Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0155
Holmbush Farm, Crawley Road, Faygate, West Sussex,

DESCRIPTION:
Approval of details reserved by conditions 3,4 and 5 to approved application DC/17/0587

RELEVANT PLANNING HISTORY:

DC/17/0587	Temporary change of use for up to 3 days per year to allow the land to be used as an obstacle course with associated car parking, base camp and camp site along with associated engineering works to create the obstacle course and restoration of the site following the event	Application Permitted on 09.08.2017.

PLANNING ASSESSMENT
Planning Application DC/17/0587 was granted consent on 09.08.2017. This permission was for the following:

Temporary change of use for up to 3 days per year to allow the land to be used as an obstacle course with associated car parking, base camp, and camp site along with associated engineering works to create the obstacle course and restoration of the site following the event.

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

Condition 3:
Pre-Commencement Condition*: With the exception of the 2017 event (the details of which have been agreed by West Sussex County Council), a traffic management plan relating to the Tough Mudder events shall be submitted to and agreed in writing by the Local Planning Authority (in consultation with WSCC Highways) annually prior to events taking place on the site. The traffic management plan shall include monitoring at each event to inform the following year's plan. The events shall be carried out in strict accordance with the agreed plan.*

Reason: In the interest of highway safety in accordance with Policy 40 of the Horsham District Planning Framework (2015).

A Traffic Management Plan has been provided. The plan sets out the accesses and egress for the site, the parking areas, the parking layout, traffic management, and signage. “No Access to Event Traffic” signs are to be placed at the entrance to Kilnwood Vale, with participants advised prior to the event of no off-site parking and no pedestrian access to the event site. Buses ran as scheduled during the 2017, 2018, 2019, 2022 and 2023 events and the same is expected during the 2024 event.

WSCC Highways, as the Local Highway Authority, have raised no objection to this plan. Taking into account the submitted details and the advice received from WSCC it is considered that the requirements of the condition have been satisfied in respect of the 2024 event.

Condition 4:
***Pre-Commencement Condition**: With the exception of the 2017 event (the details of which have been agreed), a noise management plan shall be agreed with the Local Planning Authority prior to the first event on the site each year. The monitoring information shall be made available to the Local Planning Authority if requested to ensure acceptable noise levels during the event and shall inform the following years plan. The monitoring position shall first be agreed with the Local Planning Authority, in consultation with the Council's Environmental Health department, prior to any monitoring being undertaken.*

Reason: To protect the amenity of the occupiers of the neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015).

A Noise Management Summary has been provided outlining noise management practices during the build and live events. This details construction hours, the dates of the live event and an overview of operational hours and activities during the live event days. Noise levels are to be monitored by a third-party sound specialist, at an agreed location, which was pre-agreed with the HDC Environmental Health team to ensure compliance with the plan. The plan also includes contact details should local residents wish to make a noise complaint.

The Council's Environmental Health team have raised no comment to the Noise Management Plan. It is therefore considered that the requirements of the condition have been satisfied in respect of the 2024 event.

Condition 5:
***Pre-Commencement Condition**: With the exception of the 2017 event (the detail of which have been agreed), prior to Tough Mudder events being undertaken on the site, a plan and details shall be submitted annually to and approved in writing by the Local Planning Authority detailing the site set up (including the car parking areas, campsite, base area), the route of the course showing the location of obstacles and areas of the ancient woodland where existing tracks are not to be used, the dates of the events, the dates that site set-up/site take down will be undertaken, the details of the site restoration and measures for ensuring public health and safety and the protection of biodiversity. The events shall be carried out in strict accordance with the agreed plan and details.*

Reason: To protect the amenity of the occupiers of the neighbouring properties in accordance with Policy 33 of the Horsham District Planning Framework (2015) and to prevent unacceptable damage to the ancient woodland in accordance with Policy 31 of the Horsham District Planning Framework (2015).

- Site set up (including the car parking areas, campsite, base area) – a plan has been submited detailing the site set up. This remains largely as per the 2017, 2018, 2019, 2022 and 2023 events. This year's event proposes on-site camping, the applicant confirmed this will take place on Friday 20th and Saturday 21st of September.

- Route of course showing the location of obstacles and areas of the ancient woodland where existing tracks are not to be used – a plan has been submited detailing the route of the course and the location of the obstacles. This remains largely as per the 2017, 2018, 2019, 2022 and 2023 events. The route will use existing tracks through the ancient woodland and the location of obstacles within the ancient woodland will be as per previous events so as to not further disturb the ground.

- Date of the events – the 2024 event will take place on Friday 20th September, Saturday 21st September and Sunday 22nd September.

- Date that set-up/site take down will be undertaken – site set up is detailed as commencing on 13th September, with the site fully cleared by 24th September.

- Details of site restoration – Tough Mudder have agreed with the landowner that the site will be returned to them in its original condition. This will involve works such as refilling all dig sites including necessary landscaping and reseeding, aeration/harrowing/reseeding of course

sections as appropriate and aeration/harrowing/reseeding of parking & village areas as appropriate. This largely follows the site restoration undertaken for previous years. Whilst the Tough Mudder have advised in previous years that Officers are welcome to visit the site once the restoration works are complete, it is understood that this year would be no different should Officers wish to view the site post event.

- Measures for ensuring public health and safety – an Event Safety Management Plan has been submitted. The event safety management plan sets out how Tough Mudder Ltd will provide a healthy and safe working environment for its employees, sub-contractors, and customers. The majority of the issues covered in the event safety management plan are covered by legislation outside of the control of planning. It is however, considered that the details provided are acceptable.

- Protection of biodiversity – the main issue in terms of the protection of biodiversity is the route of the course through the ancient woodland and the location of any obstacles.

On the basis of the information submitted and consultation responses received, the requirements of the condition have been satisfied and it is considered that the submitted details would adequately protect amenity and the ancient woodland.

Other Matters

Following the CG Fry v SoS and Somerset Council High Court decision on 30 June 2023, a Habitats Regulations Assessment is now required for all proposals that that enable a consented scheme.

The Applicant confirmed that there are no changes to the previous year's arrangements relating to water, as per DISC/23/0139. All water required on site is delivered by tanker from outside the district and not connected to the mains supply system.

On the basis of this information, there is no clear or compelling evidence to suggest the nature and scale of the development as approved would result in a more intensive use of the site that would necessitate an increased consumption of water that would result in a significant impact on the Arun Valley SAC, SPA and Ramsar sites, either alone or in combination with other plans and projects. The approved development is not therefore considered to result in a likely significant effect, and the development can be screened out.

Recommendation: Application Permitted

Plans list for: DISC/24/0155
(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
Plans	Course Route		18.06.2024
Supporting Statement	Noise Management Summary		18.06.2024
Supporting Statement	Traffic Management Plan		18.06.2024
Location plan	Village Map		18.06.2024
Supporting Statement	Local Resident Letter		18.06.2024
Supporting Statement	Pre-Commencement Information		18.06.2024

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 22.07.2024

Authorising Officer sign/initial Guy Everest Date: 26.07.2024