Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0210
Tanbridge Retail Park Albion Way Horsham West Sussex

DESCRIPTION:
Approval of supplementary details reserved by condition 10 (hard and soft landscaping) to approved application DC/21/1413 (Demolition of existing retail unit and erection of a replacement retail unit with associated works).

RELEVANT PLANNING HISTORY:

DC/21/1413	Demolition of existing retail unit and erection of a replacement retail unit with associated works.	Permitted 07/12/2022
DISC/22/0351	Approval of Details Reserved by Condition 5 (underground services) to DC/21/1413 (Demolition of existing retail unit and erection of a replacement retail unit with associated works).	Permitted 05-04-2024
DISC/22/0366	Approval of Details Reserved by Condition 11 (Biodiversity Enhancement Strategy) to approve application DC/21/1413 (Demolition of existing retail unit and erection of a replacement retail unit with associated works).	Permitted 31-01-2023
DISC/22/0367	Approval of Details Reserved by Condition 10 (hard and soft landscaping) and 13 (cycle facilities) to approved application DC/21/1413 (Demolition of existing retail unit and erection of a replacement retail unit with associated works.)	Permitted 05-04-2024
DISC/22/0368	Approval of Details Reserved by Condition 6 (Arboricultural Method Statement) and 7 (tree plan) to approved application DC/21/1413 (Demolition of existing retail unit and erection of a replacement retail unit with associated works.)	Permitted 31-01-2023
DISC/22/0370	Approval of Details Reserved by Condition 8 (foul and surface water disposal) to approved application DC/21/1413 (Demolition of existing retail unit and erection of a replacement retail unit with associated works).	Permitted 01-02-2023
DISC/23/0165	Approval of details reserved by condition 12 (landscape management and maintenance plan) to approved application DC/21/1413 (Demolition of retail unit and erection of replacement retail unit with associated works).	Permitted 05-04-2024

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

Planning Application DC/21/1413 was permitted on 07/12/2022. This permission was for the following: Demolition of existing retail unit and erection of a replacement retail unit with associated works.

Approval is sought for details pursuant to condition 10 (hard and soft landscaping).

Details pursuant to condition 10 have been previously approved (DISC/22/0367 refers). This application is information submitted supplementary to these details. The reason why is set out by the applicant, below in their own words:

When works were being undertaken along the northwest boundary of the site, next to the river, including the diversion of the storm water drain, in accordance with the approved details. It was found that the existing retaining wall was in a poor condition. A decision was taken to ensure the future robustness of the construction and that the retaining wall needed to be renewed on the same line.

In order to undertake this work, an area below the retaining wall was cleared to provide safe access. This did not impact the existing trees but the undergrowth along the site boundary was cleared.

In clearing this area, it was found that the level difference from the top of the bank to the car park was more than 600mm. The topographical survey in this area was limited due to the undergrowth prior to construction works commencing and restricted access.

The boundary treatment details submitted to discharge condition 10 under DISC/22/0367 have therefore been amended.

The approved drawing had shown a 450mm high knee rail along this boundary. However, as the elevation change is greater than 600m, it is now proposed an 1100mm height timber rail fence. This is to match the existing timber fence net to the footbridge which will ensure an open aspect to the river is retained, while protecting customers from falls as required by building regulations.

The side of the new retaining wall facing the river will be painted dark green to 'blend' the new structure into the setting while new planting matures.

Where existing undergrowth has been cleared to allow works to take place, new native species planting scheme is proposed, which includes suitable woodland seed mix and shrubs to create a natural understorey to the existing trees.

The submitted details consist of 2 no. technical drawings showing the retaining wall detail and the River Arun boundary planting and a landscape design statement detailing the planting.

REPRESENTATIONS

HDC Arboricultural Officer: No foreseeable impact on trees of high landscape value or merit, hence no arboricultural concerns are raised with this application.

HDC Landscapes: No concerns with the proposed changes to the boundary treatment along the river due to the higher drop than anticipated. Other details remain broadly in accordance as discharged under DISC/22/0367.

Condition 10:

Pre-commencement (slab level): *Notwithstanding details on the approved drawings, prior to the commencement of above ground works, a detailed scheme of parking provision together with full hard and soft landscaping shall have been submitted to and approved, in writing, by the Local Planning Authority. The scheme shall incorporate all reasonable measures to maximise opportunities for tree retention across the site and to achieve a better quality public realm. The details shall include plans and measures addressing the following:*

- *Details of all retained and proposed planting and seeding, including schedules specifying species, planting size, densities and plant numbers*
- *Tree pit and staking/underground guying details*
- *A written hard and soft landscape specification (National Building Specification compliant), including ground preparation, cultivation and other operations associated with plant establishment*
- *Hard surfacing materials - layout, colour, size, texture, coursing, levels*
- *Walls, and other supporting structures - location, type, heights and materials*
- *Minor artefacts and structures - including, location and type of street furniture, planters, bollards, knee rails, refuse and other storage units, lighting columns and lanterns.*

The scheme shall be implemented in full prior to the first commencement of the use hereby approved The approved landscaping 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. Any plants, which within a period of 5 years, die, are removed, or become 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 townscape character of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

The submitted details (technical drawings and statement) provides for the sufficient assurance to the Council that the interests of townscape character and visual amenity of the Riverside Walk has been sufficiently addressed, in response to the higher drop in land level than anticipated in replacement of the retaining wall, with the fence design and planting proposed complementary to the riverside character and its biodiversity interests. The Council's landscapes officer is satisfied with the details.

The supplementary details submitted pursuant to the condition are therefore acceptable.

Water Neutrality Note: No further Habitat Regulations 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/21/1413) was 'screened out' under the Habitat Regulations in Oct 2022.

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/24/0210
(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	2810 LANDSCAPE STATEMENT Proposed Aldi Food Store Development, Tanbridge Retail Park, Horsham by Vector Design Concepts Date July 2024		16.08.2024
Plans	RETAINING WALL PROPOSED DETAILS	Ac_25_20_88 -260 REV C01	16.08.2024
Plans	PROPOSED RIVER ARUN PLANTING PLAN	2810 SFW XX XX DR L 1003	16.08.2024

DELEGATED

Case Officer sign/initial Matthew Porter Date: 30-09-2024

Authorising Officer sign/initial J Hawkes Date: 30.09.2024