Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/23/2328
Mowbray Sub Phase 2, Old Holbrook, Horsham, West Sussex,

DESCRIPTION:
Application for approval of Reserved Matters pursuant to Condition 5 of Outline Planning Permission DC/16/1677 for extension of the primary road between Phases 1 and 2, temporary turning head, provision of pedestrian/ cycle paths, SUDS basins and associated landscaping.

RELEVANT PLANNING HISTORY:

DC/16/1677	Outline planning application with all matters reserved except access for a mixed use strategic development to include housing (up to 2,750 dwellings), business park (up to 46,450 m2), retail, community centre, leisure facilities, education facilities, public open space, landscaping and related infrastructure	Application Permitted on 01.03.2018
DC/19/0984	Non material amendments to approved application DC/16/1677 (the North Horsham Development site) for amendments to the wording of conditions 5,7,8,9,11,12,13,14,16,17,18,19,22,28, 31 & 54 and the introduction of a new condition to enable the Principal Access Works to come forward.	Application Permitted on 12.06.2019
DC/21/0181	Non Material Amendment to condition 2 of DC/16/1677 (Outline planning permission for Land North of Horsham strategic site) to amend all parameter plans.	Application Permitted 12.03.2021
DC/20/1779	Reserved matters application following approval outline application DC/16/1677, provision of an access road, foot and cycle ways and temporary turning circle, as well as provision of underground utilities and swale.	Application Permitted 23.03.2021

SITE AND SURROUNDS
The site relates to fields located to the north west section of Phase 2 of the North of Horsham Development site. The area relates to land south and east of the Bohunt School and the road built to allow access to the school (Bailey Road). These areas are currently open fields. The area is directly north of an existing public right of way running east to west, called Bush Lane.

To the east and south of the site are wooded area, classed as Ancient Woodland. The proposal includes a cycle path through the southern Ancient Woodland. There are no adjacent residential properties. A scheduled ancient monument (The 'Castle' moated site) lies adjacent to the north east of the site.

The site is part of the wider Land North of Horsham strategic site (now known as the Mowbray Development Site). The strategic site is allocated within the Horsham District Local Plan for development under Policies SD1 – SD9. Under DC/16/1677, outline consent was granted in March

2018 for housing (up to 2,750 dwellings), a business park (up to 46,450sqm), retail, a community centre, leisure facilities, education facilities, public open space, landscaping and related infrastructure.

Under the outline permission, works have been completed for of a new Bohunt school to the east side of Rusper Road. Works also been completed for the realignment of Rusper Road, part of the East West Greenway and internal roads at Phase 1. Works are also well underway for new housing at RM Area 1 (193 units) approved under DC/20/2047. Works have also commended at RM area 2 (197 units).

DETAILED DESCRIPTION

This reserved matters application seeks approval for the extension of the primary road between Phases 1 and 2, temporary turning head, provision of pedestrian/ cycle paths, SUDS basins and associated landscaping. The details of the proposal are as follows:

- Extension of the Primary Road (Bailey Road) from Phase 1 towards the boundary of Sub Phase 2B
- Provision of two build outs to the Primary Road as traffic calming with priority working arrangement
- Three uncontrolled crossing points of the Primary Road
- Two bus stops on the Primary Road (east and west)
- Temporary bus turning head at the easternmost point of the site in the location of the permanent access to the future residential parcel to the south of the Bailey Road extension
- Construction of the junction and first section of the Secondary Street to the Sub Phase 2A future residential parcels
- Construction of two culverts – one below the Primary Road as it crosses from Phase 1 to Phase 2; the second below the Secondary Street
- Construction of a foot/ cycle path from the Bush Lane bridleway through the ancient woodland to the future residential parcel to the south of the Bailey Road extension where it branches east and west to connect to the wider Phase 2 residential areas
- Construction of two SUDS attenuation basins – the northern pond to drain the future residential parcels of Sub Phase 2A; the southern to drain the road and small residential parcel to the south
- Removal of c. 158 trees/ tree groups – over 98% Category C or U
- Planting of over 500 new trees including trees along both sides of the Primary Road and Secondary Street and an area of new woodland (northeastern part of the site)
- Dormouse compensation planting (southwestern part of the site adjacent to the existing woodland to provide connecting habitat)
- New hedgerow planting along both sides of the Primary Road
- Entrance piers to the Secondary Street to create a gateway feature
- Bat and bird boxes to existing trees
- Removal of two existing ponds
- Installation of utilities and services including foul sewers and electricity
- Creation of a serviced land parcel to the south of the Bailey Road extension to provide a future residential development parcel.

RELEVANT PLANNING POLICIES

National Planning Policy Framework

Horsham District Planning Framework (2015):

Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 4 - Strategic Policy: Settlement Expansion
Policy SD1 - Strategic Policy: Land North of Horsham
Policy SD5 – Open Space, Sport and Recreation
Policy SD7 - Design
Policy SD9 - Transport Infrastructure
Policy 24 - Strategic Policy: Environmental Protection
Policy 25 - Strategic Policy: The Natural Environment and Landscape Character

Policy 26 – Strategic Policy: Countryside Protection
Policy 31 - Green Infrastructure and Biodiversity
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 38 - Strategic Policy: Flooding
Policy 40 - Sustainable Transport

Horsham District Local Plan (2023-40) (Regulation 19)
Policy 1: Sustainable Development
Policy 2: Development Hierarchy
Policy 3: Settlement Expansion
Policy 6: Climate Change
Policy 7: Appropriate Energy Use
Policy 8: Sustainable Design and Construction
Policy 9: Water Neutrality
Policy 10: Flooding
Policy 11: Environmental Protection
Policy 13: The Natural Environment and Landscape Character
Policy 14: Countryside Protection
Policy 15: Settlement Coalescence
Policy 17: Green Infrastructure and Biodiversity
Policy 19: Development Quality
Policy 20: Development Principles
Policy 21: Heritage Assets and Managing Change within the Historic Environment
Policy 23: Infrastructure Provision
Policy 24: Sustainable Transport

RELEVANT NEIGHBOURHOOD PLAN:
The North of Horsham site covers the parishes of North Horsham and Rusper. North Horsham Parish has withdrawn its neighbourhood plan designation. Rusper Parish Neighbourhood Plan has been made. The relevant policies are as follows:

- Policy RUS1: Spatial Plan
- Policy RUS3: Design
- Policy RUS4: Local Heritage Assets
- Policy RUS5: Green Infrastructure and Biodiversity
- Policy RUS6: Walking, Cycling and Equestrian Routes
- Policy RUS10: Dark Skies
- Policy RUS11: Promoting Sustainable Transport

Planning Advice Notes:
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES
Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

HDC Arboricultural Officer: Holding Objection Withdrawn. Previous concerns have been satisfactorily addressed (summarised).

HDC Landscape: Comment. While both mitigation and compensation planting is welcomed, there are still concerns regarding the impact on the Ancient Woodland (summarised).

HDC Ecologist: No objection (summarised).

Gatwick Airport: Comment. A condition is recommended requiring the submission of a Bird Hazard Management Plan (summarised).

WSCC Local Lead Flood Authority: As amended, no objection (summarised).

WSCC Highways: As amended, no objection subject to conditions (summarised).

Parish Comments:
No objection

Representations:
None received

Member Comments:
None received

HUMAN RIGHTS AND EQUALITY:
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

Principle of Development:
In March 2018, outline planning permission was granted for the development of the North of Horsham site for up to 2,750 dwellings and other uses, including educational (DC/16/1677). Reserved matters is sought under this proposal for the design, layout and landscaping for the extension of the Primary Road in Phase 2, a temporary turning head, provision of pedestrian/ cycle paths, SUDS basins and associated landscaping.

The key issues for consideration in the determination of this proposal are the compliance of the scheme with the approved parameter plans, the layout, scale and appearance of the proposed development, water neutrality, drainage and whether the development can be delivered without detrimental highways impact, flood impact, heritage impact and residential amenity and without harming the interests of nature conservation and ecology.

Compliance with approved parameter plans:
Condition 5 of DC/16/1677 states that details relating to the layout, scale, appearance, means of access (save for the accesses approved pursuant to Condition 1) and landscaping associated therewith (hereafter called the Reserved Matters) for each area of the site as shown on the Reserved Matters Area Plan, approved pursuant to condition 7, of this permission shall be submitted to and approved by the Local Planning Authority before development of that Reserved Matters Area is commenced.

In accordance with Condition 2 of the extant outline planning consent, the proposals for reserved matters must be broadly in accordance with the approved parameter plans approved as part of the outline consent. The proposal is in accordance with the parameter plans as follows:

- Land Use: The Land Use plan indicates that the area covered by the proposal is for an access route, a Mixed Use Area and Green Infrastructure. The proposal would accord with these land uses.
- Density: Not applicable for this application.
- Buildings Height: Not applicable for this application.
- Movement and Access: This plan identifies a Proposed Primary Road to this area. This road is shown in the proposal.
- Green Infrastructure: The Green Infrastructure Parameter Plan indicates that this area is for 'Natural Greenspace', attenuation ponds and areas of ancient woodland. The proposal would accord with these areas and uses.

Design and Appearance:
Policy SD7 of the HDPF states that the North Horsham development site will be high quality and will respond to and complement the unique character, qualities and local distinctiveness of Horsham and the surrounding areas. Policy SD1 also states that the development shall be locally distinctive through its architecture, urban and landscape design, where residents can become involved in their community and share the benefits of a high quality life. Policy SD6 states that the North Horsham development site shall respond to and complement the positive landscape characteristics and biodiversity qualities of the site.

Under this application, reserved matters permission is sought for the extension of the Primary Road (called Bailey Road) within Phase 2. The proposal includes a temporary turning head at the eastern side of the road. This would provide turning facilities until the road is established throughout Phase 2. The road extension follows the alignment as per the Parameter Plan; Movement & Access (reference 2153A-105 Rev Q) which runs east of the Rusper Road roundabout.

In terms of the design of the road, the proposal continues the layout of Bailey Road, which has already been constructed. The road would include a northern spur providing the initial section of the Secondary Street into the future residential parcels of Sub Phase 2A. The roads have been designed to continue the foot and cycle paths along the current Bailey Road with a 4.5-metre shared foot/ cycle way on the southern side of the road and a 2.5-metre footway on the northern side. The footway continues on both sides of the Secondary Street at a slightly reduced width of 2 metres reflecting the secondary nature of this road. The scheme also includes entrance piers to the Secondary Street which would be a gateway feature.

Three crossing points are proposed along the Primary Road to provide multiple opportunities to safely cross thus supporting north-south connectivity. Two crossings are at build outs designed as traffic calming features by creating priority working arrangements. The third is between the two bus stops in proximity to foot/ cycleway that connects this part of the site to the existing Bush Lane bridleway and beyond that the Sports Hub, Employment Land and Horsham Town. The submission states that this represents a likely desire line for non-car movements through this part of the site.

Overall, the design and layout of the road is considered appropriate and in accordance with the parameter plans approved under the outline permission.

The detailed design of the foot/ cycleway running north-south through the ancient woodland and east to the boundary with Sub Phase 2B is also included in this application. The submission states that to minimise the impact on the ancient woodland the foot/ cycleway would follow the alignment of an existing track. The removal of several small trees along the alignment is required to facilitate construction of the foot/ cycle way. This path has a width of 3.5 metres throughout this area to minimise the impact on existing trees and the ancient woodland. The submission states that this track will '*provide a key non-car connection between the future residential areas to the north and sports and employment areas to the south*.'

In terms of landscaping, the submission states that the proposal will '*provide a landscape-led entrance to Phase 2 along a tree-lined Primary Road with attractively landscaped, gently sloping attenuation basins comprising wetland grass and marginal aquatic planting. A new area of woodland is proposed in*

the north eastern part of the site to augment and complement the area of ancient woodland off-site to the north. New sections of hedgerow are proposed on either side of the Primary Road to further contribute to the 'green' character of this key route into Phase 2. This is alongside additional mixed shrub and dormouse compensation planting and amenity grass. Horsham stone entrance piers act as gateway features to the future Sub Phase 2A residential area to the north to further contribute to the sense of arrival of this area.'

The HDC Landscape Officer originally commented that they had concerns and that amendments and additional information were required. These concerns have been partly addressed by the applicant as follows:

- *T194 positively contributes to the character of the area, therefore the Landscape Officer recommended altering the footpath outside its RPA in order to safeguard its retention and longevity*. Subsequently, appropriate replacement planting was provided.
- *A Quercus sobur has since been re-categorised as B1 in good physiological condition, yet remains proposed to be removed. The landscape Officer recommended its retention or translocation, given its long term potential*. Subsequently, amendments were received addressing this concern.
- *Typical details for tree pits required.* Subsequently, amendments were received addressing this comment.
- *Details required for street trees and hedgerow*. Subsequently, amendments were received addressing this comment.
- *Details required for headwalls*. Subsequently, amendments were received addressing this comment.
- *Details required of location of bird, bat boxes and dormouse compensation planting*. Subsequently, amendments were received addressing this comment.
- *Removal of mention of herbicide (with exception of invasive plants).* Subsequently, confirmation was received addressing this comment.

Notwithstanding the above amendments, the Landscape Officer has a remaining concern regarding the proposed cycle route through the Ancient Woodland. The applicant has responded that to mitigate the impacts of the path, its width has been minimised and it has been designed to follow the alignment of an existing path in this location thus minimising the impact on the ancient woodland. The path would require the removal of a limited number of trees, all being fruit trees Category C2. The path is proposed as self-binding gravel to limit ground works and impact whilst formalising the route to ensure it is usable and users are encouraged to remain on the path rather than encroach into the woodland.

The applicant has also stated that the original alignment of the foot/ cycle route went through the ancient woodland, not utilising the existing track and running diagonally from Bush Lane. This would have resulted in significantly greater impact on the ancient woodland and require a much greater removal of trees of higher quality and number. Without a defined north-south foot/ cycle connection in this location the route for pedestrians and cyclists wishing to reach the Sports Hub, the future business park and beyond that Horsham Town will be significantly longer and less convenient and would not be in line with the aspiration to promote and encourage non-car travel within and across the Mowbray development. It also risks greater use of informal paths through the ancient woodland with the corresponding wider impacts on its value.

Paragraph 186 (c) of the NPPF (2023) sets out that '*development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists'*. Footnote 67 expands on what is accepted as 'wholly exceptional reasons', such as infrastructure projects, where the public benefit would clearly outweigh the loss or deterioration of habitat.

On balance, it is considered that the proposal as amended will result in minimal damage to the Ancient Woodland. The route will follow an established track and would provide an essential pedestrian and cycle link in Phase 2 between the housing to the north and facilities to the south. Without the link, access for some houses to the southern facilities (such as the Sports Hub and Health Centre) would require a significant diversion by foot. This would not encourage sustainable transport or result in an

appropriate layout. In addition, it should be noted that no objection has been raised to the proposal from the HDC Ecologist or the HDC Aboriculturist (as amended).

As such, it is felt that the cycle track through the Ancient Woodland, as permitted at outline stage, is appropriate and would not in this instance breach paragraph 186 (c) of the NPPF. Any minor impacts on the Ancient Woodland are outweighed by the public benefits of the proposal. Overall, as amended, the proposal is considered appropriate in terms of its design and layout and is in accordance with the above policies.

Impact on Trees:
Policy 33 of the HDPF states that proposals that would result in the loss of green infrastructure will be resisted unless it can be demonstrated that new opportunities will be provided that mitigates or compensates for this loss. The policy also outlines that particular consideration will be given to any areas of Ancient Woodland.

The HDC Arboricultural Officer commented that the submitted Arboricultural Impact Assessment, Method statement and Tree removal Plan provides a fair assessment of the potential impact of this proposal on trees.

As originally submitted, the HDC officer commented that, in total, 158 trees and groups of trees are proposed to be removed to facilitate the development, these being one category A tree, one category B tree, 155 category C trees and one category U trees. Category 'C' and 'U' trees account for over 98% of all trees which are indicated for removal; the majority of these trees are in the eastern section of the site and currently form a small orchard.

The bulk of the trees in this area appear to be in good health, and although young, the officer has stated that they do seem to have good future potential. One tree in particular was surprising to find randomly in the English countryside; this was the Quercus suber, commonly known as Cork oak, tree number unknown. The officer commented that it would be good to see if some of the trees in this area can be retained in some form and integrated into the development either through translocation or selective retention in their current locations. The tree officer also commented that he also had regarding the impact of the proposal on a tree to be retained (T194), which is of particular merit. Concerns were also originally raised regarding the impact of the proposal on the Ancient Woodland. The officer also requested a Tree Removal Plan.

In response the applicant submitted a Tree Removal Plan and an updated Arboricultural Impact Assessment & Method Statement (March 2024). In terms of the HDC officer comments, the applicant has commented that the removal of the small orchard is noted and a request made as to whether any of these trees could be retained and integrated into the proposals or translocated. This part of the site is identified as a residential development parcel on the approved Parameter Plans. The removal of the trees in this location was therefore agreed in principle through approval of the outline permission.

As noted by the tree officer, the trees are generally small and given their close spacing, the applicant has commented that it would not be possible to retain them in situ and design a residential layout around them. The replanting proposals provide compensatory replacement with species that will have a greater visual impact once mature. The replanting proposals are noted as 'robust and commensurate with the number of trees proposed to be removed' and the tree protection measures as compliant with the BS and acceptable. In response the HDC officer comments on the Cork Oak tree, the scheme has been amended to retain this tree.

The applicant has also addressed the potential impact of the footway on T194. The applicant has commented that the potential incursion is 14.9% which is less than the 20% maximum thus the prospects of this tree being retained are in line with accepted standards. A proposed fall-back is included in the event that this tree does not survive of replacing it with two oak trees. This would only occur in the unlikely situation that T194 does not survive but due care will be taken in constructing the path to mitigate this risk. The HDC Officer has commented that the above is an appropriate response.

In relation to the cycle path through the Ancient Woodland further information was submitted by the applicant with an amended Landscape Statement. The HDC officer acknowledged that there is

currently an existing trackway, consisting of heavily compacted aggregate; which from looking at 2001 aerial photos of the site appears to have been in situ for almost 25 years. The 2001 images also show the area each side of the path has been infilled with new trees. While it is evident that for the most part, the trees in this area are fairly young, this does not in the HDC Officer's view call into question the ancient status of the woodland as a whole.

However, it is clear that part of the wood was at some point felled and then re-stocked possibly sometime in the late 90s or early 2000s. Given the long-standing history of a trackway being present in this area, coupled with the relatively recent tree plantings the HDC Arboricultural Officer is satisfied that the proposed mitigation and compensation measures set out in para's 4.12, and 4.14 of the supporting Landscape Statement prepared by David Jarvis Associates Limited are adequate to ensure that the impact on the AW can be limited to minor disturbance during the works and post development. However, to ensure that this is the case the existing track should be retained and used as the subbase for the new cycle path, to keep any ground disturbance within the Ancient Woodland to a minimum and thus ensure the successful and satisfactory retention of the wooded unit as a whole.

Having regard to the response from the applicant to the concerns raised by the HDC Arboricultural Officer, the proposal is considered appropriate in relation to its impact on trees and is in accordance with the above policies.

Ecology:
In support of the application, an Ecology Mitigation and Management Plan (EMMP) has been submitted. The Council's consultant ecologist has commented that they have reviewed the ecological mitigation, enhancements and management measures and welcomes the following measures:

- A Great Crested Newt mitigation strategy which aligns with the Phase 2 Strategic New Mitigation Masterplan, including a translocation exercise.
- A translocation exercise for reptiles.
- Re-inspection of trees to be removed prior to commencement in relation to bats and the installation of eight bat boxes.
- Removal of hedgerows to be undertaken under a Hazel Dormouse derogation licence and compensation planting of hedgerows.
- Appropriate measures to prevent impacts to other protected species.
- Marginal planting of local native species around the SuDS area, planting of wetland wildflower areas and the planting of 538 new native trees.

Overall, having regard to the measures outlined to protect and enhance the Ancient Woodland outlined above, the proposal is considered appropriate in terms of ecological impacts.

Amenity Impacts:
Policy 33 of the HDPF states that development should ensure it is designed to avoid unacceptable harm to the amenity of occupiers / users of nearby property and land, for example through overlooking and noise, whilst having regard to the sensitivities of the surrounding development.

As this application for reserved matters is predominately for a section of road and landscaping, this proposal does not raise concerns regarding amenity impact. The road extensions are set a suitable distance away from the nearest residential properties.

As required under the outline consent, the construction of this section will need to be in accordance with an agreed Construction Environmental Management Plan, to minimise the impact of construction works on adjacent properties.

Highways Impacts:
Policy SD9 and 40 of the HDPF state that development will be supported if it is appropriate and in scale to the existing transport infrastructure, including public transport; is integrated with the wider network of routes, including public rights of way and cycle paths, and includes opportunities for sustainable transport.

As originally submitted, WSCC Highways commented that the overall carriageway width and geometry is accepted and is consistent with the built section of Bailey Road. WSCC also commented that the following needed to be addressed:

- The proposal did not accord with the Site Wide Cycle Strategy for the Mowbray site. Based on the approved Cycle Strategy, 'Dedicated' cycle ways should be provided along this section of primary road. 'Dedicated' cycle ways are detailed as mandatory or advisory on-carriageway cycle lanes or stepped cycle lanes. The design includes two off-carriageway shared use routes, one of 3.5 but narrowing to 2.5 metres width and the other 4.5 metres width. The provision of shared use routes does not accord with the approved Strategy.
- The purpose and need for the two build-outs is noted. The location, particularly of the eastern build out would need to be relocated onto the opposite side of the carriageway though given the purpose of this is to reduce westbound entry speeds into the 20mph speed limit as stated in 3.6 of the Transport Statement. It's recommended that this feature is also relocated closer to the 20/30mph speed limit change to provide more of a gateway type feature. This would also simplify the arrangement shown by increasing the spacing between the eastbound bus stop and the build out.
- In light of the future use of Bailey Road and its function within the Mowbray development, and consequently the level of traffic using this, it's recommended that the separation between the two bus stops is such that this allows following vehicles to overtake a stopped bus. The separation distance should ideally be 36 metres.

WSCC Highways comments focus on provision for cyclists, the traffic calming proposals and bus stop locations. In response, the applicant updated the proposals with the location of the traffic calming build outs relocated to the opposite side of the carriageway to slow westbound vehicles moving towards the school/ 20mph zone. The bus stops have also been revisited and are now spaced 36m apart.

In respect of provision for cyclists, WSCC Highways noted the Site-Wide Cycling Strategy approach to Primary Roads such as this. The proposals provide for a segregated two-way cycle path on the southern side of the road as an extension to the current provision on the now constructed and operational Bailey Road. This is in line with the Cycling Strategy and is defined as 'dedicated' provision therein. Additional transitional provision has been made from the Secondary Street to the Primary Road two-way path as part of this addendum.

WSCC Highways have commented that they are satisfied that the revised scheme has addressed all previously concerns raised. WSCC have no further issues with the scheme as shown and, as such, no highway objection is raised to this proposal. The scheme is therefore considered in accordance with the above policies.

Water Neutrality:
The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

This application seeks approval for an extended road, landscape and ecological improvements. This proposal would not result in any additional water usage for the Mowbray site. The Council as Competent Authority under its duties imposed by the Habitat Regulations has therefore 'screened out' this application for water neutrality purposes. No adverse effects on the Arun Valley habitat sites will therefore occur.

Other Matters:
Heritage Impacts:
A scheduled ancient monument (The 'Castle' moated site) lies adjacent to the north east of the site. This proposal does not include any built form adjacent to the ancient monument. There are no proposals for the field area adjacent the monument (other than ecological improvements) and the proposed road extension is set a significant distance from the monument. The submitted Planning Statement states that the proposed Primary Road extension follows the alignment as shown on the parameter plans approved through the outline planning consent. The impact of the Strategic

Development on this monument was assessed on the basis of those parameter plans through the outline consent and found to be acceptable. Under the outline consent, condition 24 requires the submission of a Heritage Asset Mitigation Strategy for the ancient monument. This scheme is therefore considered appropriate in terms of its heritage impacts.

Environmental Impact Assessment:
The original outline application included an Environmental Statement which covered the whole of North of Horsham strategic site in compliance with the EIA Regulations. A further EIA is not required for this reserved matters application.

Drainage & Flood Risk:
In relation to flood risk, the current scheme refers to the Site-Wide Surface Water Drainage Strategy (June 2019). This was submitted to discharge the requirements of Condition 17 of the outlined planning permission and was approved under reference DISC/19/0214). The aim of the Site-Wide Surface Water Drainage Strategy is to manage surface water arising from the developed area in a sustainable manner to attenuate the surface water flows arising to below the level prior to the development taking place thus reducing flood risk on the site and elsewhere, taking account of climate change. To achieve this aim, the Strategy outlines how Sustainable Drainage Systems ('SUDS') will be used to minimise changes in the volume and rate of surface water run-off from the development (section 3.2).

The current proposal includes a Drainage Strategy which outline the drainage for this proposal in accordance with Site Wide Strategy. This includes the provision of attenuation ponds. WSCC Local Lead Flood Authority have commented that (as amended) they have no objection to the Drainage Strategy for this proposal.

Gatwick Airport:
In accordance with the requirements of Gatwick Airport, a condition is recommended requiring the submission of a Bird Hazard Management Plan for approval.

Lighting:
The only lighting proposed within this reserved matters are is street lighting that will be to adoptable standards as required by WSCC as such a Sensitive Lighting Strategy has not been prepared for this application (pursuant to Condition 62). This is considered appropriate.

Conclusion:
The principle of developing the site has been established following the grant of outline planning permission (as amended): DC/16/1677. The current proposal is for the approval of the reserved matters and is in substantial conformity with the parameter plans approved at the outline stage.

It is considered that the current proposal results in an acceptable layout of the development and an acceptable scale and appearance for the scheme, subject to conditions. The proposal would also offer further ecological improvements and, as amended, the impact on trees and the Ancient Woodland is considered appropriate. Additionally, the proposal would not significantly affect the amenity of any adjacent properties, preserve the setting of the nearby ancient monument and would be appropriate in relation to highway concerns.

Recommendation: Application Permitted

Conditions:

1. **Plans List.**

2. **Pre-Commencement Condition**: Prior to the use of the attenuation ponds a Bird Hazard Management Plan shall be submitted for approval. The approved plan shall remain in force thereafter.

   Reason: To minimise potential danger to aircraft from bird hazards in accordance with Policy 33 of the Horsham District Planning Framework (2015).

3. **Pre-Commencement Condition**: The roads hereby approved shall not be constructed above base course level until details of the passenger waiting and information facilities for the bus stops have submitted to and approved in writing by the Local Planning Authority. The details once approved shall thereafter be installed prior to the road opening to traffic.

   Reason**:** To secure details of the facilities at the proposed bus stops in accordance with Policies SD9 and 40 of the Horsham District Planning Framework (2015).

4. **Pre-commencement Condition**: The roads hereby approved shall not be constructed above base course level until details of the cycle lane demarcation have been submitted to and approved in writing by the Local Planning Authority. The details once approved shall thereafter be installed prior to the road opening to traffic.

   Reason: To secure the details of the means by which the cycle lane is to be demarcated from the adjacent footway in accordance with Policies SD9 and 40 of the Horsham District Planning Framework (2015).

5. **Pre-Occupation Condition**: All landscaping shall be carried out in accordance with the approved drawings unless details of an alternative scheme of landscaping have been submitted to and been approved in writing by the local planning authority prior to development commencing. The approved landscaping shall be carried out in the first planting and seeding season available, prior to the use of approved roads or cycle path. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become, in the opinion of the Local Planning Authority, seriously damaged or diseased, shall be replaced with others of similar size and species.

   Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and in accordance with Policy SD1, SD6 and 33 of the Horsham District Planning Framework (2015).

6. **Regulatory Condition**: The scheme shall be implemented in accordance with the approved Landscape and Ecological Management Plan (March 2024) and Landscape Statement (July 2024).

   Reason: To ensure a satisfactory development in accordance with Policies SD6 & 33 of the Horsham District Planning Framework (2015).

7. **Regulatory Condition:** The temporary bus turning circle hereby approved shall be removed and the land returned to its original condition once the Primary Road connection to the Left-In, Left-Out junction with the A264 is complete and in use and the turning circle is no longer required.

   Reason: To enhance the appearance of the development in the interest of the visual amenities of the area and in accordance with Policy SD1, SD6, 33 and 34 of the Horsham District Planning Framework (2015).

8. **Regulatory Condition**: The development hereby approved shall be carried out in accordance with the approved BS:5837 Arboricultural Impact Assessment & Method Statement documents prepared by David Jarvis Associates Limited Dated March 2024.

   Reason: To protect the health and longevity of the trees in accordance with Policy 34 of Horsham District Planning Framework (2015)

9 **Regulatory Condition**: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Mitigation and Management Plan (July 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To conserve and enhance protected and Priority species and 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 SD6 and 31 of the Horsham Development Framework.

NOTE TO APPLICANT

For plant stock used in proximity to Ancient Woodland, please ensure only locally sourced planting stock is used from suppliers of accredited UK Sourced and Grown stock, in accordance with Woodland Trust guidance. Supplier information must be made available upon request.

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: DC/23/2328
(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
Location plan		02-662 3	06.08.2024
Supporting Statement	TREE PLANTING DETAILS	2898-5-2-15-DR-2006 P1	04.04.2024
Details plan	DRAINAGE TECHNICAL NOTE PARTS 1 – 2	NONE	04.04.2024
Supporting Statement	TRANSPORT TECHNICAL NOTE PARTS 1 - 2	NONE	04.04.2024
Supporting Statement	LANDSCAPE SPECIFICATION	2898-5-4-SP-2002 P1	28.12.2023
Plans	FEATURE ENTRANCE PIER	2898-5-5-FRN-0011 P6	28.12.2023
Plans	Topographical Survey	02-687 2	06.08.2024
Plans	GENERAL ARRANGEMENT	2898-5-2-15 DR-2001 P9	06.08.2024
Plans	LANDSCAPE PROPOSALS	2898-5-2-15 DR-2002 P14	06.08.2024
Plans	INDICATIVE SURFACES, BOUNDARIES AND FURNITURE PALETTE	2898-5-2-15 DR-2003 P3	28.12.2023
Plans	INDICATIVE PLANTING PALETTE	2898-5-2-15 DR-2004 P2	28.12.2023
Plans	TREE REMOVAL PLAN	2898-5-2-15 DR-2005 P3	06.08.2024

DELEGATED

Case Officer sign/initial Jason Hawkes Date: 03.10.2024

Authorising Officer sign/initial Adrian Smith Date: 03/10/2024