Horsham District Council

Mr Ben Kirk
Manorwood
Suite 114
26 The Hornet
Chichester
PO19 7BB

Our ref:	DISC/23/0270
Your ref:	Grainingfold conditions DC/23...
Email:	planning@horsham.gov.uk
Direct Line:	01403 215184
If Calling Please ask for:	Kate Turner
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 1a (b and c if necessary), and 2 to approved application DC/23/1873

Grainingfold, Horsham Road, Five Oaks, West Sussex

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

1. **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), as recommended by the Desktop Study Report reference YEX4162 by Your Environment dated May 22 has been submitted to and approved, in writing, by the local planning authority:

   (a) 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.

   (b) 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.

   (c) 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 appropriately addressed in accordance with Paragraph Q.2(1)(c) of Class Q of Part 3 of Schedule 2 of the Town and Country Planning

(General Permitted Development) (England) Order 2015 (as amended) in addition to paragraphs 178 and 179 of the National Planning Policy Framework (2021).

2. **Pre-Commencement Condition**: Prior to the commencement of the development hereby permitted a noise impact assessment which quantifies and assesses the impact of road traffic noise on the residential amenity of future occupiers of the dwellings shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall include details of a scheme to protect future residents from any adverse noise impacts. The scheme shall be carried out in accordance with the agreed details prior to the occupation of the dwelling and shall be retained as such thereafter.

   Reason: To safeguard the amenities of future residents of the development hereby permitted, in accordance with the National Planning Policy Framework (2021).

Note to Applicant:
The applicant is advised to review the Environmental Health comments and officer report available on the online case file which explain the actions require to satisfy conditions 1 and 2.

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.