Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/25/0366
Little Paddock, Hurston Lane, Storrington, Pulborough, West Sussex, RH20 4HH

DESCRIPTION:
Application for Approval of Details Reserved by Condition 3, 4, 5 to approved application DC/22/1784.

RELEVANT PLANNING HISTORY:

DC/22/1784	Erection of 3No. residential dwellings with detached garages on land adjacent to Little Paddock. Creation of vehicular access provided via the existing access onto Hurston Lane.	Application Permitted on 28.07.2023

PLANNING ASSESSMENT
Planning Application DC/22/1784 was granted consent on 28.07.2023. This permission was for the following:

"Erection of 3No. residential dwellings with detached garages on land adjacent to Little Paddock. Creation of vehicular access provided via the existing access onto Hurston Lane."

Consent is sought to discharge the details reserved by conditions 3, 4, 5.

Condition 3:
"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)."

Environmental Health have been consulted as part of the application process and have reviewed the information submitted. The Environmental Health team are not satisfied with the details submitted such that the requirements of the condition have not been satisfied. It was noted that soil samples were taken to review contamination, however the samples were not at various depths, with no near surface soil samples being taken. As such it is considered that ground soils have not been adequately tested and may be a contaminated. Furthermore, the sampling rate of seven samples from six locations, when taking into consideration the historic uses of the site are not sufficient to provide the required level of confidence that contaminants are not present on the site. The Environmental Health team request further information including borehole locations and information regarding the groundworks and the evident burning of waste materials, metal, plastics and other materials likely to contaminated underlying soils. These were evident at the time of the Environmental Health officer site visit.

Given the above lack of information, the requirements of the condition have not been satisfied.

Condition 4:
"***Pre-Commencement Condition:*** *The development hereby approved shall not commence until a Construction Environmental Management Plan (CEMP: Biodiversity), particularly to avoid pollution impacts to the Arun Valley SPA & Ramsar site, has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.*

a) Risk assessment of potentially damaging construction activities.
b) Identification of "biodiversity protection zones".
c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), particularly to include pollution control measures on site to avoid run off entering any watercourse.
d) The location and timing of sensitive works to avoid harm to biodiversity features.
e) Responsible persons and lines of communication.
f) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to conserve designated sites, protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species)".

The applicant has submitted information by way of an Ecological design Strategy and CEMP. The Place service Ecology officer has been consulted as part of the application and has no objections to the submitted information. The requirements of the condition have been satisfied.

Condition 5:
"Pre-Commencement Condition: No development shall commence until a Biodiversity Enhancement Strategy for Protected and Priority species has been submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

a) Purpose and conservation objectives for the proposed enhancement measures;
b) detailed designs to achieve stated objectives;
c) locations of proposed enhancement measures by appropriate maps and plans;
d) persons responsible for implementing the enhancement measures;

e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: As these matters are fundamental to safeguard the ecology and biodiversity of the area in accordance with Policy 31 of the Horsham District Planning Framework (2015), and to enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species)."

The submission included a detailed ecological design strategy. Following consultation with the Council's ecological consultant, the contents of the strategy were considered acceptable. The requirements of the condition have therefore been satisfied.

Recommendation: Split Decision

The requirements of condition 3 have not been satisfied and is refused.

The requirements of conditions 4 and 5 have been satisfied.

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/25/0366
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Ecological design strategy	NONE	18.11.2025
Supporting Statement	Construction environmental management plan	NONE	18.11.2025
Supporting Statement	Planning	NONE	18.11.2025
Supporting Statement	Site report	NONE	18.11.2025

Schedule of plans/documents **not approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Statement	Geoenvironmental Assessment	NONE	18.11.2025

DELEGATED

Case Officer sign/initial	Hannah Darley	Date:	13th January 2026
Authorising Officer sign/initial	RHERMITAGE	Date:	13.01.2026