Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0234
Chanctonview, Spring Gardens, Washington, West Sussex, RH20 3BS

DESCRIPTION:
Approval of details reserved by Conditions 4 and 5 to approved application DC/22/0867

RELEVANT PLANNING HISTORY:

DC/22/0867	Erection of 1 No. detached dwelling house with car port.	Application Permitted on 18.06.2024

PLANNING ASSESSMENT

Planning permission for the erection of a single dwelling, together with associated infrastructure, was approved pursuant to ref: DC/22/0867 on 18.06.2024. Planning permission was granted subject to conditions, with consent now sought for an approval of details reserved by Conditions 4 and 5 attached to ref: DC/22/0867.

Condition 4:

Condition 4 states:-

*"**Pre-Commencement Condition**: No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.*

Reason: As this matter is fundamental to ensure that the development is properly drained, does not increase the risk of flooding elsewhere and complies with Policy 38 of the Horsham District Planning Framework (2015)."

In response to the above condition the applicant has provided a drainage strategy document, inclusive of relevant drainage diagrams, and accompanied by relevant drainage calculations and specifications for individual projects.

The submitted drainage strategy details the proposed disposal of surface water by way of soakaway to the rear of the approved dwelling, following initial capture by an on-site rainwater harvesting system. Foul water is to be dispose to an existing public sewer present within Spring Gardens.

The proposed disposal of foul water is a traditional approach, and one which the applicant has provided confirmation of 'technical approval' for connection by Southern Water. There is no known capacity issue in the public sewerage network to confirm this would be unable to receive additional disposal associated with the single approved dwelling such that the proposed approach is considered acceptable.

In respect of surface water drainage, the response of the Council's drainage consultants seeks to raise concern with several technical aspects of the drainage strategy, including in respect of pollution control

measures, the method of calculation for infiltration rates, specifications of relevant products and exceedance routes in the event of 1:100 year climate change flood event.

The applicant, in response, has provided additional commentary against the comments of the Council's consultants and seeking to justify the acceptability of the parameters employed within submitted drainage calculations. The applicant advances that the site contains no likely sources of contaminants beyond the existing driveway, with the proposal seeking to introduce filters to maintain hydrocarbon pollutants within acceptable standards. The applicant, further, advances that expected infiltration rates have been calculated against a low-risk scenario, concordant with professional guidance, with exceedance routes leading towards the highway (Spring Gardens) as the lowest point of the site.

The application site is not modelled as at risk of any source of flooding, such that the main consideration is whether the proposed development would increase the risk of flooding elsewhere and would otherwise be properly drained. In these regards, it is considered that the submitted details establish the acceptability of the proposed development. Infiltration tests have been performed on the application site, with calculations prepared in accordance with professional guidance relative to the low-risk of surface water flooding modelled on the site. Subject to adherence with Building Regulation requirements there is no evidence that the proposed development would increase flood-risk, would result in the increased distribution of contaminants to ground water or would influence existing surface water flows (exceedance paths).

In this regard the condition requires a '*drainage strategy detailing the proposed means of foul and surface water disposal'* [emphasis added]. It is not the purpose of the planning system to duplicate other regulatory regimes such as the Building Regulations. The purpose of the condition is to agree the means of foul and surface water disposal, not the finer technical details as this is covered by the Building Regulations. In this case foul water will connect to the public sewer, and surface water will discharge via a soakaway as per the preference in the drainage hierarchy. An informative is nevertheless applied to advise the applicant to have regard to the comments of the Council's drainage consultant when seeking Building Regulations approval.

Therefore, officers consider that the details are satisfactory to discharge the planning condition.

Condition 5

Condition 5 states:-

> *"**Pre-Commencement Condition:** No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority.*
>
> *i. the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)*
> *ii. the provision of wheel washing facilities (if necessary) and dust suppression facilities*
>
> *The approved details shall be adhered to throughout the construction period.*
>
> *Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015)."*

In response to the above condition the applicant has provided a Construction Management Plan and site set-up plan. The Construction Management Plan, as a written document, is not strictly necessitated by Condition 5, however, does outline several good-practice measures to lessen anticipated construction disturbance, including management measures as to delivery/unloading activity, for the control of noise, duty and community liaison.

The set-up plan identifies areas the locations of construction welfare, store and W/C facilities in addition to the anticipated positions of construction materials and waste within the site. An area for wheel washing provision is denoted.

The submitted details are sufficient in scope to satisfy the requirements of Condition 5 and have been found acceptable by the Council's Environmental Health Team and the Local Highways Authority. It is, therefore, recommended that Condition 5 be discharged accordingly.

CG Fry and Water Neutrality

In respect of the judgement of the High Court pursuant to *CG Fry & Son Limited v SoS for Levelling up Housing and Communities and Somerset Council* [2023] EWHC 1622 (Admin), it should be noted that ref: DC/22/0867 was approved on the basis of a supporting water-neutrality mitigation strategy. The mitigation measures necessitated by that strategy are secured by a legal agreement entered into pursuant to S.106 of the Town and Country Planning Act 1990 prior to the grant of planning permission.

An approval of details reserved by condition in this instance, therefore, would not conflict with the Authority's duties under Regulation 63 of the Protection of Habitats and Species Regulations (2017) as the habitats impacts of approved development have already been considered at an earlier stage of approval.

Recommendation: Application Permitted

Note to Applicant:
The applicant is advised to have regard to the comments of the Council's drainage engineer when seeking Building Regulations approval for the final detailed design of the surface water soakaway system.

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/24/0234
(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 Statement	Drainage Design		24.10.2024
Supporting Statement	Construction Management Plan		18.09.2024
Site plan	Construction Site Set Up Plan	CV.SITESETUP.001	24.10.2024
Supporting Statement	Polycell Specification Sheet		20.11.2024
Supporting Statement	SOAKAWAY DESIGN CALCULATIONS SHEET	CV.02	20.11.2024
Supporting Statement	Email- drainage response		20.11.2024

DELEGATED

Case Officer sign/initial Giles Holbrook Date: 10.12.2024

Authorising Officer sign/initial Adrian Smith Date: 11/12/2024