2+3)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / PLOTS 575-576 (2)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / PLOTS 595-596 (3)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / PLOTS 653-654 (3+2)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / PLOTS 653-654 (3+2)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / PLOTS 666-667 (2+3)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / PLOTS 675-680 (3+3+3+3+3+2)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / ROYDON (AS) (7)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / ROYDON (OPP) (7)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / ROYDON PLOT 401 (7)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / ROYDON PLOT 517 (7)	10.12.2024

Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / ROYDON PLOT 624 (7)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / ROYDON PLOT 627 (7)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / SEATON (3)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / WINDSOR (2)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / WINDSOR (4)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / WINDSOR (5)	10.12.2024
Details plan	PV ARRAY DESIGN AND LAYOUT	26483 / WINDSOR (6)	10.12.2024
Details plan	ASSUMED MANAGEMENT AND MAINTENANCE RESPONSIBILITIES	: 3025-4-5-4 DR-5702 S4-P1	10.12.2024
Supporting Statement	WATER EFFICIENCY CALCULATOR	7724	10.12.2024
Supporting Statement	SOLAR INVERTER SPECIFICATION (1.0 - 3.0 KW)	NONE	10.12.2024
Supporting Statement	SOLAR INVERTER SPECIFICATION (3.6 - 6.0 KW)	NONE	10.12.2024
Supporting Statement	M10 SOLAR PV PANELS SPECIFICATION	NONE	10.12.2024
Supporting Statement	SOLAR PV SCHEDULE	26483	10.12.2024
Supporting Statement	M10 SOLAR PV PANELS SPECIFICATION	36483	10.12.2024

DELEGATED

Case Officer sign/initial Giles Holbrook Date: 11.07.2025

Authorising Officer sign/initial J Hawkes Date: 11.07.2025