Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0045
Frithknowle Farm, Picts Lane, Cowfold, West Sussex, RH13 8AN

DESCRIPTION:
Application for Approval of Details Reserved by Conditions 3, 4 and 5 to approved application DC/23/1758

RELEVANT PLANNING HISTORY:

DC/23/1758	Conversion and extension of existing piggery to provide annexe accommodation (Householder Application)	Application Permitted on 15.11.2023

PLANNING ASSESSMENT

Planning Application DC/23/1758 was granted consent on 15.11.2023. This permission was for the following:

Conversion and extension of existing piggery to provide annexe accommodation (Householder Application)

Consent is sought to discharge the details reserved by conditions 3, 4, and 5.

Condition 3:

Pre-Commencement Condition: *No development shall commence until a drainage strategy detailing the proposed means of foul and surface water disposal has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.*

Reason: As this matter is fundamental to ensure that the development is properly drained and to comply with Policy 38 of the Horsham District Planning Framework (2015).

The application has been accompanied by a Foul and Surface Water Drainage Report reference C2795 Rev – P by cgs civils dated 21.02.2024. This Report outlines that surface water will be discharged to an existing drainage ditch located to the north of the annexe, and foul water will be discharged into existing foul water drainage serving Frithknowle Farm, which includes a septic tank. If the existing septic tank is not of an appropriate size, an alternative package treatment plant would be proposed which would allow treated effluent to be discharged into an adjacent watercourse.

It is noted that the Council's drainage advisor has sought additional information in respect of the proposed drainage details. It is though considered that given there is no objection in principle to the proposed arrangement, and noting the requirements of the Building Regulations and of Southern Water the submitted details are proportionate and acceptable. The presence of other non-planning requirements would thus ensure that the development is correctly drained, and it is not necessary to duplicate as part of this approval of details application.

The requirements of the condition have been satisfied.

Condition 4:

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 application has been accompanied by a Contamination Risk Assessment by Environmental Assessment Services Ltd dated March 2024. This Report outlines that initial assessment of soils around the piggery building did not identify any significant common contaminants, with one exception being amosite asbestos. An intrusive site investigation was carried out, with the results indicating that contamination is not widespread across the site. The Report thereby concludes that there is no further need for additional sampling or analysis. Recommendations include carrying out protection measures during construction and sufficient excavation undertaken in areas where planting is proposed (with areas for plants grown for food limited). HDC EHO have reviewed the submitted detail, advising no objection but the applicant should be advised to observe the recommendations in the report with respect to the water supply pipe work. The submitted detail is therefore considered satisfactory pursuant to condition 4.

Condition 5:

Pre-Commencement (Slab Level) Condition: *No development above ground floor slab level shall commence until full details of the water efficiency measures and rainwater harvesting system required by the approved water neutrality strategy (Water Neutrality Report reference C2795 Rev P- by CGS Civils dated 16.08.2023) have been submitted to and approved in writing by the Local Planning Authority.*

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under

the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority Habitats & Species).

The application has been accompanied by a document titled Water Efficiency Measures reference C2795 Rev – P by cgs civils dated 21.02.2024. Following consultation with the Environmental Health Officer, the conclusions and recommendations with the Report are found to be satisfactory, however the Environmental Health Officer has stated where rainwater is proposed to be used in the washing machine for the dwelling. Water for laundry purpose is considered water for sanitary purposes and therefore this water will require treatment to ensure it is of potable quality. The condition should not be discharged until details of treatment for the water to supply the washing machine have been provided, as such this condition has not been satisfied.

Recommendation: Split Decision

Consent is hereby GRANTED pursuant Condition 3 and 4.

Consent is hereby REFUSED pursuant to condition 5 for the following reason:

1 Insufficient information has been provided to demonstrate that the certainty that the site can be satisfactorily remediated. Therefore, Condition 5 of DC/23/1758 cannot be discharged at the current time.

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/24/0045

Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Drainage Report		04.09.2024
Supporting Docs	Maintenance Schedule		04.09.2024
Plans	Drainage Layout		04.09.2024
Supporting Docs	Contamination Risk Assessment		22.03.2024
Supporting Statement	Covering letter		22.03.2024
Supporting Statement	Ditch depth report		04.09.2024

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

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Water Efficiency Measures		22.03.2024

DELEGATED

Case Officer sign/initial	Shazia Penne	Date:	17.09.2024
Authorising Officer sign/initial	RHERMITAGE	Date:	17.09.2024