Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/25/0190
Phase 3DEFG of Kilnwood Vale Development, Crawley Road, Faygate, West Sussex,

DESCRIPTION:
Approval of details reserved by condition 33 to approved application DC/15/2813 for parcel 3DEFG.

RELEVANT PLANNING HISTORY:

DC/15/2813	Variation of conditions 3, 4, 7, 8, 9, and 10 of hybrid planning application DC/10/1612 to enable the reconfiguration of the neighbourhood centre, community facilities and open space	Application Permitted on 28.04.2016
DC/23/0856 APP/Z3825/W/23/3333968	Reserved Matters approval sought for Layout, Appearance, Landscaping, Scale and Access (in accordance with DC/15/2813) for Phase 3 D, E, F and G of the Kilnwood Vale development, comprising 280 dwellings with associated landscaping, access and parking.	Appeal Allowed on 25.10.2024

PLANNING ASSESSMENT

Hybrid planning permission was granted pursuant to ref: DC/15/2813 on 28.04.2016 under S.73 of the Act for the development of approximately 2,500 dwellings together with associated built and community infrastructure.

Condition 33 of the hybrid planning permission requires, prior to the commencement of any phase of Kilnwood Vale, that a construction management plan for that phase of the strategic site be submitted to and approved by the Local Planning Authority.

Reserved matters consent for sub-phases 3 D,E, F and G (DEFG) within Kilnwood Vale was granted by way of appeal on 25.10.2024. An approval of details reserved by Condition 33 of ref: DC/15/2813 is sought, insofar as these details concern sub-phases 3 DEFG.

Condition 33

Condition 33 states:-

> "Prior to the commencement of each Phase or part Phase of the development (including Phase 1) a construction environmental management plan (CEMP) for that phase or part phase shall be submitted to the Local Planning Authority for its written approval and thereafter implemented and maintained throughout the construction period in accordance with the approved CEMP. The CEMP shall include:
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> - Details of the working hours agreed with the Local Planning Authority for the implementation of the development;
> - Details of the design and location of the construction access;
> - Details of proposed wheel washing facilities located adjacent the construction site access;
> - Details of an area for the storage of materials, parking for construction traffic and an appropriate turning area has been provided within the site clear of the public highway;

- A site waste management plan
- Details of temporary utilities
- How the construction will comply with the sustainable use of soils on construction sites.
- Details of a communication strategy to include the provision of a dedicated phone line for residents to contact the site manager directly with complaints which should be manned at all times while site works are in progress.
- Details of a routing agreement for the site construction traffic and HGV traffic associated with the movement of bulk material to and from the site;
- Details of means of suppressing dust during the construction process to include the regime for dust deposition measurement at the site boundaries;
- Details of the measures to mitigate the noise and vibration from construction including those measures identified in sections 13.5.1 to 13.5.4 of the Environmental Statement;
- Details of a surface water drainage scheme for the temporary drainage of the Site. The scheme shall subsequently be implemented in accordance with the approved details. The scheme shall include:
- demonstration that there will be no increase in the volume or rate of surface water runoff leaving the site for the duration of the earthworks and associated stabilisation period.
- measures to mitigate any increased risk of sediment entering the watercourses and groundwater.
- demonstration that there will be no discharge to ground that has been affected by contamination
- Measures for tree and hedgerow protection throughout the development programme;
- A detailed method statement for the removal or long-term management/eradication of Japanese Knotweed on the site. The method statement shall include proposed measures to prevent the spread of Japanese Knotweed during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds/root/stem of any invasive plant covered under the Wildlife and Countryside Act 1981.
- A detailed method statement for the construction of bridges to be submitted within the CEMP prior to the commencement of the relevant phase or sub-phase.

Reason: In the interests of highway safety and ensuring the free flow of traffic on the highway network; to minimise the risk of damage to the highway; to safeguard the amenity of existing and proposed residents; to ensure a strategy is in place to manage surface water drainage and safeguard existing watercourse and groundwater; to safeguard existing landscape features and secure the eradication of Japanese Knotweed in accordance with Policies 31, 33 and 40 of the Horsham District Planning Framework (2015)."

In response to the above Condition the applicant has provided a detailed Construction Environment Management Plan (CEMP). This is considered sufficient to address the requirements of Condition 33, and is of a fundamentally similar scope and nature to previous CEMPs agreed elsewhere in association with previous phases at Kilnwood Vale.

The submitted CEMP has been reviewed by the Council's Environmental Health team, consultant ecologists and arborist in addition to the Lead Local Flood Authority and Local Highways Authority. No objections have been raised in respect of mitigations outlined within the CEMP as submitted.

It is, therefore, considered that the measures outlined within the submitted CEMP are acceptable and that Condition 33 can be discharged accordingly insofar as this relates to sub-phases 3DEFG of Kilnwood Vale.

Arun Valley SAC, SPA and Ramsar (Water Neutrality)

Application ref: DC/25/0856 was subject to an 'appropriate assessment' pursuant to Regulation 63 of the Conservation of Habitats and Species Regulation 2023, and which concluded as to the absence of likely effects upon the integrity of the Arun Valley SAC, SPA and Ramsar designations.

The Council's determination in this instance, therefore, would not facilitate a development which had not previously proven the absence of adverse habitats effects contrary to the determination to the

Supreme Court pursuant to *CG Fry & Son Ltd v Secretary of State for Levelling Up, Housing and Communities and Anor* [2024] EWCA Civ 730.

Recommendation: Application Permitted

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/25/0190

(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 Statement	Construction Environment Management Plan	2107121 ACE XX 00 RP C 0101	24.07.2025

DELEGATED

Case Officer sign/initial Giles Holbrook Date: 25.09.2025

Authorising Officer sign/initial Adrian Smith Date: 25/09/2025