Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0184
Leonardslee Gardens Brighton Road Lower Beeding West Sussex RH13 6PP

DESCRIPTION:
Application for Approval of Details Reserved by Condition 11 (hard and soft landscaping) to approved application DC/22/2229 (Construction of enlarged and rationalised existing car park and grassed enclosure for overflow car parking).

DETAILED DESCRIPTION:

Planning Application DC/22/2229 was permitted on 10th July 2023. This permitted construction of enlarged and rationalised existing car park and grassed enclosure for overflow car parking, with tree planting. Installation of new children's play area; relocation of chicken enclosure; and involved amendments to road layout within the site, with associated enlarged and enhanced landscape buffer and reinstatement of hedge to A281 boundary. The proposals were part-retrospective.

Approval is now sought for details pursuant to condition 11 (hard and soft landscaping). The details submitted comprise a suite of technical plan drawings and supporting material, the details of which have been subject to extensive negotiations with Horsham District Council informed by the consultation responses received.

RELEVANT PLANNING HISTORY:

DC/21/0227	Retrospective variation of condition 1 (approved plans) of DC/18/0689 (Change of use, restoration and extension associated with the opening of Leonardslee House and Gardens to the public) in relation to maintenance works to plantation woodland within visibility splays (condition 6) along western boundary with the A281.	Permitted 19-01-2022
DC/22/2229	Construction of enlarged and rationalised existing car park and grassed enclosure for overflow car parking, with tree planting. Installation of new children's play area. Relocation of chicken enclosure. Amendments to road layout within the site, with associated enlarged and enhanced landscape buffer and reinstatement of hedge to A281 boundary. (Part-retrospective).	Permitted 10.07.2023
DISC/23/0181	Approval of details reserved by condition 2 (protection measures for retained trees and planting), 3 (tree survey with Arboricultural Impact Assessment and Methods Statement), 4 (Construction Environmental Management Plan) to approved application DC/22/2229 (enlarged and rationalised car park, new children's play area. Amendments to road layout within the site, with associated enlarged and enhanced landscape buffer).	Permitted 21-12-2023
DISC/23/0258	Approval of details reserved by condition 5 (surface water drainage strategy) of planning permission	Permitted 01-10-2024

	DC/22/2229 (Construction of enlarged and rationalised existing car park and grassed enclosure for overflow car parking, with tree planting).	
DISC/24/0014	Application for Approval of Details Reserved by Condition 6 (rectification works) and 7 (revised Conservation Management Plan and allied Conservation Garden Management Plan) to approved application DC/22/2229 (Construction of enlarged and rationalised existing car park and grassed enclosure for overflow car parking. Installation of new children's play area. Amendments to road layout within the site).	Pending Consideration

REPRESENTATIONS

Sussex Gardens Trust: Advice

(Initial July 2024 – follow up correspondence from site tour with applicant)
CAR PARKS AND FRONTAGE TO A281 Although outline layout is shown on drawings included within Leonardslee Lakes and Gardens Pre-application document (new boundary and access layout para. 2.6 and zoning layout 2.7), fully detailed proposals to meet planning conditions (application DC/22/2229) for planting of car park, treatment of overspill area and roadside frontage onto A281 still outstanding. Potential details discussed on site with LUC and the Head Gardener on planting strip widths, varieties of hedging and trees (medium sized trees e.g. Acer campestre and Prunus avium but addition of at least one or two large trees such as Tilia cordata). Overspill area graded satisfactorily and seeded but will take time without events to establish. Character of roadside planting discussed; SGT's view is it should ideally reflect ornamental and exotic character of Leonardslee Gardens, to 'announce it' to arriving (and passing potential) visitors, i.e. with restoration of former rhododendrons plus perhaps associated species such as deciduous azaleas, camellias, hydrangeas and perhaps some new conifer trees, planted informally but still screening car park. • SGT is content with principle of planting main carpark as shown on outline layout and would like to see detailed planting plans for it and roadside area worked up as described above. SGT would welcome a copy of submission to Horsham DC.

BALANCING POND Sketch visualisations shown for balancing pond which has been extended to form a small lake east of the gardeners' compound building. SGT understands this is 'work in progress' and will provide an additional visitor attraction. • SGT is content with principle of balancing lake as new landscape feature in keeping with existing lakes and its potential to be managed to relieve visitor pressure on other parts of the grade 1 registered garden.

(Subsequent dated 2nd August 2024)
Very pleased documents submitted with current application, DISC/24/0184 reflect what we said regarding approach to both car park and roadside frontage. Welcome good selection of rhododendrons on frontage.

Given climate change is real and developing, still feel more could be done to choose trees to provide serious shade in the extensive car park: choice of trees within rows of hedging, apart from Prunus avium Plena, are only modest height or columnar (Acer campestre Streetwise to c7m and Corylus Colurna to c12m), so will not cast shade very far. Quite far apart too – one stretch of hedging without a tree is 18m long. If roots from larger trees is perceived a problem, could be managed by adjusting spacing.

HDC Tree Officer: No Objection

(Initial July 2024)
Although, unfortunately, some of mature oak and Sycamore trees in area did not survive redevelopment of the car park, however, in this instance, proposed tree and shrub planting is robust and appears commensurate with losses; in places exceeding what would have generally been considered to have been needed. Positive that while there is a high concentration of native tree planting proposed in the A281 carpark buffer strip, as well as the inclusion of some more interesting

coniferous trees, that will contribute to the green infrastructure in this part of site. Proposed orchard is also a nice addition, and good to see high number of local Sussex varieties due to be utilised.

(Subsequent Sept 2024)
Had look at previously submitted tree info, trees may be T147 - Western Red cedar and T41 Oak. Did highlight this could be potential issue in response to app on 31/01/2023 and again on 11/05/2023. Did condition a tree survey, condition 3 of DC/22/2229; discharged under DISC/23/0181. For this app, the submitted information provided is satisfactory for conditions 2 and 3 attached to DC/22/2229 to be discharged. Where RPA T147 and T41 was impacted by the Play Park, have used a Cellular Confinement System to protect the tree roots from compaction, and top surface should be a permeable surface. At the time, was satisfied overall impact on trees in the area could be kept to a minimal. If it does die, but hopeful it won't, as result of the works within RPA, it would be covered by condition 2 of DC/22/2229, which isn't time-limited so could insist on a replacement.

HDC Ecology: Subject to implementation in full of submitted details, recommend discharge.
Reviewed Planting Plan Layout and Schedule Drawing No. 12897-LUC-XX-XX-DR-L-0405 Rev P01 (Land Use, July 2024), Planting Plan Buffer Zones - Indicative Drawing No. 12897-LUC-XX-XXDR-L-0400 Rev P02 (Land Use, July 2024), Planting Strategy Drawing No. 12897-LUC-XX-XX-DR-L-0410 Rev P01 Sheet 1 (Land Use, July 2024), Planting Strategy Drawing No. 12897-LUC-XX-XX-DR-L-0411 Rev P01 Sheet 2 (Land Use, July 2024) and Tree and Planting Strategy and Plans Version 2.0 (Land Use, July 2024) which have been submitted in order to discharge Condition 11. From ecological perspective, satisfied the submitted information includes detail required by this condition.

HDC Landscapes: Advice
Series of consultation rounds undertaken (Aug x2, Sept, Oct, Nov 2024).

Nov 2024 (5th and Final):
Satisfied detail provided is now sufficient to recommend the discharge of condition 11.

Oct 2024 (4th):
Planting plans updated to show hedgerow around play area although clearly not reflective of 'as built' play area, as area extent of playground much larger than shown on planting plan which is disappointing. Extremely frustrating coordinated and accurate set of plans cannot be provided. Remaining issues highlighted in 3rd round of comments haven't been addressed, although. To that effect, again unable to recommend discharge.

Sept 2024 (3rd):
Still missing information, crucially proposed hedgerow between car park and play area not added and specified within e planting plans. Level encroachment of works in play area around existing trees RPA's also unknown. Finally, clarity still needed around proposed fencing within overspill car park and buffer zone in northern car park.

Aug 2024 (1st and 2nd):
Considered information via email 14/08/2024 and provide update. Few more hard landscape details received with thanks. New plan for play area. Below outstanding:

Condition 11 (a) All the development: i. - the planting plans/schedule needs to be updated to reflect changes to parking and proposed seeding within bus parking bays as advised via email. Also revisiting play area proposals as approved on DC/22/2229, clear hedgerow provided between play area and car park/access. Please reinstate. In addition note previous comment re tree pit detail for semi-mature trees. ii. – closed iii. – closed iv. – closed v. – closed with exception of play area. Hedgerow planting & species info along southern boundary of play area still not provided. Please note updated play area plan doesn't provided clarity on revised entrance to site. Previously areas where footpath required although this removed. Please review plan so clear what proposals are, including extent of different types of surfacing as this plan also differ from condition statement where advised surfacing is wood chippings throughout play space. CLOSED Illuminated timber bollards shown on detail plans submitted under hard landscape details but not car park general arrangement plan. Assumed same timber bollards approved in previous iterations of scheme and consider this level of lighting appropriate. However, if no separate lighting condition, recommended lighting details included under this landscape

condition for completeness. No response received on this. Assumed black square dots along planting beds in the car park are illuminated bollards. A few clashes with proposed bins but satisfied this will be adjusted on site as enough space within soft bed. vi. Bin location now indicated with thanks. However, amount of bin provision excessive and introducing unnecessary clutter, particularly when associated to illuminated timber bollards located in similar location. Streamlined approach suggested: CLOSED

Details of location and specification of new fence not submitted although recall seeing this provided in previous plan where buffer zone/ ecology area included post and rail fence, fence near play area was existing black estate railing and southern overspill car park a stock and proof fence. Recommended these details added for completeness and as required by condition. Play space now includes larger area than originally approved, and location of proposed fence not clear. Please update plans that clearly demonstrate location of fence, entrance gate and maintenance gate if required. Proposed fence picket fence within play area is now shown in play area plan as well as post and rail fence around tree in overspill car park. Could not see information on type of railing around overspill car park or buffer zone within northern car park and therefore outstanding.

(b) Play Area: i. – no photographic information available, however requirement of condition was to show encroachment of equipment footings and surfacing into RPAs. Also noted 'existing trees' on currently plan vary from those submitted application stage showing large areas of surface encroachment. Some photos provided but does not address issue raised. Plan with tree survey including tree RPAs overlaid on design needed to ascertain level of encroachment. Outstanding ii. – this is currently not depicted/ clear on plan however if vi. is satisfied then can be closed. CLOSED iii. – no details provided for play surfacing. Specification for materials must be submitted to satisfy condition. Given uncertainty of RPA encroachment, crucial these details provided so impact on trees can be understood. Although note suggests woodchips used throughout area, the plan provided still indicates variety of surfacing. CLOSED vi. – artificial grass still appears proposed around slide and therefore same applies however this can be closed if clause xiii vi. is satisfied. CLOSED v. – no details provided. This is a requirement HDC parks has for their own play areas to give certainty of longevity of the equipment, as problems experienced in the past due to predominantly heavy clay in District. Therefore, whilst recommended as good practice, considering this is a private play area and maintenance of it is the applicant's responsibility, minded to close this requirement. CLOSED vi. – RoSPA document refereed to not received. CLOSED vii. – Closed. Water play removed from proposals. CLOSED (c) Main (northern) car park: i. - Please refer to comments above under (a)vii v and vi. (a)vi is CLOSED. (a)v OUTSTANDING ii. – Closed

Acknowledge changes made to planting sizes and redesign of parking around gardens entrance in line with previous recommendations with thanks. As minor point with layout, please note parking spaces along northern car park are not of standard size suitable for parking. Whilst advise against taking this area by parking, believe the intention of applicant to do so as until recently it was being used in similar position where the play area now stands. Provided hardstanding does not encroach into existing/retained trees RPA's, happy for these to remain as don't consider these to meaningfully give raise to additional adverse effects and also foresee these spaces to be sparingly used given distance to gardens entrance. No planting is indicated in between bus bays. Under impression this would be same 'end of bays' planting mix? If to be amenity grass or wildflower seeding, please indicate and add to planting schedule. Closed Also spotted parking layout has potential to be rearranged without loss of spaces and provide n increase to provide increase to planted area.

Note added to planting plan sheet 2 of 2 if proposed species and quantities for native hedge mix along A281 boundary not included in note on sheet 1 of 2. Closed Tree pit details – it is recommended that semi-mature trees are anchored using a root ball fixing system. CLOSED Condition 11 (a ii.) and (c ii.) requires knee rail around existing trees be included to protect RPA's from encroachment. Whilst aware at least the tree in overspill car park has had this erected, information is not showing on any of the plans submitted. For consistency and enforcement purposes, recommendation is this is indicated on site plans. CLOSED. Note no information provided to satisfy condition 11 (b) but once these minor amendments are considered should be in position to recommend discharge of requirements of condition 11 (a) and (c).

Representations: None received.

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.

PLANNING ASSESSMENT

The application seeks to discharge the details submitted pursuant to condition 11 (hard and soft landscaping).

Condition 11 (hard and soft landscaping)

Pre-Occupation Condition: No part of the development hereby permitted shall be used or brought into use until full details of all hard and soft landscaping works for that part of the development (a/b/c) shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

(a) All the development:
- *Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details*
- *knee rail around retained tree, this must be notes in the plan and retained to protect the tree's RPA from compaction when car park is in use*
- *Clarity to extent of hard surfacing area to be retained for access to overflow car park*
- *location of the entrance gate to the parking area when in use*
- *Details of all hard surfacing materials and finishes*
- *Details of all boundary treatments and bin provision*

(b) Play Area:
- *installation of surfacing and play equipment within RPA's*
- *Demonstrate on plan minimum required activity play surfacing met in accordance with suppliers' recommendations*
- *detail for proposed type of play surfacing and bin provision.*
- *Artificial grass proposed near playhouse meets critical fall height for equipment in accordance with BS EN1176*
- *play areas require steel footings be included with all pieces of timber play equipment to prolong their life shelve*
- *post installation inspection by RoSPA recommended prior to play area being open to the public*
- *Details of the water recycle system as part of the play area installation, using rainwater filtered through a plant system to clean, with no connection to mains water.*

(c) Main (northern) Car park:
- *Increase planting and softening within the car park. Proposed trees should be connected as a soft strip and planting hedgerow in between*
- *knee rail around existing mature tree to avoid ingress into RPA's*

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 character within the High Weald Area of Outstanding Natural Beauty and the settings of Designated Heritage Assets, and in the interests of visual amenity in accordance with Policies 25, 30, 31, 32, 33, 34 of the Horsham District Planning Framework (2015).

Conclusion

Extensive negotiations and multiple revisions to the submission suite of details (Rev 17 to car park site plan as proposed) has taken place, in part in response to an unanticipated need for additional consideration of an attenuation pond introduced in the deer park to finalise the drainage strategy and variation to the build out of the play area by contractors. Following all this, the submitted details pursuant to condition 11 are now to the satisfaction of Horsham District Council Planning Officers as well as The Sussex Gardens Trust. This includes all three parts of the condition; a) across all the development (both main and overflow car parks and associated circulation access and associated landscaping, including A281 roadside landscape buffer and drainage attenuation basin and orchard), and pedestrian and vehicular circulation space; b) children's play area; and c) main car park (re-configurated from the 2018 approval).

The agreed details, in particularly the planting schedule to the main car park and roadside frontage onto the A281 and the seeding of the overspill car park, ensures a satisfactory development that balances the operational requirements and needs of the car parks with (hard and soft) landscaping sympathetic to the character of the High Weald National Landscape and the significance of the designated heritage asset of Leonardslee House and Gardens (the parkland setting of the Grade I Registered Park and Gardens) whilst also reflecting the ornamental and exotic character of Leonardslee Gardens as visual amenity and visitor attraction. The late introduction of the attenuation pond east of the compound as a new landscape feature is judged by Officers and The Sussex Garden's Trust to be in keeping with the existing lakes.

As per the committee resolution to planning permission DC/22/2229, the local ward Member has been consulted on the latest submitted details for condition 11 who has replied that no reason is seen why not to discharge the condition.

The submitted details are therefore acceptable pursuant to the condition reason.

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. The permitted scheme (DC/22/2229) was 'screened out' under the Habitat Regulations in July 2023.

It should also be noted that water use arising from play area, which was the subject of the screening for DC/22/2229, has subsequently not been pursued in the completion of the play area.

Recommendation: Application Permitted

NOTES 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/24/0184
(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	PLANTING PLAN LAYOUT AND SCHEDULE	12897-LUC-XX-XX-DR-L-0400 REV P05	16.10.2024
Plans	PLANTING PLAN LAKE (SHEET 3)	12987-LUC-XX-XX-DR-L-0405 REV P01	16.10.2024
Plans	PLANTING PLAN SHEET 1	12897-LUC-XX-XX-DR-L-0410 REV P04	16.10.2024
Plans	PLANTING PLAN SHEET 2	12987-LUC-XX-XX-DR-L-0411 REV P04	16.10.2024
Plans	TREE PITS DETAILS	12897-LUC-XX-XX-DR-L-0602 REV P03	16.10.2024
Plans	Typical Tree pits	12897-LUC-XX-XX-DR-L-0603 REV P02	16.10.2024
Plans	CAR PARK SITE PLAN AS PROPOSED	CP2000 P REV 17	16.10.2024
Plans	CAR PARK PLAN AS PROPOSED	CP2001 P REV 10	16.10.2024
Plans	PLAY AREA PLAN AS PROPOSED	CP2002 P REV 5	16.10.2024
Plans	OVERFLOW CAR PARK PLAN AS PROPOSED	CP2003 P REV 6	16.10.2024
Plans	SURFACING PLAN	1-00-01 REV 01	22.08.2024
Plans	CAR PARK FOOTPATH DETAILS AS PROPOSED	CP 2405 C REV 0	14.08.2024
Plans	CAR PARK ROADWAY AND PLAY AREA DETAILS AS PROPOSED	CP 2401 P REV 0	14.08.2024
Plans	CAR PARK ROADWAY DETAILS AS PROPOSED	CP2400 C REV 0	14.08.2024
Plans	PLANTING PLAN BUFFER ZONES - INDICATIVE	12897-LUC-XX-XX-DR-L-0405 REV P01	18.07.2024
Supporting Docs	ROSPA Play Safety: Safety		22.08.2024

	Inspection Report Post-installation Inspection Leonardslee Lakes and Gardens - Adventure Trail 28 March 2024 by TouchWood Enterprises Ltd		
Supporting Docs	Rubber MULCH Specification by DCM Surfaces		22.08.2024
Supporting Docs	Invoice HardWOOD PlayGrade CHIP (Artic Walking Floor Vehicle)		22.08.2024
Supporting Docs	PLANNING STATEMENT DISCHARGE OF CONDITITION 11 AS RELATING TO APPLICATION REFERENCE DC/22/2229 by Donald Insall Associates Issue date: 17/07/2024		14.08.2024
Supporting Docs	12897-LUC-XX-XX-RPT-L-001 TREE AND PLANTING STRATEGY AND PLANS Leonardslee Gardens Version 2.0 dated 17.07.2024 by LUC		18.07.2024

DELEGATED

Case Officer sign/initial Matthew Porter Date: 29-11-2024

Authorising Officer sign/initial J Hawkes Date: 29.11.2024