Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0122
Redgates, Burnthouse Lane, Lower Beeding, West Sussex, RH13 6NN

DESCRIPTION:
Approval of details reserved by conditions 2, 3, 5, 6 and 7 to approved application DC/24/0273

RELEVANT PLANNING HISTORY:

DC/24/0273	Change of use of land to allow the siting of a single gypsy pitch (Retrospective).	Application Permitted on 26.04.2024

PLANNING ASSESSMENT

Planning Application DC/24/0273 was granted consent on 26.04.2024. This permission was for the following:

Change of use of land to allow the siting of a single gypsy pitch (Retrospective).

Consent is sought to discharge the details reserved by conditions 2, 3, 5, 6, and 7.

Condition 2:

Regulatory Condition*: Within 3 months of the date of the decision hereby granted, a drainage strategy detailing the means of foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.*

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

The applicant's information is insufficient to discharge the condition, and additional evidence is needed. The applicant suggests that surface water runoff from the roof will be managed by a rainwater harvesting (RWH) system. However, the RWH system is designed solely for daily water supply, and it is unclear if it can handle stormwater attenuation. Compliance with BS EN 16941-1 2018 and Chapter 11 of The SuDS Manual must be demonstrated. The applicant is required to submit detailed drainage plans and calculations, including surface and foul water management strategies, flow rates, and site drainage patterns. This should include existing and proposed drainage, infiltration testing, greenfield runoff rates, stormwater attenuation volumes, and evidence of third-party agreements for water discharge, if applicable. A maintenance plan for the drainage system and SuDS features must also be provided. All designs must comply with West Sussex LLFA policies, Building Regulations Part H, and industry standards for sustainable drainage systems (SuDS).

Condition 3:

Regulatory Condition*: Within 3 months of the date of this decision, a Management Plan detailing all measures and ongoing maintenance and sampling necessary to ensure the water supplied is safe and*

wholesome and to ensure continuity of supply shall have been submitted to the Local Planning Authority for its approval in writing. The management and maintenance plan shall include the following details:

- *The sampling regime and parameters etc, recognising that the sampling will need to be undertaken a DWI certified sampler and analysed by a UKAS accredited lab.*
- *Detail on how any failure of any samples will be investigated and managed.*
- *Details, including a plan or schematic, showing the supply - storage tanks, treatment etc, and means to record the total water consumption of each unit*
- *Detail on what type of treatment that will be installed on the supply with information clearly indicating that it is appropriate for the amount of water being used.*
- *Detail on how the treatment system, pipework, tanks etc will be cleaned and maintained and who will maintain them for the lifetime of the development. This should include any re-activation of the system after it has been out of use due to lack of rainfall/use.*
- *The completion and sharing of the Regulation 6 risk assessment by a suitably competent person (as required by the Private Water Supply (England) Regulations 2016) prior to the water supply being put into use.*
- *Detail on the continuity of supply during dry periods extending beyond 35 days.*
- *Arrangements for keeping written records of all sampling, results of analysis, inspection, cleaning, and maintenance.*
- *Details of contingency plans to ensure any failure's or reported concerns with the supply are investigated and rectified as soon as possible, including timeframes. This should include notification of the investigation and corrective actions to the Local Planning Authority*

Within one month of the Local Planning Authority's written approval the scheme shall be implemented in full accordance with the agreed details. No alterations or revisions to the approved management plan shall be implemented without the written approval of the Local Planning Authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), and to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

The applicant's information is insufficient to discharge the condition, and additional evidence is needed. Upon consultation with the Environmental Health Officer the following details are required for the condition to be sufficiently discharged:

- The sampling regime and parameters etc, recognising that the sampling will need to be undertaken a DWI certified sampler and analysed by a UKAS accredited lab.
- Detail on how any failure of any samples will be investigated and managed.
- Details, including a plan or schematic, showing the supply - storage tanks, treatment etc, and means to record the total water consumption of each unit
- The completion and sharing of the Regulation 6 risk assessment by a suitably competent person (as required by the Private Water Supply (England) Regulations 2016) prior to the water supply being put into use.
- Detail on the continuity of supply during dry periods extending beyond 35 days.

The submitted detail is therefore not sufficient pursuant to condition 3.

Condition 5:

***Regulatory Condition**: Within 3 months of the date of the decision hereby granted, details for the provision for the storage of refuse and recycling facilities shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be retained for use at all times.*

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

The application included a site plan indicating the refuse collection point towards the access of the site, which has already been utilised for the collection of refuse / recycling waste. On the basis on this information, the submitted detail is considered sufficient pursuant to condition 5.

Condition 6:

Regulatory Condition*: Within 3 months of the date of the decision hereby granted, the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection shall be provided to the premises.*

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

The submitted statement asserts '*This condition is impossible to obtain as the area and surrounding properties do not have either full fibre broadband nor can they have 30 megabits per second capability*.' Whilst this may be the case, the wording of the condition does not require the submission of information for discharge. If, as the applicant asserts, is the case, a Section 73 application should be sought to remove / vary the condition. An informative is therefore attached.

Condition 7:

Regulatory Condition*: Within 3 months of the date of the decision hereby granted, details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development shall be submitted to and approved in writing by the Local Planning Authority. The provision for cycle parking shall thereafter 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 submission included details of the location and a photograph of the installed cycle storage. Following consultation with WSCC highways, no objection was raised to the proposed location and method of cycle storage. The submitted detail is therefore considered acceptable pursuant to condition 7.

Recommendation: Split Decision

Consent is hereby GRANTED pursuant to Conditions 5 and 7.

Consent is hereby REFUSED pursuant to Conditions 2 and 3 for the following reasons:

1 Insufficient information has been submitted relating to details capacity to handle stormwater attenuation, and no detailed drainage plans or supporting calculations have been provided (condition 2). Additionally, the applicant has not demonstrated compliance with relevant standards, including BS EN 16941-1, The SuDS Manual, and West Sussex LLFA policies.

2 Insufficient information has been submitted for the implementation of a robust Management Plan, not all information has been provided to ensure the water supplied is safe and wholesome and to ensure continuity of supply (condition 3).

NOTE TO APPLICANT
The wording of Condition 6 does not require the submission of information for formal discharge and has been applied in compliance only. If the applicant is seeking to remove the condition from the schedule of conditions attached to the decision notice, a Section 73 application should be sought.

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/24/0122

Schedule of plans/documents

Plan Type	Description	Drawing Number	Received Date
Location plan			30.05.2024
Supporting Docs	Discharge of Conditions [EXCLUDING DRAINAGE AND WATER DETAILS]		30.05.2024

DELEGATED

Case Officer sign/initial Shazia Penne Date: 19.09.2024

Authorising Officer sign/initial RHERMITAGE Date: 19.09.2024