Horsham District Council

# DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/25/0054
Duckmoor Farm Wooddale Lane Billingshurst West Sussex RH14 9DZ

DESCRIPTION:
Application for Approval of Details Reserved by Conditions 9 (foul water), 10 (surface water drainage) and 21 (off-site water neutrality measures) to approved application DC/20/2607 (83 no. residential units, landscaping, access, parking and associated infrastructure).

DETAILED DESCRIPTION:

Planning Application DC/20/2607 was allowed at Appeal on 18th January 2023. This permitted Outline Permission, for the development of 83 residential units, landscaping, access, parking and associated infrastructure on land at Duckmoor, East Billingshurst with all matters reserved except access.

Approval is now sought for details pursuant to conditions 9 (foul water), 10 (surface water drainage) and 21 (off-site water neutrality measures).

The details submitted pursuant to conditions 9 and 10 comprise a drainage statement (Drainage Statement Wood Vale, Billingshurst by Stuart Michael Associates Limited SMA Ref: 7276 Issue Status: 02 Date 24/06/2025) and accompanying set of technical drawings (revised) detailing:

- Construction details of drainage infrastructure (7276-SMA-XX-XX-DR-C-0529 Sheets 1–6 inclusive REV C01/C02/C03)
- Foul and surface water drainage (7276-SMA-XX-XX-DR-C-0515 Drainage Layout Sheets 1-7 inclusive REV C01/C02/C03)

Regarding condition 21, the wording of this condition was amended non-material amendment application DC/25/0195 to refer to updated approved water neutrality report (Motion Technical Note 1: Water Neutrality Statement Site: Duckmoor, Billingshurst Dated: 13th September 2024).

RELEVANT PLANNING HISTORY:

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|---|---|---|
| DC/20/2607 | Outline Application for the development of 83 residential units, landscaping, access, parking and associated infrastructure on land at Duckmoor, East Billingshurst with all matters reserved except access. | ALLOWED at appeal 18-01-2023 |
| DC/23/1820 | Non Material Amendment to previously approved application DC/20/2607 (Outline Application for the development of 83 residential units, landscaping, access, parking and associated infrastructure on land at Duckmoor, East Billingshurst with all matters reserved except access) to Change the wording of Condition 21 to the following: No development approved pursuant to the outline planning permission hereby permitted shall commence until planning permission for the works required to deliver the off-site water neutrality measures at Dedisham Farm as set out in the Motion Technical Note TN03 dated 29 September 2023 (subject of planning application DC/22/1947 and DC/23/1764) have been permitted. | Permitted 19-10-2023 |

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| DC/24/0768 | Reserved matters application for the erection of 83No. dwellings, open space and child play provision, residential parking facilities and associated infrastructure, including access arrangements following outline application DC/20/2607, relating to layout, scale, appearance and landscaping. | Permitted 29/11/2024 |
| S106/24/0016 | Discharge of planning obligation (DC/20/2607) pursuant to Schedule 1, Paragraph 5.1 relating to water neutrality, and to amend the Water Neutrality Statement secured pursuant to the definition of Water Neutrality Scheme | Permitted 16-09-2024 |
| DC/25/0195 | Non Material Amendment to previously approved application DC/20/2607 (Outline Application for the development of 83 residential units and associated infrastructure on land at Duckmoor, East Billingshurst with all matters reserved except access) to change the wording of Condition 21 to make reference to updated approved water neutrality report. | Permitted 01-04-2025 |
| S106/25/0003 | Discharge of planning obligation (DC/20/2607) pursuant to Schedule 1, Paragraph 5.1 relating to water neutrality, and to amend the Water Neutrality Statement secured pursuant to the definition of Water Neutrality Scheme | Permitted 01-04-2025 |
| S106/25/0004 | This application seeks to redischarge Schedule 1 Clause 5.1 to reflect the updated water neutrality statement which had been approved as part of application ref. DC/24/0768. | Pending withdrawal |

REPRESENTATIONS

**Consultations:** HDC Landscapes (3rd consultation comments):
*While not all outstanding points addressed, satisfied underground services will not cause significant conflict with landscape proposals. Therefore, happy to recommend discharge of Condition 9 on landscape grounds.*

*Amendments made to size and layout of attenuation storage crate to south-west. As result, tree protection fencing as approved under DISC/25/0033 will need to be amended. Please seek advice of HDC's Arboriculturalist regarding these changes. If changes deemed acceptable, happy to recommend discharge of Condition 10.*

*So long the fence is outside the Root Protection Areas, which the new arrangement still maintains, then the precise alignment of the fence can be adjusted when construction documents are produced or on site and can still enforce as the principle of it outside the RPAs is shown on both set of approved plans.*

West Sussex Local Lead Flood Authority (3rd consultation comments):
*Following review of additional information, no objection to discharge of condition 10.*

*Southern Water (2nd): No objections.*

**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 conditions 9 (foul water), 10 (surface water drainage) and 21 (off-site water neutrality measures) only.

Condition 9 (foul water) reads:

*No development shall commence unless and until details of the proposed means of foul water sewerage disposal including associated off-site infrastructure improvements have been submitted to and been approved in writing by the local planning authority. Thereafter all development shall be undertaken in accordance with the approved details and no occupation of any dwelling shall take place until the approved works have been completed. The foul drainage system shall be retained as approved thereafter.*

Southern Water in its capacity as the statutory undertaker had no comment with the detailed means of foul water sewerage disposal due to the proposed connection to a private network.

The development would discharge foul water via a network of gravity sewers to an existing adopted ICOSA foul pump station located approximately 73m west from the site boundary, on the western side of Hilland Road. 4.2 The proposal is to offer the main spine foul sewers throughout the development parcels to an independent water authority (ICOSA) under a Section 104 agreement.

ICOSA have confirmed that there is capacity to serve the development and proposed discharge rates, and the details are therefore satisfactory.

After review, the Council's Landscape team notes that while not all outstanding points addressed, they are satisfied underground services will not cause significant conflict with landscape proposals. Therefore, recommend discharge of Condition 9 on landscape grounds.

Condition 10 (surface water drainage) reads:

*No development shall commence until a detailed surface water drainage scheme including a Surface Water Drainage Statement, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall be fully coordinated with the landscape scheme. The development shall subsequently be implemented prior to first occupation in accordance with the approved details and thereafter retained as such.*

The surface water drainage scheme details have been subject to negotiation following initial concerns raised by Local Lead Flood Authority (LLFA) over changes to the attenuation, cover levels, and the finished floor levels proposed compared to what was approved Reserved Matters stage, alongside lack of co-ordination with the landscape scheme, have now been addressed and the LLFA is now satisfied with the scheme.

After review of the same updated drainage drawings, the Council's Landscape team notes that while not all outstanding points addressed, they are satisfied underground services will not cause significant conflict with landscape proposals. This is subject to the Council's Landscape team note that amendments have been made to size and layout of attenuation storage crate to south-west site corner, and, as result, request that tree protection fencing as approved under DISC/25/0033 be amended.

The Council's Planning Officer has reviewed the updated drainage drawing in question (7276-SMA-XX-XX-DR-C-0521 REV C02 Drainage Layout Sheet 7) with the tree Protection Plan approved under

DISC/25/0033 (2266-KC-XX-YTREE-TPP01 REV D Tree Protection Plan). It is evident that the revised size/layout of the attenuation storage crate continues to adhere to the principle of location outside of the Root Protection Areas of trees, across both set of plans. The applicant can be made aware of the request of the precise alignment of the fence to be adjusted by way of informative. Since the changes are deemed acceptable, the Council's Landscape team has confirmed acceptance of the submission details.

Condition 21 (off-site water neutrality measures) (as amended by non-material amendment application DC/25/0195) reads:

*No development approved pursuant to the outline planning permission hereby permitted shall commence until planning permission for the works required to deliver the off-site water neutrality measures at Dedisham Farm as set out in the Motion Technical Note 1: Water Neutrality Statement Site: Duckmoor, Billingshurst Dated: 13th September 2024 have been permitted.*

The Council has already provided confirmation the works required to deliver the off-site water neutrality measures at Dedisham Farm (as set out in the September 2024 Motion Statement) have been delivered in its grant of application S106/25/0003, which discharged the planning obligation of the s.106 legal agreement that accompanies planning permission DC/20/2607 pursuant to Schedule 1, Paragraph 5.1 of it relating to water neutrality.

Therefore, the details submitted for approval pursuant to Conditions 9, 10, and 21 are satisfactory.

Water Neutrality Note: No further Habitat Regulations Appropriate 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/20/2607) was judged water neutral under the Habitat Regulations and the details pursuant to conditions 9, 10, and 21 will not require re-assessment of that outcome as there is no change in water usage previous assessed arising from the details pursuant.

**Recommendation: Application Permitted**

NOTE TO APPLICANT

The applicant is advised of the Council's Landscape Architect's request for consistency on the precise alignment of the tree protection fence outside of the root protection areas of trees across both drawings 7276-SMA-XX-XX-DR-C-0521 REV C02 Drainage Layout Sheet 7) and the Tree Protection Plan approved under DISC/25/0033 (2266-KC-XX-YTREE-TPP01 REV D Tree Protection Plan). This may necessitate resubmission of details pursuant to Condition 10 of approved application DC/24/0768.

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/25/0054**
(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 |
|---|---|---|---|
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| Plans | CONSTRUCTION DETAILS SHEET 1 | 7276-SMA-XX-XX-DR-C-0529 REV C02 | 01.07.2025 |

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| Plans | CONSTRUCTION DETAILS SHEET 5 | 7276-SMA-XX-XX-DR-C-0533 REV C03 | 01.07.2025 |
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| Plans | CONSTRUCTION DETAILS SHEET 4 | 7276-SMA-XX-XX-DR-C-0532 REV C02 | 01.07.2025 |
| | | | |
| Plans | CONSTRUCTION DETAILS SHEET 2 | 7276-SMA-XX-XX-DR-C-0530 REV C01 | 01.07.2025 |
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| Plans | CONSTRUCTION DETAILS SHEET 3 | 7276-SMA-XX-XX-DR-C-0531 REV C02 | 01.07.2025 |
| | | | |
| Plans | CONSTRUCTION DETAILS SHEET 6 | 7276-SMA-XX-XX-DR-C-0546 REV C01 | 18.02.2025 |
| | | | |
| Supporting Docs | Drainage Statement Wood Vale, Billingshurst by Stuart Michael Associates Limited SMA Ref: 7276 Issue Status: 02 Date 24/06/2025 | | 01.07.2025 |
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| Plans | Drainage Layout Sheet 1 | 7276-SMA-XX-XX-DR-C-0515 REV C03 | 15.04.2025 |
| | | | |
| Plans | Drainage Layout Sheet 2 | 7276-SMA-XX-XX-DR-C-0516 REV C03 | 15.04.2025 |
| | | | |
| Plans | Drainage Layout Sheet 3 | 7276-SMA-XX-XX-DR-C-0517 REV C03 | 15.04.2025 |
| | | | |
| Plans | Drainage Layout Sheet 5 | 7276-SMA-XX-XX-DR-C-0519 REV C02 | 15.04.2025 |
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| Plans | Drainage Layout Sheet 4 | 7276-SMA-XX-XX-DR-C-0158 REV C03 | 15.04.2025 |
| | | | |
| Plans | Drainage Layout Sheet 7 | 7276-SMA-XX-XX-DR-C-0521 REV C02 | 15.04.2025 |
| | | | |
| Plans | DRAINAGE LAYOUT SHEET 6 | 7276-SMA-XX-XX-DR-C-0520 REV C01 | 15.04.2025 |

**DELEGATED**

Case Officer sign/initial Matthew Porter Date: 29-08-2025

Authorising Officer sign/initial J Hawkes Date: 01.09.2025