



## **DELEGATED APPLICATIONS - ASSESSMENT SHEET**

### **APPLICATION NO./ADDRESS:**

DISC/26/0076

Holly House, Worthing Road, Southwater, West Sussex, RH13 9DT

### **DESCRIPTION:**

Application for Approval of Details Reserved by Conditions 3, 4 and 5 to approved application DC/23/1307

### **RELEVANT PLANNING HISTORY:**

|            |                                                                                                                                                                                                                                                                                                                                        |                                     |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| DC/21/2727 | Erection of a four bedroom detached dwelling.                                                                                                                                                                                                                                                                                          | Application Permitted on 24.03.2023 |
| DC/23/1307 | Variation of Condition 1 of previously approved application DC/21/2727 (Erection of a four bedroom detached dwelling) Relating to relocation of dwelling.                                                                                                                                                                              | Application Permitted on 08.12.2023 |
| DC/26/0418 | Non Material Amendment to previously approved application DC/23/1307 (Variation of Condition 1 of previously approved application DC/21/2727 (Erection of a four bedroom detached dwelling) relating to relocation of dwelling) to remove one floor from the dwelling, resulting in a 2no bedroom dwelling and a reduced ridge height. | Application Refused on 31.03.2026   |

### **PLANNING ASSESSMENT**

Planning Application DC/23/1307 was granted consent on 08/12/2023. This permission was for the following:

***Variation of Condition 1 of previously approved application DC/21/2727 (Erection of a four bedroom detached dwelling) Relating to relocation of dwelling.***

Consent is sought to discharge the details reserved by conditions 3, 4 and 5.

### **Condition 3:**

***Pre-commencement Condition:*** No development shall take place, including any works of demolition, until the following construction site set-up details have been submitted to, and approved in writing by, the Local Planning Authority:-

- i. the location for the loading and unloading of plant and materials, site offices, and storage of plant and materials (including any stripped topsoil)*
- ii. the provision of wheel washing facilities (if necessary) and dust suppression facilities.*

*The approved details shall be adhered to throughout the construction period.*

***Reason:*** As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

The submitted Construction Site Set Up Details, details that the development will be carried out in discrete stages, allowing for efficient operation of the site. The accompany plan details areas within the site to allow for the storage of topsoil, parking on the site allowing for the loading and unloading of plant and materials, alongside the storage of plant and materials, ensuring this takes place on site and away from the highway. Finally, a water pipe is present to allow for the provision of wheel washing and dust suppression facilities.

The council's Environmental Health Team have been consulted, who have confirmed they have no comments. No objection is therefore raised, and the requirements of the condition have been satisfied.

#### **Condition 4:**

***Pre-commencement (Slab Level) Condition:*** No development above ground floor slab level shall take place until a drainage strategy detailing the proposed means of foul and surface water disposal has been 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 submitted Proposed Drainage Plan and accompanying Drainage Design Statement confirms that the foul sewage is to be disposed via the mains sewer, utilising existing manhole covers and installing a proposed foul drain on the site. Rainwater is to be collected and stored in a collection tank, where it will be used for toilet flushing, external taps etc. The overflow from this tank is to discharge into a surface gully, located on the southern boundary, the ownership of this ditch and culvert are unknown, with consent requested by Southern Water.

Southern Water have confirmed as part of their consultation response, that they raise no objections to discharging Condition 4. The council's Drainage Officer has requested further information to determine the site drainage requirements are met.

The Council's drainage engineers comment are noted. However, both foul and surface water disposal are subject to Building Regulations Part H and may also require a separate agreement with the owner of the culvert or ditch. The consultee's comments have been noted; however, the site is located within the built-up area, is not located within an area at risk of surface water flooding (zone 2/3) and, on this basis, the submitted details are considered acceptable. Therefore, the requirements of the condition have been satisfied.

#### **Condition 5:**

***Pre-commencement (Slab Level) Condition:*** No development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows, doors and roofs of the approved building(s) has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

***Reason:*** As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015).

The submitted Schedule of Proposed Materials provide the details and specifications of the materials, including the following:

- Walls - silver grey weatherboarding
- Windows and garden door - Upvc white
- Front door and rear door - Composite Moondust grey

- Roof tiles - Redland plain black

The surrounding area comprises an eclectic mix of house types, ages, materials and sizes, with cladded walls an established feature with the locality. As such, the proposed materials would be in keeping with the surrounding area, which not harm the character or appearance of the wider area. No objection is therefore raised, and the requirements of the condition have been satisfied.

### **Recommendation: Application Permitted**

#### **NOTE TO APPLICANT**

The applicant is reminded of Condition 2 of planning permission DC/23/1307, which states:

***Standard Time Condition:*** *The development hereby permitted must be commenced by 24.03.2026.*

***Reason:*** *To comply with Section 91 of the Town and Country Planning Act 1990.*

A number of pre-commencement conditions attached to the permission required discharge by way of a formal application prior to the commencement of any works on site. These conditions were not discharged before the permission expired. As such, any works undertaken without first discharging the relevant pre-commencement conditions would not amount to lawful implementation of the planning permission.

As these pre-commencement conditions go to the heart of the permission, and as the time limit for implementation has now passed, the planning permission is no longer capable of lawful implementation. The Council therefore considers that the permission has lapsed, is no longer extant, and that a new planning application is required.

#### **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/26/0076**

Schedule of plans/documents **approved:**

| <b>Plan Type</b>     | <b>Description</b>               | <b>Drawing Number</b> | <b>Received Date</b> |
|----------------------|----------------------------------|-----------------------|----------------------|
| Supporting Statement | Drainage Design Statement        |                       | 06.03.2026           |
| Materials            | Materials                        |                       | 06.03.2026           |
| Supporting Statement | Construction Site Set Up Details |                       | 06.03.2026           |
| Plans                | Proposed Drainage Plan           | DRP01                 | 06.03.2026           |

#### **DELEGATED**

Case Officer sign/initial

Sam Nye

Date: 29/04/2026

Authorising Officer sign/initial RHERMITAGE

Date: 01.05.2026