



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DISC/26/0210

2 Greenacres Farm, West Chiltington Lane, Billingshurst, West Sussex, RH14 9DR

DESCRIPTION:

Application for Approval of Details Reserved by Condition 9 of allowed appeal ref: APP/Z3825/C/25/3375768.

RELEVANT PLANNING HISTORY:

None relevant.

PLANNING ASSESSMENT

Enforcement Appeal Decision APP/Z3825/C/25/3375768 was allowed on 29.05.2026. The enforcement notice (EN/24/0409) was issued for the following:

'without planning permission, the material change of use of the Land from agriculture to the use of the Land for the stationing of caravans for the purposes of human habitation together with the associated creation of a new access, operational development comprising the importation of waste material to create an access track and hard surface, the construction of a building/stable structure ('The Building'), the installation of a water treatment (septic) tank and the construction of an earth bund, used in connection with the unauthorised residential use'

Consent is sought to discharge the details reserved by condition 9.

Condition 9:

The use hereby permitted shall cease, all buildings and engineering operations shall be removed and all equipment and materials brought onto the land for the purposes of such use/materials resulting from demolition shall be removed within 56 days of the date of failure to meet any one of the requirements set out in i) to iv) below:

- i) *Within 3 months of the date of this Decision schemes for:*
 - (a) *a Biodiversity Enhancement Strategy for Protected and Priority species*
 - (b) *Surface Water Drainage and Foul Water disposal*
 - (c) *hard and soft landscaping of the site, including walls, fences and boundary treatments and the reinstatement to grass of the area of hard surface shown shaded in yellow on the Plan attached to this Decision*
 - (d) *the storage of refuse/recycling facilities*
 - (e) *safeguarding the visibility splays at the entrance to West Chiltington Lane*
 - (f) *the delineation and retention of parking and turning areas on the site shall have been submitted for the written approval of the local planning authority. The scheme(s) shall include a timetable for their implementation.*
- ii) *If within 11 months of the date of this Decision the local planning authority refuse to approve the scheme(s) or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State.*

- iii) *If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State.*
- iv) *The approved scheme(s) shall have been carried out and completed in accordance with the approved timetable(s). Upon implementation of the approved scheme(s) specified in this condition, those schemes shall thereafter be maintained/retained/remain in use in accordance with details approved. In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.*

The applicant has submitted a Drainage Strategy, Biodiversity Enhancement Strategy and a Layout Plan showing fencing, planting schedule and bin and bike storage.

Part (a)

The Biodiversity Enhancement Strategy and the conditions drawing No.2511GR_00 has been submitted to discharge Part (a) of Condition 9. Ecology were satisfied that the submitted information includes the detail as required by item (a) of this condition relating to the Biodiversity Enhancement Strategy. This has addressed part (a) of the condition.

Part (b)

A Drainage strategy has been submitted to discharge part (b). The strategy details that surface water runoff from the proposed development will be managed using SuDS features comprising tanked permeable gravel driveways, prior to discharging to the existing ditch. The proposed foul drainage strategy will direct foul flows to a sewage treatment plant, prior to an outfall via gravity into the existing roadside ditch located along the site's western boundary. HDC Drainage consider the drainage strategy be a proportionate response to the proposed development for this application. As such, the drainage strategy meets the requirements of the NPPF and PPG. This is sufficient to address part (b) of condition 9.

Part (c)

The layout plan includes the hard and soft landscaping on site, with the existing trees retained and the proposal of new native trees along the boundary, as well as the reinstatement to grass of the area of hard surface shown shaded in yellow on the plan. The layout plan includes a hedge planting schedule and tree planting schedule, with a timetable and management plan. Close board fencing will be removed and replaced with post and rail fencing. From an ecological perspective, ecology were satisfied that the submitted information includes the detail required by the condition relating to hard and soft landscaping. HDC Landscape raised some concerns relating to the original plans submitted, these included concerns relating to the boundary treatment, the type of gate used, the removal of brick piers, as well as further details on the soft landscaping planting and a method statement setting out the proposed operation. An updated plan and method statement was provided addressing all of the concerns raised by the Landscape Architect. This was considered sufficient and has addressed part (c) of the condition.

Part (d)

Refuse and recycling storage has been provided on the layout plan, as per part (d) of Condition 9.

Part (e)

The existing access is retained, and the visibility splays will be maintained clear of obstruction above 0.6m, which addresses part (e) of Condition 9. WSCC Highways commented that visibility splays are to be maintained clear of obstruction above 0.6m, and such splays should be retained in perpetuity.

Part (f)

The retained hardstanding with parking and turning area is shown on the layout plan, this is sufficient to address part (f) of Condition 9. WSCC Highways confirmed that sufficient space for parking and turning is exhibited.

The requirements of the condition have therefore been satisfied.

Recommendation: Application Permitted

NOTE TO APPLICANT

The applicant is advised that with regard to drainage, the site hereafter must maintain the ditch along the property boundary. The applicant / owners of the site must acknowledge their responsibility as Riparian Owners. HDC Drainage also advise that the applicant monitor the condition of the ditch downstream, so that the Drainage Strategy is not impeded by poor conditions within the ditch.

This discharge notice relates ONLY to Condition 9 i)(a-f)

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: DISC/26/0210

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Plans	Fencing, Bike and Bin Store, Planting Schedule	2511GR_000 REV 1	02.09.2026
Supporting Statement	Drainage Strategy Condition 9 i)(b)	NONE	02.07.2026
Plans	Biodiversity Enhancement Strategy	P11147 REV A	02.07.2026

DELEGATED

Case Officer sign/initial Bethan Tinning Date: 04.09.2026

Authorising Officer sign/initial RHERMITAGE Date: 07.09.2026