Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0446
Land North of Horsham, Old Holbrook, Horsham, West Sussex,

DESCRIPTION:
Application for approval of Reserved Matters pursuant to Condition 5 of Outline Planning Permission reference DC/16/1677 for the extension of the Phase 1 Primary Road to Old Holbrook, temporary bus turning area, landscaping, SUDS, ecological enhancements, Ancient Woodland improvements, substation, footbridge and the Sub Phase 1D Strategic Landscape Buffer.

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/20/2345	Reserved matters application for the mixed use strategic development at land North of Horsham (ref: DC/16/1677) for the provision of a primary street and green infrastructure, including a Strategic Landscape Buffer at Sub Phase 1b.	Application Permitted 28.05.2021

SITE AND SURROUNDS
The site relates to fields located to the north west section of Phase 1 of the North of Horsham Development site. To the east of the site is a wooded area, classed as Ancient Woodland. The site is east of the road at Old Holbrook. There is a dwelling adjacent the site fronting Old Holbrook at Rapelands Farm, which is a Grade II Listed Building.

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 commenced at RM area 2 (197 units). This area subject to this application is within RM Area 4 of Phase 1.

DETAILED DESCRIPTION

This reserved matters application seeks approval for the extension of Moat Road in Phase 1 westwards to Old Holbrook. The application also includes proposals in relation to associated infrastructure, ecological enhancements and the provision of SUDS serving the adjacent residential parcel (RM Area 4) that are coming forwards for separate Reserved Matters approval.

Condition 46 of the OPP requires the landscape schemes for the Strategic Landscape Buffers to come forward alongside the landscape schemes for the relevant Sub Phase. The landscape details for the Sub Phase 1D Strategic Landscape Buffers are also included within this application.

The details of the proposal are as follows:

- Extension of the Primary Road (Moat Road) westwards to Old Holbrook;
- A bellmouth junction and separate vehicle crossover to provide access to the RM Area 4 future residential parcel;
- Temporary bus turning head located along the northern side of Moat Road;
- The proposed extension of Moat Road has been designed to adjoin the Old Holbrook Crossroads (drawing reference. 25216/5506/007 B), which was approved in detail as part of the OPP (LPA reference. DC/16/1677);
- Construction of 1.5m stepped cycle tracks;
- Amendments to the carriageway markings and signage on the already constructed section of Moat Road to direct cyclists back onto the carriageway where the road narrows over the watercourse.
- Landscaping to Moat Road, southern, eastern and western edges of RM Area 4 and northern extent of the wider Mowbray development site;
- Sub Phase 1D Strategic Landscape Buffer;
- Sustainable Urban Drainage System (SUDS) including one SuDS basin along the southern edge of RM 4.
- Ecological enhancements including an ecological pond, scrub planting (northeastern part of the site adjacent to the existing woodland to provide connecting habitat), bird and bat boxes to existing trees.
- Removal of c. 6 trees, partial removal of 2 hedge/tree groups – all Category C or U.
- Planting of 30 new trees including trees along both sides of Moat Road.
- Construction of a substation;
- Installation of utilities and services including foul sewers and electricity;
- Creation of footpath and construction of a footbridge which connects to the RM Area 5;
- Ancient Woodland improvements.

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 Arboriculture: As amended, holding objection withdrawn. Conditions recommended. (summarised)

HDC Archaeologist: No archaeological concerns regarding this application (summarised).

HDC Ecology: No objection (summarised)

HDC Heritage: No objection (summarised)

HDC Landscape: Concerns are raised regarding the impact on the adjacent ancient woodland (summarised).

Gatwick Airport: Condition recommended requiring the submission of a Bird Hazard Management Plan (summarised).

WSCC Highways: No objection (summarised)

WSCC Local Lead Flood Authority: No objection (summarised)

Parish Comments:
No objection. Comments from WSCC are noted regarding the cycle routes.

Representations:
One objection has been received from an adjacent resident on the grounds of construction traffic and the impact this would have on Old Holbrook.

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 an extension to the Primary Road at Phase 1, landscape and ecology improvements.

The key issues for consideration in the determination of this proposal are the compliance of the scheme with the approved parameter plans and Design and Landscape Strategy, 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 and Green Infrastructure.
- 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' with areas of woodland.

The scheme is also in accordance with the Design and Landscape Strategy for Phase 1 (ref: DISC/20/0179).

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 Moat Road) up to Old Holbrook within Phase 1. The proposal includes a temporary turning head at the northern side of the road. This would provide turning facilities until the connection to Phase 3 is established. The road extension broadly follows the alignment as per the Parameter Plan; Movement & Access (reference 2153A-105 Rev Q) which runs west of the Rusper Road Roundabout towards Old Holbrook and ultimately connects to Phase 3 beyond.

The scheme also includes details of the landscaping to the Sub Phase 1D Strategic Landscape Buffer. This runs along the northwest and western edge of the Phase 1 development. Condition 46 requires the detailed landscape scheme for the Buffer to come forward with the first Reserved Matters approval within Sub Phase 1D. The proposal also includes a SUDS attenuation basin proposed within the green space south of the future residential parcel in RM Area 4 with new footpath connections via a footbridge crossing over the existing watercourse. Newt mitigation is also provided within the proposed greenspace north and south of the road and in the form of an ecological pond and compensation planting adjacent to the SUDS basin.

The proposal also includes a sub-station south of proposed road, close to Old Holbrook. Whilst the proposed substation would result in a small encroachment into the Strategic Landscape Buffer, the landscape impacts of the substation would be mitigated through adequate landscaping.

In terms of the design of the road, the proposal continues the layout of Moat Road, which has already been constructed. The extended road would include a bell mouth junction and separate vehicular crossover are proposed along the southern section of Moat Road providing access into the residential parcel in RM Area 4. The extended road would also include a 1.5m wide one way cycle track along with 2m wide footways (to some parts). No new bus stops are proposed to this section of the road as these are to be provided nearby. This proposal includes details of street lighting to the extended road. The submission states that the lighting would be to adoptable standards as required by WSCC. Overall, the design and layout of the road is considered appropriate and in accordance with the parameter plans approved under the outline permission.

In terms of landscaping, the submission states that '*the landscape scheme for the Moat Road extension seeks to maximise new tree planting having regard to the location of visibility splays, street lighting and adjacent residential dwelling at Hollywick Farmhouse (now called Rapelands Farm).*

Additional scrub planting is proposed to northeast providing an extension to the existing woodland to the east.' For the Strategic Buffer provision, the landscaping has been designed to provide separation and screening to the existing residential dwelling to the west. The submission states that the landscaping to the buffer has been designed to provide a clear landscape edge between the development parcels within Phase 1, the OPP boundary to the north and Old Holbrook to the west.

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:

- *The Ancient Woodland buffer was not clearly outlined in a plan*. An amended plan showing the buffer was subsequently submitted.
- *Based on recommendations from the Woodland Trust for sites in proximity to ancient woodland and for Landscape Character suitability, the Landscape Officer recommended replacing Betula nigra with a specimen suitable for the conditions and commonly found in Horsham District, such as Salix alba*. This concern was addressed with the submission of an alternative specimen.
- *Drawings were requested for the pond design*. These details were subsequently submitted.
- *Proposed headwalls cladded in Horsham stone were welcomed. Additional planting to further soften their appearance is recommended where possible for a naturalised approach*. These details were subsequently submitted.
- *Given the design motives set out to provide separation/screening to the existing residential dwelling (Rapelands Farm) to the west, the Landscape Officer recommended the planting of 6 additional trees as the 3 proposed are unlikely to be sufficient for this purpose. The suggestions, in addition to the hedgerow, will also have the benefit of re-enforcing the wooded character of the area*. These amended details were subsequently submitted.
- *Tree pit details were required, with the inclusion of root barrier systems for trees proposed in close proximity to hard landscaped/surfaced areas or equipment*. These amended details were subsequently submitted.
- *Amendments required to EMMP*. Amendments subsequently submitted.

Notwithstanding the above amendments, the Landscape Officer has a remaining concern regarding the proposed mitigation planting within the Ancient Woodland. It is felt that this could lead to the deterioration of the woodland caused by maintenance access. The applicant has stated that the Ancient Woodland north of Moat Road is in a poor condition and L&G has proposed additional tree planting to the western and eastern extent of the Ancient Woodland along with woodland management to the restore the Ancient Woodland to maximise its ecological integrity and resilience. This is considered an appropriate response to the Landscape Officer's concerns.

The officer has also commented that they have concerns regarding the location of the temporary turning area in close proximity to the Ancient Woodland. In response, the applicant has commented that the temporary turning is required until the connection to Phase 3 is in place. The location of the bus turning area is outside the 15m Ancient Woodland buffer and no objections to the buffer have been raised from the HDC Ecologist or from the HDC Arboriculturist (as amended). The applicant has also agreed to a condition for the turning area to be removed and reinstated to its original condition once it is no longer required.

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.

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.

The HDC Arboricultural Officer commented that there are no trees on site that are protected by a TPO. However, there is an area of Ancient Woodland adjacent the northeast corner of the site. In total 5 individual category C trees, and 1 category U tree are indicated for removal to facilitate the development proposals, these are - 2 oaks, 1 willow 2 ash 1 hazel. The removals are concentrated in the northwest corner of the site and are required for the new road to access Old Holbrook to the west of the site. The Arboriculturist commented that due to their roadside location currently, the trees are visible within the street scene, although they are of moderate quality and do not represent significant constraints on this aspect of the development.

Furthermore, two sections of hedging/ tree groups proposed to be cut back to allow for the new road to be built. The Arboriculturist commented that the proposed replacement planting appears commensurate with the number of trees to be removed and should be sufficient to address the losses. As such, no significant concerns are raised with this aspect of the development.

As originally submitted, the Council's Arboriculturist did raise concerns regarding the proximity of the road and cycle paths to the Ancient Woodland. As approved under DC/20/2345, aspects of the approved road fell within the 15m buffer required to protect the woodland. To address these concerns, the applicant has commented that the northern footway of the road would have resulted in a minor encroachment of 0.49m into the Ancient Woodland buffer. The applicant has subsequently reviewed the road extension proposals in this context and has updated the alignment of the unbuilt section of the Moat Road extension to avoid the 15m Ancient Woodland buffer. This is achieved through amendment under this current approval through changes to the road alignment. This involves the removal of a verge and removal of part of a footway.

In respect of the current application, the proposal would result in a minor encroachment at the farthest extremity of the Ancient Woodland Buffer. The works remain some 14m from the area designated as Ancient Woodland. The applicant has commented '*that Moat Road is identified as a Primary Road within the Mowbray development which runs throughout Phase 1 of the strategic development site providing connections between Rusper Road and Old Holbrook. The strategic development of the site would bring a variety of public benefits such as much-needed housing, employment, schools, community and sports facilities and enhanced green infrastructure. It is considered that the public benefits brought by the development would outweigh the minor impact on the Ancient Woodland Buffer and that a wholly exceptional reason applies*.'

The applicant has also submitted an updated Arboricultural Impact Assessment and Method Statement. The applicant has stated that these confirm that the existing and proposed encroachments do not impact the root protection zone of tress within the Ancient Woodland buffer.

In response to the above, the HDC Arboriculturist has commented that he has reviewed the proposed mitigation measures for the Ancient Woodland buffer, as set out in Arboricultural Impact Assessment and Method Statement, and also considered the historical land use of the land where the 2m encroachment into the Ancient Woodland buffer is proposed (ploughed agricultural usage). Taking the measures and historical land use into account, the HDC Arboriculturist is satisfied with the proposed compensation/mitigation measures proposed from an arboricultural perspective.

Having regard to the response from the applicant to the concerns raised by the HDC tree officer, the proposal would protect and also result in ecological enhancements to the Ancient Woodland. In addition, having regard to the strategic importance of the road as the only road connection between Phase 1 and Phase 3 of the Mowbray site, the proposed road is considered as critical to the delivery of the Mowbray site and results in significant public benefits in accordance with Paragraph 186 (c) of the NPPF (2023).

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

objectives of the Phase 1 overarching Ecological Management and Monitoring Plan and the Phase specific EMMPs for the neighbouring areas, where applicable.

The Ecologist also supports the proposed measures for the Great Crested Newt (GCN) mitigation scheme, including translocation of GCN to a dedicated receptor site if required and creation of a pond consistent with GCN Mitigation Guidelines (EN 2000) in the southwest of the RMA. The ecologist also supports the new landscape planting as compensation for loss of bat foraging opportunities, installation of four bat boxes on retained trees, the design and planting of the SuDS, the planting of 30 new native trees and the planting of a new native hedgerow 170m long on the western boundary, together with the subsequent management measures.

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 proposed substation and road extension are set a suitable distance away from the nearest residential property at Rapelands Farm. The scheme also includes a proposed landscape buffer which would protect the amenity of this dwelling from the future development at RM Area 4.

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.

Overall, the Highway Authority have no objection to the proposal and the works are considered appropriate. WSCC did comment that the scheme did not include a continuous cycleway for the extended road. It should be noted that the cycle path has had to be amended to a section to the eastern side of the road to accommodate the buffer required to protect the Ancient Woodland nearby. This would result in cyclist having to use the road for this section.

The applicant has stated that these amendments have been discussed with WSCC Highways who advised that the proposed shortening of the cycle lane is acceptable subject to a Road Safety Audit. A Road Safety Audit was subsequently undertaken for the revised scheme and did not raise any highways safety concern.

WSCC have subsequently commented that the shortening of the westbound cycle route and associated realignment of the footway and verge do not materially change their original comments of no highway objection. In accepting this solution, WSCC have commented that that other cycle routes will be provided between individual parcels and phases. The route along the primary road is only one option that will be available for residents. These alternate routes are shown on the approved ‘Movement Framework Plan’ forming part of the outline planning permission (DC/16/1677). In some cases, these alternate routes provide more direct connections east to west across the development.

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:

Rapelands Farm (Grade II Listed) is located to the west of the site, outside of the OPP red line. 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 listed building was assessed on the basis of those parameter plans through the outline consent and found to be acceptable. The Heritage Statement submitted in support of this current reserved matters concludes that whilst the proposed road extension would result in a less than substantial harm to Rapelands Farm. This is considered within the scale of harm already accepted under the outline consent. Mitigation of this harm has already been considered in the proposals, in the form of the Sub Phase 1D Strategy Landscape Buffer.

The HDC Heritage Officer has commented that he has no objections to this proposal and is in agreement with the Heritage Statement. The scheme is also considered appropriate in terms of its impact on archaeology.

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 Site Wide Strategy identifies Pond R18 and R19 falling within this area. The application outlines a drainage strategy which includes a combined attenuation basin to be located south of the residential parcel in RM Area 4 within the natural greenspace co-located with the ecological pond.

WSCC Local Lead Flood Authority have commented that they have no objection to the Drainage Strategy for this proposal.

Gatwick Airport:

In accordance with the requirements of Gatwick Airport, a Bird Hazard Management Plan has been submitted for this proposal.

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 enhance this area for the amenity of the residents of Mowbray. As amended, the impact on the nearby Ancient Woodland is also considered appropriate. Additionally, the proposal would not significantly affect the amenity of any adjacent properties, preserve the setting of the adjacent listed building and would be appropriate in relation to highway concerns.

Recommendation: Application Permitted

Conditions:

1. **Plans List.**

2. **Pre-commencement Condition**: No development shall commence, including demolition pursuant to the permission granted, ground clearance, or bringing equipment, machinery or materials onto the site, until, the BS5837 specification tree protection fencing has been installed the person(s) responsible for supervising the works must meet the Arboricultural Officer of the Local Planning Authority, on site, so the Arboricultural Officer can agree the in situ BS5837 specification barrier fencing and supervise that conditions 2 & 7 are fully complied with.

    - Once installed, the fencing shall be maintained during the course of the development works and until all machinery and surplus materials have been removed from the site.
    - Areas so fenced off shall be treated as zones of prohibited access and shall not be used for the storage of materials, equipment or machinery in any circumstances. No mixing of cement, concrete, or use of other materials or substances shall take place within any tree protective zone, or close enough to such a zone that seepage or displacement of those materials and substances could cause them to enter a zone.

    Reason: To ensure the satisfactory protection of trees in the interests of amenity and nature conservation and in accordance with Policy SD1, SD6 and 31 of the Horsham District Planning Framework (2015).

3. **Regulatory Condition**: The scheme shall be implemented in accordance with the approved Bird Hazard Management Plan which 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).

4. **Regulatory Condition**: The scheme shall be implemented in accordance with the approved Landscape and Ecological Management Plan (June 2024).

    Reason: To ensure a satisfactory development in accordance with Policies SD6 & 33 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 occupation of RM Area 4. 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 temporary bus turning circle hereby approved shall be removed and the land returned to its original condition once the Primary Road connection between Phase 1 and the A264/ Langhurstwood Road junction 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).

7. **Regulatory Condition**: The development hereby approved shall be carried out in accordance with the approved BS:5837 Survey, Arboricultural Impact Assessment & Method Statement documents prepared by David Jarvis Associates Limited Dated 05 March 2024, revised on 20/06/2024.

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

8 **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 (June 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.

9 **Regulatory Condition:** The road hereby approved shall not include vehicle access onto or from Old Holbrook.

Reason: In the interests of highway safety in accordance with Policies SD9 and 40 of the Horsham District Planning Framework (2015).

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: DC/24/0446
(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		700 REV E	27.06.2024
Tree plan	Tree Protection Fencing	DR-1005 S5-P6	27.06.2024
Details plan	Landscape Proposals	DR-0001 S4-P12	12.08.2024
Details plan	Indicative Surfaces, Boundaries and Furniture Palette	DR-0005 S4-P1	21.03.2024
Elevation & Floor plan	Substation	02-707 REV B	27.02.2024
Elevation plan	Substation	02-708 REV B	27.02.2024

Details plan	Moat Road Extension Drainage Layout	MOW-GLA-MRE-PH1-D-C-1201 P7	27.06.2024
Details plan	Moat Road Extension Attenuation Basin & Newt Pond Sections	MOW-GLA-MRE-PH1-D-C-1202 P6	27.06.2024
Details plan	Moat Road Extension Exceedance Flow Plan	MOW-GLA-MRE-PH1-D-C-1203 P5	27.06.2024
Details plan	Attenuation Basin Sections	DR-0002 S5-P1	27.06.2024
Details plan	Tree Planting Details	0001 S5-P6	27.06.2024
Details plan	Tree Planting Details	0002 S5-P5	27.06.2024
Details plan	Tree Planting Details	0003 S5-P4	27.06.2024
Details plan	General Arrangement	MOW-GLA-MRE-PH1-D-C-1101 P14	27.06.2024
Details plan	Moat Road Extension Levels Layout	MOW-GLA-MRE-PH1-D-C-1102 P5	27.06.2024
Details plan	Moat Road Extension Road Longitudinal Section	MOW-GLA-MRE-PH1-D-C-1103 P2	27.06.2024
Details plan	Moat Road Extension Visibility Splays Layout	MOW-GLA-MRE-PH1-D-C-1104 P8	27.06.2024
Details plan	Vehicle Swept Paths - 12.0m Bus	MOW-GLA-MRE-PH1-D-C-1301 P5	27.06.2024
Details plan	Vehicle Swept Path - 10.5m Fire Tender	MOW-GLA-MRE-PH1-D-C-1302 P5	27.06.2024
Details plan	Vehicle Swept Paths - 11.2m Refuse	MOW-GLA-MRE-PH1-D-C-1303 P5	27.06.2024
Details plan	STREET LIGHTING LAYOUT DRAWING	EVO20023248-LD-001 B	27.06.2024
Details plan	Moat Road Extension Services Corridor Layout	MOW-GLA-MRE-PH1-D-C-1600 P1	27.06.2024

DELEGATED

Case Officer sign/initial Jason Hawkes Date: 02.10.2024

Authorising Officer sign/initial Adrian Smith Date: 04/10/2024