Horsham District Council

Mr Nikolas Antoniou
NJA Town Planning Ltd
The Beehive
City Place
Gatwick
RH6 0PA

Our ref:	DISC/24/0045
Your ref:	frithknowle cond 3-5
Email:	planning@horsham.gov.uk
Direct Line:	01403 215 258
If Calling Please ask for:	Shazia Penne
Date:	17th September 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 3, 4 and 5 to approved application DC/23/1758

Frithknowle Farm Picts Lane Cowfold West Sussex

The Authority has considered your application, and I can confirm that the submitted information is acceptable pursuant to the following condition(s):

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).

Date of approval - 17th September 2024

4. **Pre-Commencement Condition**: No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:

   (a) A preliminary risk assessment which has identified:
   - all previous uses
   - potential contaminants associated with those uses
   - a conceptual model of the site indicating sources, pathways and receptors
   - Potentially unacceptable risks arising from contamination at the site.

   The following aspects (b) - (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

(b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

(c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.

(d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The scheme shall be implemented as approved. Any changes to these components require the consent of the local planning authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

Date of approval - 17th September 2024

The development shall be implemented in accordance with the approved plans and details listed in the schedule below.

Schedule of plans/documents:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Drainage Report		04.09.2024
Supporting Docs	Maintenance Schedule		04.09.2024
Plans	Drainage Layout		04.09.2024
Supporting Docs	Contamination Risk Assessment		22.03.2024
Supporting Statement	Covering letter		22.03.2024
Supporting Statement	Ditch depth report		04.09.2024

I can also confirm that the submitted information is **NOT** acceptable pursuant to the following condition(s):

5. **Pre-Commencement (Slab Level) Condition**: No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater harvesting system required by the approved water neutrality strategy (Water Neutrality Report reference C2795 Rev P- by CGS Civils dated 16.08.2023) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

Consent is hereby REFUSED pursuant to condition 5 for the following reason:

1 Insufficient information has been provided to demonstrate that the certainty that the site can be satisfactorily remediated. Therefore, Condition 5 of DC/23/1758 cannot be discharged at the current time.

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.