Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/25/0183
Rudgwick Brickworks, Lynwick Street, Rudgwick, West Sussex, RH12 3DH

DESCRIPTION:
Approval of details reserved by conditions 4 and 5 to approved application DC/24/0272

RELEVANT PLANNING HISTORY:

DC/24/0272	Erection of a storage building for the use of various tenants at Rudgwick Brickworks	Application Permitted on 28.06.2024

PLANNING ASSESSMENT

Planning Application DC/24/0272 was granted consent on 28/06/2024. This permission was for the following:

"Erection of a storage building for the use of various tenants at Rudgwick Brickworks"

Consent is sought to discharge the details reserved by conditions 4 and 5.

Condition 4:

Pre-Occupation Condition*: Prior to the first use or operation of the development hereby permitted, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Ecological Briefing Note (CSA Environmental, March 2024), shall be submitted to and approved in writing by the Local Planning Authority.*

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To conserve and enhance protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended) and Policy 31 of the Horsham Development Framework.

The applicant has submitted a Design and Access statement and highlighted that the mitigation measures they have outlined are detailed within a report from The Ash Partnership, February 2024 and the *Ecological Statement* The Ash Partnership, May 2023, both of which were submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination. The enhancement measures included within these documents would be acceptable if the local authority were provided with evidence that they had been implemented. These mitigations would include:

- The Periodic clearance of sections of Grey Sallow (up to 25% of the bankside edge) to promote the development of bankside herbs and marginal/emergent plant species.
- Creating log piles and chipping piles using the cut material from the vegetation clearance, so to
- provide reptile refuge and s Grass Snake breeding feature(s).
- Planting up the pond edge with wetland plants such as Yellow Flag *Iris pseudomas*, Water Mint

- *Mentha aquatica*, Gypsywort *Lycopus europaeus* and Marsh Marigold *Caltha palustris*.
- Installing a wooden telegraph pole and mounting a cluster of bat boxes on different aspects. Planning statement requirements of the condition have been satisfied.

In this instance however, the Design and Access statement and accompanying aerial document appears to reiterate an awareness of the recommendations but has not evidenced their implementation or shown the locations of the enhancement measures. This would not meet the requirements of the condition. The officer has requested that the required information listed would be included as part of the condition and some evidence has been submitted to indicate that bat boxes have been installed which does partly address the requirements of the condition. Nevertheless, the responsibility for providing evidence of the details of a condition being met lies with the applicant and in this instance, there is no evidence of the log piles, their locations, planting up to the pond edge and the clearance of grey sallow. Overall, the submission has not provided the evidence required for the condition to be discharged.

Condition 5:

Pre-Occupation Condition: *The development hereby permitted shall be undertaken in full accordance with the water neutrality strategy (CGS Civils received 12.06.2024). The building hereby permitted shall not be first bought into use until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for the use has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.*

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 185 and 186 of the National Planning Policy Framework (2023), 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 BREEAM calculator within the accepted Water Neutrality statement details that to outline the water savings required the flow rates would have to be set out at 2.5 litres per minute for the retrofitted taps. The applicant has provided photographs of the fittings and aerators required to reduce the flow to the 2.5l/m, with a U-Flow cup measuring device illustrating the subsequent flow rate. Officers note that the flow rate does appear to be lower than the 18l/m rate recorded in the baseline results within the water neutrality statement submitted with the application. However, the flow rate has not been demonstrated at the approved rate of 2.5l/m (some as high as 6.5l/m). As per the approved strategy, the rate of 2.5l/m would save approximately 987.35l/d, which would suitably offset the demand of 466.5l/d.

The installed aerators evidentially do not achieve the required 2.5l/m (a total saving of 15.5l/m per tap, x4 taps = 62l/m), instead achieving an average of about 6l/m (a total saving of 12l/m per tap, x4 taps = 48l/m). There is a 23% discrepancy between the approved measures and what has been installed. Taking this percentage difference in mind, 23% should be discounted from the alleged saving of 987.35l/d. Therefore, with the measures installed at present, the aerators would save approximately 641.78l/d. Though the installed measures do not wholly accord with the mitigations within the approved WNS, the total water saving would still exceed the proposed increase in demand by some 175.28l/d. This provides for ample headroom in terms of overall savings. As such, through the details installed have not achieved the calculated reductions within the approved water neutrality statement, Officers are satisfied that the achieved reductions would satisfactorily demonstrate water neutrality.

The submitted details are therefore considered satisfactory pursuant to condition 5

Recommendation: Split Decision

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/25/0183
Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Site plan	Ecology Plan		09.06.2025
Supporting Statement	Planning		09.06.2025

DELEGATED

Authorising Officer sign/initial RHERMITAGE Date: 24.09.2025