Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/25/0181
Moatfield Farm, Kings Lane, Cowfold, West Sussex, RH13 8BD

DESCRIPTION:
Application for Approval of Details Reserved by Condition 1 to approved application DC/25/0307

RELEVANT PLANNING HISTORY:

DC/25/0307	Prior notification for the conversion of two agricultural buildings into two dwellings (Class Use C3).	Prior Approval Required and PERMITTED on 23.04.2025

PLANNING ASSESSMENT
Planning Application DC/25/0307 was granted consent on 23.04.2025. This permission was for the following:

Prior notification for the conversion of two agricultural buildings into two dwellings (Class Use C3).

Consent is sought to discharge the details reserved by condition 1.

Condition 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), 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).

Following a review of the submitted reports in relation to Condition 1 (Contaminated Land Assessment) of the above planning permission, consultation was undertaken with the Environmental Health Officer. The reports provided, have been deemed satisfactory by the EHO.

However, the report recommends that a discovery strategy is maintained throughout the completion of ground works to identify any unforeseen contamination that may be encountered during development. Therefore, while parts a) desk study and site walkover, b) site investigation, and c) remediation strategy of Condition 1 can be discharged at this stage, the condition cannot be fully discharged until confirmation is provided that all ground works have been completed in accordance with the discovery strategy. Full discharge will also require submission of a verification report confirming that either no contamination has been encountered or that any contamination found has been appropriately remediated.

On this basis, it is recommended that Condition 1 is partially discharged with respect to the initial assessments and strategy but remains outstanding until completion of the ground works and submission of verification documentation.

Recommendation: Application Permitted

NOTE TO APPLICANT

Condition 1 – Part D
The applicant is advised that the discharge of condition notice relates only to part (a-c) of condition 1, and that the remaining parts of the condition (d) will require formal discharge at a later date prior to the occupation of the development should the applicant wish to pursue the permission. Accordingly, the discharge of part (a) only does not inhibit the applicant's ability to commence the development.

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/25/0181
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Preliminary Investigation Report (pages 1-40)	20022/PIR_R26	06.06.2025
Supporting Docs	Preliminary Investigation Report (pages 41-90)	20022/PIR_R26	06.06.2025
Supporting Docs	Preliminary Investigation Report	20022/PIR_R26	06.06.2025

	(pages 91-110)		
Supporting Docs	Preliminary Investigation Report (pages 111-121)	20022/PIR_R26	06.06.2025
Supporting Docs	Preliminary Investigation Report (pages 122-142)	20022/PIR_R26	06.06.2025
Supporting Docs	Supplementary Contamination Investigation Report	21191/SCIR 1.0	06.06.2025
Supporting Statement	Covering Letter	PC/Let/P1882i	06.06.2025

DELEGATED

Case Officer sign/initial Shazia Penne Date: 30.07.2025

Authorising Officer sign/initial RHERMITAGE Date: 01.08.2025