Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/25/0140
Mowbray Development Site, Old Holbrook, Horsham, West Sussex,

DESCRIPTION:
Approval of details reserved by condition 16 to approved application DC/16/1677 (Moat Road Extension, Phase 1)

RELEVANT PLANNING HISTORY:

DC/16/1677	Outline planning application with all matters reserved except access for a mixed use strategic development to include housing (up to 2,750 dwellings), business park (up to 46,450 m2), retail, community centre, leisure facilities, education facilities, public open space, landscaping and related infrastructure	Application Permitted on 01.03.2018
DC/19/0984	Non material amendments to approved application DC/16/1677 (the North Horsham Development site) for amendments to the wording of conditions 5,7,8,9,11,12,13,14,16,17,18,19,22,28, 31 & 54 and the introduction of a new condition to enable the Principal Access Works to come forward	Application Permitted on 12.06.2019
DC/21/0181	Non Material Amendment to condition 2 of DC/16/1677 (Outline planning permission for Land North of Horsham strategic site) to amend all parameter plans.	Application Permitted 12.03.2021

PLANNING ASSESSMENT
Consent is sought to discharge the details reserved by condition 16 (Moat Road Extension, Phase 1). The wording condition relates to the amended wording approved under DC/19/0984.

Condition 16:
Pre-Commencement Condition: No development shall commence within any Reserved Matters Area or on works to construct the accesses hereby approved, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the relevant part of the site, until the following preliminaries have been completed in the sequence set out below:

(a) A plan shall be submitted to show all trees on the relevant part of the site to be retained as well as those off-site whose root protection areas ingress into the relevant part of the site, such trees shall be fully protected by tree protective fencing affixed to the ground in full accordance with section 6 of BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' (2012).

(b) Once installed, the fencing shall be maintained during the course of the development works for that phase or sub-phase and until all machinery and surplus materials have been removed from the site.

(c) Areas so fenced off shall be treated as zones of prohibited access, and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

Reason: As this matter is fundamental to ensure the successful and satisfactory retention of important trees and hedgerows on the site in accordance with Policy 33 of the Horsham District Planning Framework (2015).

To comply with the requirements of the condition, details have been submitted of tree protection measures. The HDC Arboricultural Officer has commented that the tree protection details, set out within the Drawing Ref - 2898-7-1-9 DR-No. 0001, are in accordance with BS 5837 'Trees in relation to design, demolition, and construction - Recommendations' (2012) and are satisfactory to discharge condition 16 to approved application DC/16/1677. The requirements of the condition have been satisfied.

Water Neutrality

On 14 September 2021, the Council received a Position Statement from Natural England. Information collected by Natural England shows that water abstraction for drinking water supplies is having a negative impact on the wildlife sites in the Arun Valley. They have advised that any new development that takes place must not add to this negative impact.

This application seeks to approve details reserved by a condition. As a 'pre-commencement condition', the wording of the condition is considered a 'conditions precedent'. This application relates to infrastructure, where there would be no water use. The Council as Competent Authority under its duties imposed by the Habitat Regulations has therefore 'screened out' this application for water neutrality purposes with water neutrality to be addressed at RM stage within each development parcel. No adverse effects on the Arun Valley habitat sites will therefore occur.

Recommendation: Application Permitted

NOTE 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/25/0140
(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
Tree plan	Landscape Proposals	DR-0001 C4	28.04.2025

DELEGATED

Case Officer sign/initial Jason Hawkes Date: 20.06.2025

Authorising Officer sign/initial Adrian Smith Date: 20/06/2025