DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/25/0010
Duckmoor Farm Wooddale Lane Billingshurst West Sussex RH14 9DZ

DESCRIPTION:
Approval of details reserved by condition 7 (Ecological Mitigation and Enhancement Strategy) to approved application DC/20/2607 (83 residential units, landscaping, access, parking and associated infrastructure on land at Duckmoor, East Billingshurst with all matters reserved except access).

DETAILED DESCRIPTION:

Planning Application DC/20/2607 was Allowed at Appeal on 18th January 2023. This Allowed outline permission for the development of 83 residential units, landscaping, access, parking and associated infrastructure on land at Duckmoor, East Billingshurst with all matters reserved except access.

Approval is now sought for details pursuant to condition 7. The details submitted comprise a revised Ecological Mitigation and Enhancement Strategy (EMES) by Ecology Solutions (August 2024).

RELEVANT PLANNING HISTORY:

DC/20/2607	Outline application for the development of 83 residential units, landscaping, access, parking and associated infrastructure on land at Duckmoor, East Billingshurst with all matters reserved except access.	Allowed at Appeal 18th January 2023

REPRESENTATIONS

Consultant Ecologist: Discharge Condition 7.

Representations: None received.

Other Considerations

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

The application seeks to discharge the details submitted pursuant to condition 7 only.

Condition 7 (Ecological Mitigation and Enhancement Strategy) reads:

No development approved within the reserved matters applications pursuant to the outline planning application hereby permitted shall commence until an Ecological Mitigation and Enhancement Strategy

has been submitted to and approved in writing by the local planning authority, to be guided by appropriate surveys and good practice guidance. The Ecological Mitigation and Enhancement Strategy shall include the following: a) Purpose and conservation objectives for the proposed works; b) Review of site potential and constraints with reference to any necessary Protected Species Licenses; c) Detailed design(s) and/or working method(s) to achieve stated objectives; d) Extent and location/area of proposed works on appropriate scale maps and plans; e) Type and source of materials to be used where appropriate, e.g. native species of local provenance; f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development; g) Persons responsible for implementing the works; h) Details of initial aftercare and long-term maintenance of the habitats; i) Details for monitoring and remedial measures; j) Details for disposal of any wastes arising from works; k) Details of proposed external lighting scheme. The Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Conclusion

The submitted Ecological Mitigation and Enhancement Strategy (EMES) document has been prepared by Ecology Solutions (a qualified ecologist consultancy). The submitted EMES covers Summary ecological baseline and evaluation of important features within the Site that are to be retained and enhanced; review of management objectives with detail on the mitigation / enhancement strategy to avoid significant adverse impacts on features due to be retained within the Site; and maintenance / Management prescriptions to achieve specific objectives. The submitted EMES content addresses points a) – k) inclusive as required by condition 7.

The Council's consultant Ecologist has confirmed the proposed scheme of work is acceptable from ecological mitigation and enhancement and is satisfied that the submitted information includes the detail required by this condition and recommends discharge of condition 7.

It is not required to consult the Council's Newt officer as in June 2020, based on methodology not challenged by the Councils consultant Ecologist, the eDNA returned negative result for the presence of GCN and no further consideration is given to this species within the Ecological Mitigation and Enhancement Strategy.

The submitted details regarding condition 7 are therefore acceptable, pursuant to the condition reason.

Water Neutrality Note: No further Habitat Regulations Appropriate Assessment (HRA) is required at conditions discharge stage if a scheme has already undertaken HRA for Water Neutrality prior to being granted. The permitted scheme (DC/20/2607) was judged water neutral under the Habitat Regulations and the details pursuant to condition 7 will not require re-assessment of that outcome as there is no change in water usage previous assessed arising from the details pursuant.

Recommendation: Application Permitted

NOTES 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: DISC/25/0010
(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

Supporting Docs	ECOLOGICAL MITIGATION AND ENHANCEMENT STRATEGY revised by Ecology Solutions August 2024 12039.EMES.vf1		10.01.2025

DELEGATED

Case Officer sign/initial Matthew Porter Date: 28.01.2025

Authorising Officer sign/initial J Hawkes Date: 29.01.2025