Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/23/0218

Land at Sumners Ponds, Chapel Road, Barns Green, West Sussex

DESCRIPTION:
Approval of details reserved by condition 4 (full site) & 12 (in respect of the land north of PROW ITC/1604/1 only) to approved application DC/21/2697

RELEVANT PLANNING HISTORY:

DC/21/2697	Erection of 32No. residential dwellings including 35% affordable housing, 6No. commercial units and 1No. reception building. Creation of access and circulation routes, parking, hard and soft landscaping together with a sustainable drainage system.	Application Permitted on 06.10.2023

PLANNING ASSESSMENT
Planning Application DC/21/2697 was granted consent on 06.10.2023. This permission was for the following:

'Erection of 32No. residential dwellings including 35% affordable housing, 6No. commercial units and 1No. reception building. Creation of access and circulation routes, parking, hard and soft landscaping together with a sustainable drainage system.'

Consent is sought to discharge the details reserved by condition 4 and 8.

Condition 4: Archeological Evaluation

Pre-Commencement Condition: A recognised professional team of archaeologists should undertake the archaeological work.
i) No development shall take place until a programme of archaeological work has been secured in accordance with a Written Scheme of Archaeological Investigation which has been submitted to and approved in writing by the Local Planning Authority.
ii) The development hereby permitted shall not be commenced until the archaeological site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition [i] and that provision for analysis, publication and dissemination of results and archive deposition has been secured and approved by the Local Planning Authority in writing.

Reason: As this matter is fundamental as the site is of archaeological significance and it is important that it is recorded by excavation before it is destroyed by development in accordance with Policy 34 of the Horsham District Planning Framework (2015).

The Councils Archaeology consultants have been consulted and they have advised that *'an archaeological evaluation has been undertaken for this site which has demonstrated that no significant archaeology will be impacted by the development'*. The archaeological condition can therefore be discharged.

The requirements of the condition have been satisfied.

Condition 12: Contamination (soil testing)

Pre-Commencement Condition: With the exception of the demolition and removal of existing buildings and any concrete hardstanding 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 pre-demolition 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) - (c) 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 a verification plan providing details of what data will be collected in order to demonstrate that the remedial works are complete.
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).

The Council's Environmental Health have been consulted on the original LEAP Environmental Ltd Phase I Desk Study, Site Reconnaissance & Phase II Site Investigation Report, dated 13.09.22 and raised concerns on the 22 November 2023. The Council's Environmental Health officers subsequently reviewed the LEAP Environmental Ltd Phase III Investigation Report dated 29.09.23, and supporting statement submitted by the Applicants, and further concerns were raised on the 24/01/2024. Sigma Homes subsequently submitted a Planning Condition Reply Statement dated 17.02.24 this information was reviewed by the Council's Environemntal Health Officers who maintained (on the 08/03/2024) that the information presented to date did not provide the Council with sufficient confidence that the ground conditions in the northern part of the site have been adequately characterised and also advised that further investigation works were required. Sigma Homes submitted a further Planning Condition Reply Statement dated 19.03.24, however the Council's Environemntal Health Officers remained of the view (10.04.2024) that a comprehensive site investigation which adequately characterises ground conditions across the site has not yet been provided.

A site visit was subsequently carried out by the Council's Environmental Health Officer on the 15/05/2024 and following this, Sigma Homes submitted a further Planning Condition Reply Statement, dated 14.05.24, and the LEAP Environmental Remediation Method Statement, dated 07.05.24. The Council's Environmental Health Officer maintained the concerns raised as it was considered that insufficient information had been provided to discharge condition 12 at this time. Signa Homes submitted the LEAP Environmental – Addendum Site Investigation, dated 07.06.24 which the Council's Environmental Health Officers have reviewed. It was subsequently requested by the Council that Sigma Homes provide a standalone RMS for the northern part of the site. This has now been provided (document ref:LP3662/RMS/North) which the Council's Environmental Health Officers have reviewed and consider acceptable to be able to discharge this condition in respect of the land north of the public right of way only.

The requirements of the condition in respect of the land north of the public right of way, which divides the development site in two, have been satisfied.

Recommendation: To approve the application

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/23/0218
(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	Phase I & II Site Investigation Report (3x docs)	LP3019	09.10.2023
Supporting Statement	Phase III Investigation Report	LP3444	22.12.2023
Supporting Statement	LEAP Environmental- Addendum Investigation – Northern Area	LP3662	10.06.2024
Supporting Statement	Remediation Method Statement	LP3662/RMS/North	19.06.2024

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

Plan Type	Description	Drawing Number	Received Date

DELEGATED

Case Officer sign/initial Adrian Smith Date: 19/06/2024

Authorising Officer sign/initial Jason Hawkes Date: 20/06/2024