



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DISC/26/0151

Birchfield Nursery, Kidders Lane, Henfield, West Sussex, BN5 9AB

DESCRIPTION:

Application for Approval of Details Reserved by Conditions 3 (Drainage Strategy), 4 (External Materials) and 5 (Ecological Mitigation) to approved application DC/25/1828.

RELEVANT PLANNING HISTORY:

DC/25/1828	Demolition of existing temporary coffee shop facility and erection of a single-storey permanent coffee shop structure.	Application Permitted on 03.03.2026
------------	--	-------------------------------------

PLANNING ASSESSMENT

Planning Application DC/25/1828 was granted consent on 03/03/2026. This permission was for the following:

Demolition of existing temporary coffee shop facility and erection of a single-storey permanent coffee shop structure.

Consent is sought to discharge the details reserved by conditions 3, 4 and 5.

Condition 3:

Pre-Commencement Condition: No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

The Council's Drainage engineer has reviewed the submitted details:

- PLANNING STATEMENT Discharge of Planning Conditions 3, 4 and 5, Dated: May 2026, Author: Jack Dunckley
- Condition 3 - Discharge Plan, Date: Unknown, Author: Jack Dunckley

The Planning Statement reads: "All surface rainwater and water discharged from the building — including roof water, hardstanding runoff and any other surface water — will be directed to the existing onsite well."

This Drainage Strategy would allow untreated surface water to enter a groundwater source, which is NOT PERMISSIBLE. Under no circumstance would it be considered acceptable to direct surface water runoff into a well. Surface water must be managed, filtered, stored and released at an appropriate rate into a surface water ditch/ water course (if infiltration suitability is poor and soakaways will not be effective). Furthermore, the 'Condition 3 - Discharge' Plan shows grey water connected to the well. This is NOT PERMISSIBLE. Under no circumstance would it be considered acceptable to direct grey water into a well.

These activities would be considered an offence under the Environmental Permitting Regulations 2016

The requirements of the condition have therefore **not** been satisfied.

Condition 4:

Pre-Commencement (Slab Level) Condition: Notwithstanding the submitted information no development above ground floor slab level of any part of the development hereby permitted shall take place until a schedule of materials and finishes and colours to be used for external walls, windows and roof of the approved building has been submitted to and approved by the Local Planning Authority in writing and all materials used in the construction of the development hereby permitted shall conform to those approved.

Reason: As this matter is fundamental to enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy 33 of the Horsham District Planning Framework (2015) and Policy 12 of the Henfield Neighbourhood Plan (2021).

The submitted details show the use of timber cladding to the walls and Eternit slate roof tiles. Doors and windows will be UPVC colour-matched to the timber cladding (light Oak / warm honey), whilst uPVC soffits and rainwater goods would be white and white or black respectively.

The requirements of the condition have been satisfied and correspond to the expectations of the planning submission.

Condition 5:

Pre-Commencement (Slab Level) Condition: no development above ground floor slab level of any part of the development hereby permitted shall take place until a Biodiversity Enhancement Strategy for Protected and Priority species has been submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- (a) Purpose and conservation objectives for the proposed enhancement measures;*
- (b) Detailed designs to achieve stated objectives;*
- (c) Locations of proposed enhancement measures by appropriate maps and plans;*
- (d) Persons responsible for implementing the enhancement measures;*
- (e) Details of initial aftercare and long-term maintenance (where relevant).*

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and Policy 10 of the Henfield Neighbourhood Plan (2021).

The Council's Ecological Consultant has reviewed the submitted details:

- Condition 5 Discharge Plan (Jack Dunckley)
- Biodiversity Enhancement Strategy (Jack Dunckley, 11th May 2026)

The document includes a suitable plan showing the locations for proposed enhancements and descriptions regarding installation.

The requirements of the condition have been satisfied with the information including the details required by this condition.

It is noted that the key lists Hedgehog Highways, but none are shown. Hedgehog Highways are not considered necessary for this site, given its current use, as such no amendments are required.

Recommendation: Split Decision

In respect of conditions 4 and 5 discharge is GRANTED

In respect of condition 3, discharge is REFUSED for the following reason(s):

- 1 The drainage scheme does not meet with the requirements expressed by the HDC Drainage Officer, and, as submitted would not represent an acceptable drainage strategy.

NOTE TO APPLICANT

Regarding Condition 3:

The following issues below remain outstanding from HDC Drainage:

The Drainage Strategy as submitted would allow untreated surface water to enter a groundwater source, which is not permissible. Under no circumstance would it be considered acceptable to direct surface water runoff into a well. Surface water must be managed, filtered, stored and released at an appropriate rate into a surface water ditch/ water course (if infiltration suitability is poor and soakaways will not be effective).

Furthermore, the 'Condition 3 - Discharge' Plan shows grey water connected to the well. This is not permissible. Under no circumstance would it be considered acceptable to direct grey water into a well.

These activities would be considered an offence under the Environmental Permitting Regulations 2016.

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/26/0151

(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
Plans	Condition 5 - discharge	CON-05	12.05.2026
Materials		NONE	12.05.2026
Materials	Shop and coffee shop	DWL 02A	12.05.2026
Supporting Statement	Biodiversity Enhancement Strategy	NONE	12.05.2026

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Plans	Condition 3 - discharge	CON-03	12.05.2026
Elevation & Floor plan	Marsh horizontal septic tank	SEPC 10000, REV	12.05.2026

