Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DISC/24/0249
Frithknowle Farm , Picts Lane, Cowfold, West Sussex, RH13 8AN

DESCRIPTION:

Application for Approval of Details Reserved by Condition 1 (a), (b), and (c) to approved application DC/23/2091

RELEVANT PLANNING HISTORY:

DC/23/2091	Change of use of an agricultural building with associated operational development from agricultural use to residential use (Class C3) to provide 2No. dwellings.	Prior Approval Required and PERMITTED on 09.01.2024

PLANNING ASSESSMENT

Planning Application DC/23/2091 was granted consent on 09.01.2024. This permission was for the following:

Change of use of an agricultural building with associated operational development from agricultural use to residential use (Class C3) to provide 2No. dwellings

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).

The Applicant has submitted a Phase II Contamination Assessment reference LS7508 by Land Science dated 05.09.2024 and a Remediation Method Statement reference LS7953 by Land Science dated 20.09.2024.

Following consultation with Environmental Health, the reports submitted are considered satisfactory. However, it is advised that part (d) of the condition should not be discharged until the recommended Validation Report Requirements have been implemented and the areas where site soils have been removed and replaced have been clearly defined.

On the basis of the above, the details submitted pursuant of condition 1 (a), (b), and (c) is considered acceptable, and the requirements of these parts of the condition have been satisfied.

Recommendation: Application Permitted

NOTE TO APPLICANT
The Applicant is advised that this decision relates solely to parts (a), (b), and (c) of condition 1 of planning permission reference DC/23/2091. This decision does not relate to part (d) of condition 1, where a separate Approval of Details Reserved by Condition application is required to be submitted.

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/24/0249
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Phase II Contamination Assessment by Land Science dated 05.09.2024	LS7508 A	27.09.2024
Supporting Docs	Remediation Method Statement by Land Science dated 20.09.2024	LS 7953 A	27.09.2024

DELEGATED

Case Officer sign/initial Tamara Dale Date: 16.10.2024

Authorising Officer sign/initial RHERMITAGE Date: 20.11.2024