DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0147
New Barn School Rapkyns Care Village Guildford Road Broadbridge Heath Horsham West Sussex RH12 3PQ

DESCRIPTION:
Application for Approval of Details pursuant to Conditions 13 (Biodiversity Enhancement Strategy) and 15 (lighting scheme) to approved application DC/21/2350 Construction of new primary and secondary school buildings, landscaping, creation of new playing fields and additional car parking. School expansion from 60 to 120 pupils.

RELEVANT PLANNING HISTORY:

DC/21/2350	Construction of new primary and secondary school buildings, landscaping, creation of new playing fields and additional car parking. School expansion from 60 to 120 pupils.	Permitted 20/10/2022
DISC/23/0055	Approval of details reserved by condition 5 (Landscape and Ecological Management Plan) to approve application DC/21/2350 (New primary and secondary school buildings, landscaping, creation of new playing fields and additional car parking).	Permitted 08-06-2023
DISC/23/0146	Approval of details reserved by conditions 3 (foul water disposal),4 (surface water drainage) and 7 (materials and finishes) to planning permission DC/21/2350 (primary and secondary school buildings, new playing fields, car parking).	Permitted 04-12-2023

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
Planning Application DC/21/2350 was permitted on 20-10-2022. This permission was for the following: Construction of new primary and secondary school buildings, landscaping, creation of new playing fields and additional car parking. School expansion from 60 to 120 pupils.

Details have been submitted for approval pursuant to conditions 13 (Biodiversity Enhancement Strategy) and 15 (lighting scheme) to approved application DC/21/2350. The details comprise:

Condition 13 – a Landscape and Ecology Management plan and Biodiversity Enhancement report by The Ecology Co-op. The Biodiversity Enhancement Strategy is aligned and informed by the Ecological

Appraisals undertaken at application stage, and pre-construction mitigation measures (including great crested newt). Proposed biodiversity enhancements measures include creation of hedgerows, ponds, wildflower meadow and shrub, bird and bat boxes. Management responsibilities and remedial actions are included.

Condition 15 – Luminaire calculation data is provided for the car park, external lighting mounted on buildings, as well as technical specifications of the lighting itself. These calculations show that the car park will be illuminated to an average of 8.94 lux and the perimeter of the new building to an average of 2.58 Lux. The building mounted luminaires also contain batteries to provide emergency lighting.

This luminaire data aligns with the Wildlife Friendly Lighting Strategy submitted at application stage (Phase 2 Ecology Surveys, The Ecology Co-op September 2021).

The technical specifications submitted at this discharge stage demonstrates measures to avoid lighting impacts to foraging/commuting bats, which are likely present within the local area. This includes light levels as low as possible; warm white lights at less than 2700k; provision of motion sensors or timers; and lighting design to prevent horizontal spill.

REPRESENTATIONS
HDC Consultant Ecologist: *Discharge conditions*

ASSESSMENT:

Condition 13:
Pre-Occupation Condition: *No part of the development hereby permitted shall be occupied until a Biodiversity Enhancement Strategy for protected and Priority species has been submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following: a) Purpose and conservation objectives for the proposed enhancement measures; b) detailed designs to achieve stated objectives; c) locations of proposed enhancement measures by appropriate maps and plans; d) persons responsible for implementing the enhancement measures; e) details of initial aftercare and long-term maintenance (where relevant). The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.*

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and Policy 31 of the Horsham District Planning Framework (2015) and Policy 4 of the Slinfold Neighbourhood Plan (2018)

The Council's consultant Ecologist has reviewed the Landscape and Ecology Management Plan and Biodiversity Enhancement (The Ecology Co-op, February 2023) submitted in order to discharge Condition 13. The Council's consultant Ecologist is satisfied the submitted information includes the detail required by this condition, to enhance protected and priority species and habitats in accordance with local plan policy. The details pursuant to condition 13 are therefore acceptable.

Condition 15
Pre-Occupation Condition: *No external lighting of any part of the development hereby permitted shall be installed unless and until a detailed lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be in accordance with the Institute of Lighting Professional's Guidance notes for the reduction of obstructive light and shall have been designed by a suitably qualified person in accordance with the recommendations. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.*

Reason: To safeguard the amenities of the site and surrounds in accordance with Policies 32 and 33 of the Horsham District Planning Framework (2015) and to allow the LPA 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 (Priority habitats & species) and Policy 31 of the Horsham District Planning Framework (2015) and Policy 4 of the Slinfold Neighbourhood Plan (2018)

The Council's consultant Ecologist has reviewed the Proposed Car Park Lighting and External Lighting (23rd May 2024), External Electrical Services Drg No. E501 Rev C1 (N. Smith Electrical Ltd., November 2023), Car park Lighting Iso Lighting Plots Drg No. E502 Rev C1 (N. Smith Electrical Ltd., April 2024) and Wall Mounted Extl Lighting Iso Plots Drg No. E503 Rev C1 (N. Smith Electrical Ltd., April 2024), which have been submitted in order to discharge Condition 15. The Council's consultant Ecologist is satisfied that the submitted information includes the detail required by this condition.

Overall Conclusion

Subject to implementation in full of the submitted details, the Council's Ecologist recommends discharge of Conditions 13 and 15. The details submitted pursuant to both conditions are therefore satisfactory.

Water Neutrality Note: The Council has received updated legal advice on the CG Fry High Court decision (Nov 2023) since its initial advice received in July 2023, in relation to whether certain conditions are subject to Habitats Regulation Assessment (HRA). The updated Nov 2023 advice is if a scheme has undertaken Habitat Regulations Assessment (HRA) for Water Neutrality prior to being permitted, no further HRA is required at conditions discharge stage unless the condition adds water consumption not previously considered.

In the case of New Barn School, the proposed scheme has demonstrated water neutrality (an Appropriate Assessment was completed for DC/21/2350 on 25th July 2022) and the conditions to be discharged do not add water consumption not previously considered. Accordingly, the discharge of these conditions has been 'screened out'.

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/24/0147
(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
Supporting Docs	Landscape and Ecology Management Plan and Biodiversity Enhancement REV 1 by The Ecology Co-op 17th February 2023 Project No: P876 New Barn School, Broadbridge Heath, West Sussex		11.06.2024
Supporting Docs	Carpark Luminaire data Installation: New Barn School by NSMITH		11.06.2024

	Electrical Date: 04.04.2024 Project Number: D1028		
Supporting Docs	Building Mounted External Luminaires Installation: New Barn School Project Number: D1028 Date: 04.04.2024 by NSMITH Electrical		11.06.2024
Supporting Docs	Proposed car Park Lighting and external lighting 23rd May 2024 New Barn School - Horsham New Secondary School Building		11.06.2024
Plans	Electrical Services External Electrical Services	E501 Rev C1	11.06.2024
Plans	Electrical Services Car Park Lighting Iso Lighting Plots	E502 REV C1	11.06.2024
Plans	Electrical Services Wall Mounted Extl Lighting Iso Plots	E503 REV C1	11.06.2024

DELEGATED

Case Officer sign/initial Matthew Porter Date: 05-08-2024

Authorising Officer sign/initial J Hawkes Date: 06.08.2024