Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0316
Kilnwood Vale Sub-Phase 3DEFG, Kilnwood Vale, Crawley Road, Horsham, Faygate

DESCRIPTION:
Approval of details reserved by conditions, 12, 28 and 41 to approved application DC/15/2813

RELEVANT PLANNING HISTORY:

DC/15/2813	Variation of conditions 3, 4, 7, 8, 9, and 10 of hybrid planning application DC/10/1612 to enable the reconfiguration of the neighbourhood centre, community facilities and open space	Permitted 28.04.2016
DC/10/1612	Outline approval for the development of approximately 2500 dwellings, new access from A264 and a secondary access from A264, neighbourhood centre, comprising retail, community building with library facility, public house, primary care centre and care home, main pumping station, land for primary school and nursery, land for employment uses, new rail station, energy centre and associated amenity space. Full planning permission for engineering operations associated with landfill remediation and associated infrastructure including pumping station. Full permission for the development of Phase 1 of 291 dwellings, internal roads, garages, driveways, 756 parking spaces, pathways, sub-station, flood attenuation ponds and associated amenity space. Full permission for the construction of a 3 to 6 metre high (above ground level) noise attenuation landform for approximately 700 metres, associated landscaping, pedestrian/cycleway and service provision (land known as Kilnwood Vale)	Permitted 17.10.2011

PLANNING ASSESSMENT
Planning Application DC/15/2813 was granted consent on 28.04.2016. This permission was an application under S73 for material amendments to the original outline consent for the Kilnwood Vale site (ref: DC/10/1612). Consent is sought under this application to discharge the details reserved by conditions 12, 28 & 41 for Phase 3DEFG only.

This application originally included details for condition 29 of DC/15/2813 (verification report for land contamination). This was withdrawn from the application on the advice of the HDC Environmental Health Officer. The EHO commented that these details could not be approved at this time given that construction had not commenced on site.

Condition 12:
Prior to the occupation of any dwellings on each phase or part phase, a detailed management and maintenance plan, for areas of land within that phase or part phase, shall be submitted to and approved in writing by the Local Planning Authority clearly setting out future maintenance responsibilities for all areas of land within that phase or part phase. Each detailed management and maintenance plan shall be incorporated into, and demonstrate integration with the overarching Landscape Management and Maintenance Plan approved by condition 11 above, and shall include:

- *Detailed Management and Maintenance Prescriptions/Operations*
- *Schedules of maintenance operations and their timing*
- *A plan showing parties responsible for the maintenance of different areas and their contact details.*

Each phase or part phase of the development shall thereafter be maintained in accordance with the approved Landscape Management and Maintenance plan, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the foundations for the future maintenance and management of the landscaping and open space to secure the delivery of a high quality landscape and development as required by the Land West of Bewbush Joint Area Action Plan.

To comply with the requirements of the condition, a Landscape Management and Maintenance Plan was submitted. The Council's Landscape Team commented that amendments were required to the Plan. This included removing reference to chemical fertilisers, pesticides and herbicides. In response, an amended LMMP was submitted which addressed this concern. As such, the requirements of the condition have been satisfied.

Condition 28:
No development of any phase or part phase excluding Phase 1 shall begin, other than remediation soil testing site clearance and earthworks and any related operations approved as part of this application, until the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority.

1) 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.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action shall be submitted to, and approved, in writing, by the Local Planning Authority. This shall include measures to deal with any contamination not previously identified but subsequently found to be present at the site.

The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: The site is a known historic landfill site, therefore any risk needs to be dismissed. This planning condition is necessary to ensure the development complies with the principles of the NPPF.

To comply with the requirements of a whole batch of details and information has been submitted by the applicant. This was in response to concerns raised by the HDC Environmental Health Team. This included concerns regarding the top soil to be used. With the benefit of the additional information, the Environmental Team have commented that the details acceptable. The requirements of the condition have been satisfied.

Condition 41:

No development shall begin on any phase or part phase, other than remediation soil testing site clearance and earthworks approved as part of this application, until a scheme of sound insulation works to provide sound attenuation against external noise to comply with the 'good' design range of 30 dB LAeq,T for indoor ambient noise levels as stated within BS 8233:1999 for that particular phase has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved by the Local Planning Authority shall be fully installed prior to first occupation of each dwelling.

Reason: To safeguard the amenities of future residents in accordance with Policy 33 of the Horsham District Planning Framework (2015).

To comply with the requirements of the condition, the applicant has submitted various documents including an updated Environmental Noise Survey. With the benefit of the additional details, the Environmental Health Team have commented that the details are acceptable and the requirements of the condition have been satisfied.

Recommendation: Application Permitted

NOTE TO APPLICANT

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/24/0316
(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 Statement	Ground Gas Assessments		19.05.2025
Supporting Statement	Verification Reports		19.05.2025
Supporting Statement	Environmental Review and Remedial Strategies		19.05.2025
Supporting Statement	Earthworks Specification		19.05.2025
Supporting Statement	Email from Savills re: Noise data		22.08.2025
Supporting Statement	Email from Savills re: Top Soil details		17.02.2026
Supporting Statement	Email from Savills re: further details		09.10.2025
Supporting Statement	Campbell Reith Technical Note: Garden & Landscaping Soils		13.04.2026
Supporting Statement	Email from Campbell Reith re: details of ground gas protection measures verification		01.04.2026
Supporting Statement	Campbell Reith: Engineering Design Statement Phase 2.4-2.6		17.02.2026
Supporting Statement	Various Ground Gas Assessments		10.12.2024
Supporting Statement	Earthworks Verification Reports		10.12.2024
Details plan	Gas Network Design Drawing		10.12.2024

Supporting Statement	Environmental Noise Survey		10.12.2024
Supporting Statement	Earthworks Specifications		10.12.2024
Supporting Statement	Landscape Management & Maintenance Plan		28.02.2025
Supporting Statement	Earthworks Validation Report		16.05.2025
Supporting Statement	Factual Verification Reports		16.05.2025
Supporting Statement	Snagging Letter Report		19.05.2025
Supporting Statement	Earthworks Validation Report		19.05.2025
Supporting Statement	Ground Gas Assessments		19.05.2025
Supporting Statement	Factual Verification Reports		19.05.2025
Supporting Statement	Validation Report		19.05.2025
Supporting Statement	Environmental Review and Remedial Strategies		19.05.2025

DELEGATED

Case Officer sign/initial Jason Hawkes Date: 16.04.2026

Authorising Officer sign/initial Adrian Smith Date: 16/04/2026