Horsham District Council

Mr Gary Ross
Elivia Homes
First Floor West
Prism 1650 Parkway
Solent Business Park
Whiteley
Fareham
PO15 7AH

Our ref:	DISC/24/0129
Your ref:	
Email:	planning@horsham.gov.uk
Direct Line:	01403 215238
If Calling Please ask for:	Nicola Pettifer
Date:	29th August 2024

Dear Sir/Madam,

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure England) Order 2015

Application for approval of details reserved by conditions 7 & 14 to approved application DC/22/0372

Chanctonbury Nurseries, Rectory Lane, Ashington, Pulborough

The Authority has considered your application, and I can confirm that the submitted information is **NOT** acceptable pursuant to the following condition(s):

7. **Pre-Commencement Condition:** No development shall commence until a plan detailing all trees and planting to be removed, and all trees to be retained on and adjacent to the site, including means for their protection during construction work, has been submitted to and approved, in writing, by the Local Planning Authority. Development shall be carried out in accordance with the approved details and no trees or hedges shown to be retained shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development.

   Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015) and policy ASH5(B) of the Ashington Neighbourhood Plan.

14. **Pre-Occupation Condition:** Notwithstanding the submitted plans, no part of the development hereby permitted shall be first occupied until full revised details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:
    - Details of all existing trees and planting to be retained as required under Condition 7
    - Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
    - Details of all hard surfacing materials and finishes
    - Details of cycle storage provisions and refuse / recycling bin locations
    - Details of all boundary treatments
    - Ecological enhancement measures set out in (The Ecology Co-Op, December 2021)
    - Co-ordination with the utilities layout as required under Condition 9

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015) and policy ASH5(B) of the Ashington Neighbourhood Plan.

For the following reasons:

1. Insufficient information has been provided in relation to the submitted AMS and service plans and in relation to the submitted landscape management plan and planting details. Please review the officer report and consultee comments on the public case file for further information.

This letter constitutes a legal document which should be regarded as an addendum to the original planning application.

If you have any queries or require further information, please do not hesitate to contact the Case Officer.

Yours faithfully



Emma Parkes
Head of Development and Building Control

ADDITIONAL INFORMATION

Right of Appeals
If you are aggrieved by the decision to refuse permission for the proposed development then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

You must appeal within 12 weeks of the date of the decision notice for a householder application or 'minor commercial' (shop front) development, and within 6 months for other types of planning applications. There are different timescale – usually 28 days – if an enforcement notice is/has been served for the same (or very similar) land and development. Please note, only the applicant possesses the right of appeal.

Appeals can be made online at: https://www.gov.uk/planning-inspectorate. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are at https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries.