Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/25/0381
Rascals Farm Shipley Road Southwater Horsham West Sussex RH13 9BG

DESCRIPTION:
Application for Approval of Details Reserved by Conditions 7 (Biodiversity environmental management plan (CBEMP)) and 10 (programme of archaeological works) Content of Written Scheme of Archaeological Investigation ONLY to approved application DC/20/0695 (Outline application up to 100 residential units with all matters reserved except access (excluding internal estates roads).

DETAILED DESCRIPTION:
Planning Application DC/20/0695 was Allowed at Appeal in August 2021. This permitted up to 100 residential units, with the associated vehicular and pedestrian access.

Subsequent Reserved Matters (RM) have been approved (DC/24/0249 refers).

Following the grant of RM, approval is now sought for discharge of conditions 7 (Biodiversity environmental management plan (CBEMP)) and 10 (programme of archaeological works) Content of Written Scheme of Archaeological Investigation ONLY.

The details comprise a CONSTRUCTION BIODIVERSITY ENVIRONMENTAL MANAGEMENT PLAN: BDWSC24935_CBEMP 04/11/2025 by ACD Environmental (Condition 7) and WRITTEN SCHEME OF INVESTIGATION FOR AN ARCHAEOLOGICAL EVALUATION Version 3 by Archaeology South-East Issued August 2025 Site Code: SRF25 (Condition 10).

RELEVANT PLANNING HISTORY:

DC/20/0695	erection of up to 100 residential units, with the associated vehicular and pedestrian access	Refused Allowed at Appeal 02 August 2021
DC/21/2126	Non Material Amendment to planning permission DC/20/0695 (Outline application for the erection of up to 100 residential units with all matters reserved except access (excluding internal estates roads)). Amendment to list of approved plans to omit plan drawing 21007-04-1 (Proposed 30/60 mph speed limit change) and correction of plan drawing reference to read 21007-03 REV B Proposed Site Access Arrangement.	Permitted 12.10.2021
DC/24/0249	Reserved matters application for the erection of 96 dwellings and ancillary parking and landscaping following approval of outline application DC/20/0695 (up to 100 residential units with associated vehicular and pedestrian access), relating to layout, scale, appearance and landscaping.	Permitted. 05 June 2025

CONSULTATIONS

District Consultant Ecology Consultant*: Recommend discharge of Condition 7*

District Council Archaeologist: *The Written Scheme of Investigation for an Archaeological Evaluation prepared by Archaeology Southeast is acceptable but as the work has not yet been carried out the condition (10) should not be fully discharged at this stage.*

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

Condition 7 (Construction Biodiversity Environmental Management Plan)

No development shall commence until a construction Biodiversity environmental management plan (CBEMP) has been submitted to and approved in writing by the local planning authority. The CBEMP shall include the following:
a) Risk assessment of potentially damaging construction activities.
b) Identification of "biodiversity protection zones".
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
d) The location and timing of sensitive works to avoid harm to biodiversity features.
e) The times during construction when specialist ecologists need to be present on site to oversee works.
f) Responsible persons and lines of communication.
g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
h) Use of protective fences, exclusion barriers and warning signs.

The approved CBEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

The Council's consultant Ecologist has reviewed the submitted Construction Biodiversity Environmental Management Plan (ACD Environmental, November 2025) and is satisfied the ecological mitigation measures as detailed within the above referenced document are sufficient and to be implemented in full. It is note the document has not fully detailed mitigation measures in relation to licensable activities for Dormice and bats as these measures are included within the method statements associated with those EPS Mitigation licences. The Council's Ecologist confirms the submitted information includes the detail required by this condition.

Condition 10 (Archaeological work)

No development shall commence until a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the local planning authority. The development hereby permitted shall not be commenced until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved

under this condition and that provision for analysis, publication and dissemination of results and archive deposition has been secured and approved by the local planning authority in writing.

The applicants have submitted a Written Scheme of Investigation (Archaeological Specification) for a programme of trial trench evaluation at this site. The document has been prepared by Archaeology Southeast and the work will involve the excavation of fifty trial trenches located across the site to examine the nature, extent and significance of archaeological deposits. The Council's consultant archaeologist has confirmed the proposed scheme of work is acceptable from the archaeological point of view and has no concerns towards the investigative work now taking place on the site.

When satisfactory details of the results of the work have been received, the Council will be in a position to recommend the most suitable way for the application to proceed from the archaeological viewpoint. As this may include the need for further archaeological work to investigate and record remains encountered during the evaluation, the archaeological condition (10) should remain until a report has been received and any mitigation works that may be required identified.

Therefore whilst the partial requirements of the condition have been satisfied, as the Council's consultant Archaeologist is satisfied with the content of the submitted Written Scheme of Archaeological Investigation (WSI) and the archaeological fieldwork should be implemented in accordance with the WSI, it is also the case that the archaeological site investigation and post investigation assessment will require submission to and subsequent approval by the Local Planning Authority.

The applicant will be made aware of this by way of informative.

Water Neutrality Note: The Council's updated advice (Oct 2025) on the CG Fry High Court decision (30th June 2023) in relation to whether conditions are subject to the Habitats Regulation Assessment, is that no further Habitat Regulations Assessment (HRA) is required at conditions discharge stage if a scheme is already subject to favourable HRA for the Arun Valley Sites prior to being granted. The permitted RM scheme (DC/24/0249) has already demonstrated Water Neutrality being subject of a favourable HRA.

Recommendation: Application Permitted

NOTES TO APPLICANT

In relation to Condition 10 of DC/20/0695: This discharge purports approval of the content of the approved WRITTEN SCHEME OF INVESTIGATION FOR AN ARCHAEOLOGICAL EVALUATION Version 3 by Archaeology South-East Issued August 2025 Site Code: SRF25 ONLY

The archaeological fieldwork should be implemented in accordance with the WSI.

The archaeological site investigation and post investigation assessment will require submission to and subsequent discharge approval by the Local Planning Authority.

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/25/0381
(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	CONSTRUCTION BIODIVERSITY ENVIRONMENTAL MANAGEMENT PLAN: BDWSC24935_CBEMP 04/11/2025 by ACD Environmental		01.12.2025
Supporting Docs	WRITTEN SCHEME OF INVESTIGATION FOR AN ARCHAEOLOGICAL EVALUATION Version 3 by Archaeology South-East Issued August 2025 Site Code: SRF25		01.12.2025

DELEGATED

Case Officer sign/initial Matthew Porter Date: 23-01-2026

Authorising Officer sign/initial J Hawkes Date: 23.01.2026