Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0273
Land at New Place Farm, Pulborough, West Sussex, RH20 1AT,

DESCRIPTION:
Application for Approval of Details Reserved by Condition 8 to approved application DC/21/2321

RELEVANT PLANNING HISTORY:

DC/21/2321	Outline planning permission (with all matters reserved except for means of access from Glebelands) for the demotion of existing structures and the redevelopment of the site with a residential development scheme of up to 170 dwellings, a countryside park, associated earthworks and infrastructure	Application Permitted on 07.07.2023

PLANNING ASSESSMENT
Planning Application DC/21/2321 was granted consent on 07.07.2023. This permission was for the following:
Outline planning permission (with all matters reserved except for means of access from Glebelands) for the demotion of existing structures and the redevelopment of the site with a residential development scheme of up to 170 dwellings, a countryside park, associated earthworks and infrastructure.

Consent is sought to discharge the details reserved by condition 8.

Condition 8:
Pre-Commencement Condition: No development (including any ground clearance or site levelling) shall commence until the following components of a scheme to deal with the risks associated with contamination (including asbestos contamination) has been 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 development shall thereafter be carried out in accordance with the approved details. 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).

To address the requirements of condition 8, the applicant has submitted an Asbestos Report, a Phase I Site Appraisal Desk Study (Parts 1 – 6), a Land to the north of east Glebelands Phase II Site Appraisal, a Land off Drovers Lane Phase II Site Appraisal, a Phase III Site Investigation Report (Parts 1 – 7), a Preliminary Waste Classification – Stockpiles Report, a Soakaway Testing Letter, a Soakaway Testing Report, a Gas Addendum Letter Report, and an Outline Remediation Strategy.

The Environmental Health Officer (EHO) has reviewed the submitted information and comments that they are happy with the information provided but at this stage they can only recommend the discharge of parts a) and b) of condition 8. This is because the outline Remediation Strategy notes that further intrusive investigation is required pre-construction phase to: *delineate the extent of the hotspots; assess the footprint of the pump house; former above ground heating oil tank room; and inaccessible areas such as buildings footprints and areas of dense vegetation. Following the further investigations and risk assessments this outline remedial strategy should be updated.* The condition wording for part c) is clear that full details of remediation measures should be provided, and as additional work is still required to do this, the requirements of part c) have not been met. Furthermore, as part d) relates to the measures to part c), and as additional work is required to address part c), the detail submitted for part d) also remains incomplete. Therefore, the EHO recommended that the condition is not fully discharged until the additional works have been completed and the Remediation Strategy and Verification Plan have been updated. Officers concur with the EHO in regard to the partial discharge of the condition as there is still outstanding information.

Officers also note that the additional intrusive investigation works required to provide full details for condition 8 parts c) and d) would not constitute commencement of development such that it would amount to a breach of planning control.

The requirements of the condition 8 parts a) and b) have been satisfied.

The requirements of condition 8 parts c) and d) have not been satisfied.

Recommendation: Split Decision

The details submitted pursuant to Condition 8 parts a) and b) are considered acceptable such that the requirements of these parts of the condition are discharged accordingly.

In respect of the details submitted pursuant to Condition 8 parts c) and d) the submitted details are refused for the following reasons:

Insufficient information has been submitted with regards to condition 8 parts c) (full details of a Remediation Strategy) and d) (verification plan on details of data to demonstrate how works set out in part c) are complete) this the Local Planning Authority is unable to discharge these parts of the condition.

NOTE TO APPLICANT
The applicant is advised to review the officer report available on the public case file to understand the measures required to fully satisfy the condition. This includes the delineate the extent of the hotspots; assess the footprint of the pump house; former above ground heating oil tank room; and inaccessible areas such as buildings footprints and areas of dense vegetation. Following the further investigations and risk assessments the outline remedial strategy and the verification plan should be updated.

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/24/0273
(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	Asbestos Report New Place Nursery	NONE	31.10.2024
Supporting Docs	Pulborough Desk Study (Parts 1 – 6)	GRM/P7298/DS.1/Rev A	31.10.2024
Supporting Docs	New Place Farm Phase III SI Report Issue 1 (Parts 1 – 7)	3750605/PIII/1	31.10.2024
Supporting Docs	New Place Farm waste classification Issue 1	3750605/WC/1	31.10.2024
Supporting Docs	CPG Soakaway Testing Letter	P7298 – SA1	31.10.2024
Supporting Docs	Land NE Glebelands Site Appraisal Appx	GRM/P7298/F.1	31.10.2024
Supporting Docs	CE Gas Addendum Letter Report	P7298\GAL	31.10.2024
Supporting Docs	Pulborough Soakaway Testing Report_Final	GRM/P7298/SA.2	31.10.2024
Supporting Docs	Land Off Drovers Lane Pulborough_Phase II	GRM/P7298/F.2	31.10.2024

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

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Outline Remediation Strategy	3750605/ORS/1	31.10.2024

DELEGATED

Case Officer sign/initial Stephanie Bryant Date: 10.12.2024

Authorising Officer sign/initial ..... Date: .....