Horsham District Council

# DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0016
The Cobblers , Hayes Lane, Slinfold, West Sussex, RH13 0SA

DESCRIPTION:
Application for Approval of Details Reserved by Condition 5 (Construction Environmental Management Plan) to approved application DC/22/2197 (Variation of condition 1 of DC/20/2578 (12No. flats with associated car parking and replacement scout hut). Variation for repositioning of units 1-4 and 9-12, discharge of conditions 6, 7, 8, 9, 10, and 11)).

DETAILED DESCRIPTION:

Planning Permission DC/22/2197 was permitted on 30.03.2023. This permission was for the following: Variation of condition 1 of approved application DC/20/2578 (Demolition of existing retirement housing and construction of 12No. flats with associated car parking and landscaping and replacement scout hut). Variation sought for repositioning of units 1-4 and 9-12, alongside details pursuant to discharge of conditions 6 (foul and surface water disposal), 7 (surface water drainage statement), 8 (contamination), 9 (finished floor levels), 10 (underground services), and 11 (materials and finishes).

This application seeks details of an updated Construction Environmental Management Plan to the CEMP previously approved in Feb 2023 (DISC/22/0295) to reflect site works management practice employed by a new contractor, who has been instructed following exit of the previous contractor from the project.

The work on site has commenced on Phase 1 (housing and associated car parking) but not completed. Phase 2 (Scout hut) has not commenced.

RELEVANT PLANNING HISTORY:

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| DC/20/2578 | Hybrid application for Demolition of existing retirement scheme and the construction of 12No. flats with associated car parking and landscaping (full planning) and replacement scout hut (outline) | Permitted 14-03-2022 |
| DISC/22/0295 | Approval of details reserved by conditions 5 (Construction Environmental Management Plan) and 8 parts a), b), c) ONLY (contamination) to approved application DC/20/2578 (demolition of existing and construction of 12No. flats with associated car park and landscaping (full) and replacement scout hut (outline) | Permitted 03-02-2023 |
| DC/22/2197 | Variation of condition 1 of approved application DC/20/2578 (Demolition of existing retirement housing and construction of 12No. flats with associated car parking and landscaping and replacement scout hut). Variation sought for repositioning of units 1-4 and 9-12, alongside details pursuant to discharge of conditions 6 (foul and surface water disposal), 7 (surface water drainage statement), 8 (contamination), 9 (finished floor levels), 10 (underground services), and 11 (materials and finishes). | Permitted 30.03.2023 |

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| DISC/23/0102 | Approval of details reserved by condition 5 (Construction Environmental Management Plan Phase 2 Scout Hut) to approved application DC/22/2197 (Variation of condition 1 of DC/20/2578 (Demolition of existing retirement housing and 12No. flats with associated car parking and landscaping and replacement scout hut). Variation repositioning of units 1-4 and 9-12, alongside details pursuant to discharge of conditions)) | Withdrawn 06-06-2023 |

ASSESSMENT:

Following advice from the Council's planning case officer, the planning agent confirmed withdrawal of this application 12th March 2023.

This is due to acknowledgement from the planning agent that the application to discharge condition 5 (Construction Environmental Management Plan (CEMP)) of planning permission DC/22/2197 was submitted in error as it relates to Phase 1 (housing and associated land) which was previously approved under separate application DISC/22/0295.

As it is imposed on planning permission DC/22/2197, condition 5 (below) does not reserve details of the CEMP for Phase 1 (instead it requires implementation in accordance with a particular CEMP doc) only Phase 2. As such, as worded as imposed on DC/22/2197, it not possible under condition 5 to substitute a revised CEMP for phase 1through subsequent 'discharge'.

The correct route to do this is via submission of a Non-Material Amendment or a Section 73 application.

Condition 5 of DC/22/2197:

*Pre-Commencement Condition: No development within each Phase shall take place, including any works of demolition, unless in accordance with the Construction Environmental Management Plan (CEMP) submitted to and approved in writing by the Local Planning Authority for that Phase.*

*The CEMP for Phase 1 (housing and associated land) approved under DISC/22/0295 (CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN by Westridge Construction Limited Issue 4 DATE 05.12.2022) shall be adhered to throughout the construction period of that phase.*

*The Plan for Phase 2 (Scout hut and associated land) shall provide for: a. An indicative programme for carrying out of the works. b. The arrangements for public consultation and liaison during the construction works. c. Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations if required, the careful selection of plant and machinery and use of noise mitigation barrier(s) if required for specific tasks. d. Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination. e. the anticipated number, frequency and types of vehicles used during construction. f. the method of access and routing of vehicles during construction. g. the parking of vehicles of site operatives and visitors. h. loading and unloading of plant and materials. i. storage of plant and materials used in constructing the development. j. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate. k. wheel washing facilities. l. measures to control the emission of dust and dirt during construction. m. a scheme for recycling/disposing of waste resulting from demolition and construction works. n. Embedded water efficiencies. A licensed waste removal contractor shall remove all site clearance debris, demolition and construction waste from site including all asbestos waste (if any).*

*Reason: In the interests of highway safety and the amenities of the area, ecological and biodiversity interests, and in accordance with Policies 24, 33 and 40 of the Horsham District Planning Framework (2015) and Policy 4 of the Slinfold Neighbourhood Plan.*

The application can now be withdrawn.

**Recommendation: Application Withdrawn**

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.

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**DELEGATED**

Case Officer sign/initial Matthew Porter Date: 12-03-2024

Authorising Officer sign/initial J Hawkes Date: 13.03.2024