HORSHAM DISTRICT COUNCIL CONSULTATION

TO:	Horsham District Council – Planning Dept
LOCATION:	Land North of Little Potters Potters Green Station Road Cowfold
DESCRIPTION:	Application for Approval of Details Reserved by Condition 3,4,5,6,7,8,9,11,12,13,14,15,16 to approved application DC/24/0982
REFERENCE:	DISC/26/0037 & S106/26/0010
RECOMMENDATION:	No objection (deemed biodiversity gain condition) More information (condition 15 / S106/26/0010 obligation)

SUMMARY OF COMMENTS & RECOMMENDATION:

The suggested amendments below for discharging Condition 15 (LMMP) have not been actioned. As this document also appears to be the same document that has been submitted to discharge the S106 obligation for BNG (ref. S106/26/0010), these must be addressed to also discharge condition 15 to ensure consistency.

It is recommended to discharge deemed biodiversity gain condition, providing no further amendments are made to the landscaping plan. Further amendments are requested to discharge condition 15. I do not wish to comment on any other condition.

MAIN COMMENTS:

The comments below relate to discharge of the deemed biodiversity gain condition, which was recently added to this application, and condition 15.

Deemed Biodiversity Gain Condition

Para 13 under Schedule 7A of the Town and Country Planning Act 1990 states:

13(1)Every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition in sub-paragraph (2).

(2)The condition is that the development may not be begun unless—

(a)a biodiversity gain plan has been submitted to the planning authority (see paragraph 14), and

(b)the planning authority has approved the plan (see paragraph 15).

Para 14 lists the requirements of the Biodiversity Gain Plan. I can confirm that all information required by law is presented in the Biodiversity Gain Plan and accords with the submitted metric. **Subject to no other landscape amendments being**

necessary (see the last bullet point under Condition 15 comments), I recommend the discharge of the biodiversity gain condition.

Condition 15

Pre-Occupation Condition: No part of the development hereby permitted shall be occupied until a landscape management and maintenance plan (including long term design objectives, management responsibilities, a description of landscape components and specifications, management prescriptions, timetable for implementation, maintenance schedules and accompanying plan delineating areas of responsibility) for all communal landscape areas has been submitted to and approved in writing by the Local Planning Authority. The landscape areas shall thereafter be managed and maintained in accordance with the approved details.

Reason: To ensure a satisfactory development and in the interests of visual amenity and nature conservation in accordance with Policy 33 of the Horsham District Planning Framework (2015).

The below comments and requested amendments relate to the content of the LMMP in relation to the BNG delivery. **It is advised that these changes are made to satisfy the discharge of condition 15, as well as the planning obligation within S106/26/0010. Please ensure that any updated documents are also submitted to the S106/26/0010 case file.**

- Figure 2 (Landscape master plan) is ineligible. Please include a post-development UKHab map, with areas of the same habitat delineated by condition where appropriate.
- Please specify the nesting bird season throughout the LMMP.
- All failed trees should be replaced in the following planting season, given that all contribute towards the BNG calculation.
- Please specify that hedgerow creation is to meet the UKHab classification of species-rich native hedgerow, as per the metric entry.
- No mixed scrub is proposed to be created or enhanced to poor or moderate condition, as per Table 4 of the LMMP. Only mixed scrub to be created in good condition is within the metric – please can this be amended.
- It is considered that there are too many cuts within the management regime for ONG. Additional cuts in subsequent years should be in response to condition. A grassland cut for ONG in May is not considered appropriate, with an early hay cut in late June/Early July if appropriate (i.e., the yield is high), a main cut in in August/September and a final light cut in October/November depending on ground conditions. Ideally timing of cuts should be varied annually. Arisings should be removed from the site within 5 days of each cut. For ease of management, it is advised the months of cutting for ONG non-SUDS and SUDS should be similar.
- Please specify timing of hedgerow pruning to February to allow winter-fruiting species to provide foraging resources throughout much of the winter period. Any pruning of trees should also refer to caution relating to roosting bats.
- Please include species composition of habitats or append a planting schedule.
- Please specify submission of monitoring reports to HDC in years 1,2,5,10,15,20,25 and 30.
- Points 15 and 19-22 in the HDC Landscape Architects response are supported.

  Concern resolved, with thanks.
- The areas within the metric have changed since permission was granted. Notably the area of ONG to the west of the site managed to a varied sward height, and the area of ONG that is now going to be managed to a short sward – with the

areas effectively switching. It is therefore not envisaged that criterion B can be reasonably targeted. Reasons for this change is requested. ~~Point 18 of the HDC Landscape Architects response is noted. If this is the case, then some of the southern area will need to be allocated as modified grassland.~~ Many of the comments above do not appear to be addressed.	
ANY RECOMMENDED CONDITIONS: N/A	
NAME:	Linsey King Ecology Officer (Planning)
DEPARTMENT:	Strategic Planning - Specialists
DATE:	19/03/2026 10/11/2026