Horsham District Council

# DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/25/0077
Smith and Western, 37 North Parade, Horsham, West Sussex, RH12 2QR

DESCRIPTION:
Approval of details reserved by conditions 12 and 15 to approved application DC/21/1831.

RELEVANT PLANNING HISTORY:

| | | |
|---|---|---|
| DC/21/1831 | Demolition of existing restaurant facility and erection of 20 residential apartments including all associated landscaping and external works. | Application Permitted on 24.08.2022. |

PLANNING ASSESSMENT
Planning Application DC/21/1831 was granted consent on 24.08.2022. This permission was for the following:

***Demolition of existing restaurant facility and erection of 20 residential apartments including all associated landscaping and external works.***

Consent is sought to discharge the details reserved by conditions 12 and 15.

**Condition 12**: Hard and Soft Landscaping
*Pre-Occupation Condition: Prior to the first occupation of any part of the development hereby permitted, full details of all hard and soft landscaping shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:*
*i. Details of all existing trees and planting to be retained;*
*ii. Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details;*
*iii. Details of all hard surfacing materials and finishes works including surface materials to support a 26 tonne refuse vehicle;*
*iv. Details of all boundary treatments including fencing, walls etc.;*
*v. Details of all external lighting.*
*vi. Measures to improve the ecological interest of the site*
*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 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 and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).*

The Council's Landscape Architect has been consulted and following submission of additional information within revised plans 1088 L 01 Rev D (Landscape Proposals); 1088 L 02 Rev B, (Planting Plan); PC12 01 Rev P2 (Hard and Soft Landscaping Plan); which address the matters raised in the Landscape Architect's initial consultation comments, specifically the points below, the Council's Landscape Architect has now confirmed that the details are considered to be acceptable.

(Council's Landscpe Architect's Comments (*in italics*) followed by Applicants response:

- Condition 12 (i) – *Details of all existing trees and planting to be retained; T8 (12m tall Acer platanoides) and T10 (15m tall Betula pendula) were removed during construction and must be appropriately replaced as a result. While Carpinus betulus 'Frans Fontaine' is a suitable species for the location, we request semi mature specimens, such as 20-25cm or 25-30cm girth for more instant impact.*

Details of all existing trees and planting to be retained; Given that T8 (12m tall Acer patanoides) and T10 (15m tall Betula Pendula) were removed during construction a replacement was considered necessary. A semi mature species of Carpinus betulus 'Frans Fontaine' with girth of 20-25cm or 25-30 cm to ensure that instant impact is achieved.

The Council's Landscape Architect has confirmed agreement to this.

- Condition 12 (ii) (c) – *We note that the below area of planting, bounding the proposed parking, is absent from current proposals. Please reinstate as previously approved and update planting schedule accordingly.*

The planning-stage car parking layout was incorrectly drawn with the aisle width tapered slightly, meaning there was insufficient width between the end car parking spaces. The thin planting bed at the end of these bays needed to be reduced down to about 20cm wide which would not support / maintain planting along this section of boundary edge. It was therefore omitted on the original condition discharge plan and cannot be reinstated without compromising the car parking for the site.

The Council's Landscape Architect accepts this position.

- Condition 12 (iv) (a) (i) *Clarification is requested in regard to*

*i) The bin store area boundary.*

The bin store will have a hit and miss timber fence which will be a robust finish for this use. It is set well back into the site behind the main vehicular gates and set down from the existing side boundary masonry wall so will not be prominent on the site. Elevation of these elements have now been added to the Hard & Soft Landscaping Plan PC12-01 Rev P2.

The Council's Landscape Architect has confirmed agreement to this.

- Condition 12 (iv) (a) (ii) *The site boundary. Please note that given this boundary faces the public realm, close board fencing is not suitable for this location. Hedgerow as a sole treatment, or brick walls with hedgerow abutting the pavement is recommended.*

There is no timber fencing proposed to boundaries along North and West Parade.

The Council's Landscape Architect has confirmed agreement to this.

- Condition 12 (iv) (b) - *It is assumed that the lawn boundaries including the example below are to be defined by close board fence, however, please clarify if a different treatment is proposed.*

A small section of hedging has been added between adjoining lawns on West Parade. All boundary treatments along North and West Parade will be with hedging.

The Council's Landscape Architect has confirmed agreement to this.

- Condition 12 (vi) (a) *As per point ii, we recommend implementing the proposed 'Hedge Mix' throughout the hedgerow on site as opposed to Prunus laurocerasus and Lonicera pileata, which have little to no ecological or biodiversity value. Evergreen and semi-evergreen options such as Taxus baccata, Ligustrum vulgare and Carpinus betulus are also suitable.*

Hedge mix updated to reflect [landscape] officer comments.

The Council's Landscape Architect has confirmed agreement to this.

The request for a green roof to the cycle storage shed, made by the Council's Landscape Architect in their original landscape consultation comments for this discharge of conditions application, is not considered reasonable in this particular case as this was not a consideration of the full planning application, or a requirement of the landscape condition currently being considered for discharge of details. The pitch of the roof to the cycle shed is not sufficient to accommodate a green roof and would require a complete redesign to accommodate one.

The Council's Ecology Consultant have been consulted in regard to the Proposed External Lighting Plan DWG No PC12-02 and associated landscape plans and have advised that they have no objections from an Ecology perspective subject to the agreement of all landscape matters with the Council's Landscape Architect. As set out above, the Council's Landscape Architect is satisfied with the additional details submitted.

The requirements of the condition have been satisfied.

**Condition 15**: Cycle Parking

*Pre-Occupation Condition: Prior to the first occupation of any part of the development hereby permitted, details of the covered cycle parking shelter for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include provision for non-standard cycles. No dwelling herby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall therefore be retained for use at all times.*

*Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).*

The applicants have submitted a cycle parking plan and WSCC Highways Authority have been consulted. The initial plan submitted by the applicants (Drawing PC15-01 Revision P0) demonstrates that provision has been made for 25 cycles using semi-vertical stands. WSCC Highways have accepted the use of the semi vertical stands albeit advising that '*Sheffield Stands (or similar) are the preferred means of securing cycles as they require less effort than pushing bicycles onto raised stands*', notwithstanding this they accept that '*less provision would result on-site unless further provision were to be made elsewhere on the site*'. As such WSCC Highways accept the provision as shown as it maximises the cycle provision for the development. It is noted that the store includes sufficient space to be able to store any bicycle trailers etc.

In order to address the comments made regarding visitor cycle provision the applicants have submitted a revised plan (Drawing PC15-01 Revision P1) received 20/05/2025, which shows the provision of 25 cycle storage spaces for occupants as previously agreed, along with 2 Sheffield Stands for visitor cycle parking and 1 adapted cycle be considered alongside the visitor provision located within the communal gardens area.

Whilst it is noted that WSCC Highways have asked for provision within the enclosure for a workstation with tools, your officers are in agreement with the applicant that whilst this would be a 'nice to have' facility, it would be difficult to maintain, monitor or enforce against its inappropriate use / loss of tools and

that the onus for bicycle repair lies with the owner. Additionally, it should be noted that a workstation with tools was not a requirement of Condition 15.

As the applicants have suitably addressed the requirements of WSCC Highways in regard to the provision of cycle parking spaces for both occupants and visitors, the revised plan Drawing PC15-01 Revision P1 is considered to be acceptable.

The requirements of the condition have been satisfied.

**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.

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**Plans list for: DISC/25/0077**
(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 | Landscape Proposals | 088-L-01 REV D | 30.06.2025 |
| Plans | Planting Plan | 1088-L-02 REV B | 30.06.2025 |
| Plans | Hard and Soft Landscaping | PC12-01 REV P2 | 30.06.2025 |
| Plans | Proposed External Lighting | PC12-02 REV P0 | 05.03.2025 |
| Plans | Cycle Room Details | PC15-01 REV P0 | 05.03.2025 |

Schedule of plans/documents **not approved**:

| Plan Type | Description | Drawing Number | Received Date |
|---|---|---|---|

**DELEGATED**

Case Officer sign/initial Amanda Wilkes Date: 08/07/2025

Authorising Officer sign/initial Adrian Smith Date: 08/07/2025