



DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DISC/25/0393

Smith and Western, 37 North Parade, Horsham, West Sussex, RH12 2QR

DESCRIPTION:

Application for Approval of Details Reserved by Condition 8 (contamination verification) to approved application DC/21/1831 (Demolition of existing restaurant facility and erection of 20 residential apartments including all associated landscaping and external works).

RELEVANT PLANNING HISTORY:

DC/21/1831	Demolition of existing restaurant facility and erection of 20 residential apartments including all associated landscaping and external works.	Application Permitted on 24.08.2022
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REPRESENTATIONS AND CONSULTATIONS RESPONSES

Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

INTERNAL CONSULTATIONS

HDC Environmental Health: Comment

[Summary]

I have reviewed the Validation report prepared by Albery SI limited reference 25/12375/B/KJC and dated 09/12/2025.

The report is satisfactory and the condition can be discharged.

PLANNING ASSESSMENT:

Planning Application DC/21/1831 was granted consent on 24.08.2022. This permission was for the following:

Demolition of existing restaurant facility and erection of 20 residential apartments including all associated landscaping and external works.

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

Condition 8:

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). Copy full condition wording here, then explain after whether details ok or not and whether consultees are happy.

The condition imposed on the planning approval differs from the one recommendation by the Environmental Health Officer at application stage (it is more onerous). Nonetheless, in the details pursuant to condition details now submitted, it is evidenced part (b), the Phase 1 Desk Study and Phase 2 intrusive investigation, was undertaken in June 2022. Subsequently a Remediation Method Statement has been prepared. In all, the submitted documented evidenced comprises:

Phase 1 Desk Study and Phase 2 Site Investigation Report Albury S.I. Ltd - 22/12375/KJC issued June 2022

Phase 3 Remediation Method Statement Albury S.I. Ltd - 22/12375/A/KJC issued December 2023

The Environmental Health Officer has confirmed the information provided is sufficient to discharge condition 8.

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/25/0393

(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	Validation Report	25/12375/B/KJC	10.12.2025

