Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/24/0135
Chanctonbury Nurseries, Rectory Lane, Ashington, Pulborough, West Sussex, RH20 3AS

DESCRIPTION:
Application for approval of details reserved by conditions 3,4,6 and 8 to approved application DC/22/0372

RELEVANT PLANNING HISTORY:

DC/22/0372	Demolition of existing buildings and erection of 74 dwellings with associated parking and landscaping.	Application Permitted on 05.09.2023

PLANNING ASSESSMENT
Planning Application DC/22/0372 was granted consent on 04/09/2023. This permission was for the following:
Demolition of existing buildings and erection of 74 dwellings with associated parking and landscaping.

Consent is sought to discharge the details reserved by conditions 3, 4, 6, 8.

Condition 3:
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) 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) and policy ASH10(xi) of the Ashington Neighbourhood Plan.

The Council's Environmental Health Officer has reviewed the submitted details as well as the revised details received to address a 'more information' request. At the current time, the submitted and revised details do not provide the level of certainty and detail that is required in order to satisfy the requirements of the condition in response to the site context.

The condition cannot be discharged at the current time.

Condition 4:
Pre-Commencement Condition: The development hereby approved shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the following relevant measures:
- An introduction consisting of a description of the construction programme, definitions and abbreviations and project description and location, and identification of activities likely to cause high levels of noise or dust;
- Details of how residents will be advised of site management contact details and responsibilities (public engagement)
- Detailed site logistics arrangements, including location of site compounds, location for the loading and unloading of plant and materials, site offices (including height and scale), erection and maintenance of security hoarding, and storage of plant and
materials (including any stripped topsoil)
- Details regarding parking or site operatives and visitors, deliveries, and storage (anticipated number, frequency and types of vehicles used during construction)
- The method of access to and from the construction site
- The arrangements for public consultation and liaison prior to and during the demolition and construction works - newsletters, fliers etc.
- Details of any floodlighting, including location, height, type and direction of light sources, hours of operation and intensity of illumination
- Locations and details for the provision of wheel washing facilities and dust suppression facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- the anticipated number, frequency and types of vehicles used during construction, and the method of access and routing of vehicles during construction
- Submission of a construction phasing plan;
- Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area;
The construction shall thereafter be carried out in accordance with the details and measures approved in the CEMP.

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers and highway safety during construction and in accordance with Policies 33 and 40 of the Horsham District Planning Framework (2015).

The Local Highways Authority have reviewed the submitted CEMP statement and are satisfied that the criteria of the condition have been met.

Condition 6:
Pre-Commencement Condition: No development shall commence until precise details of the existing and proposed finished floor levels and external ground levels of the development in relation to nearby datum points adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details.

Reason: As this matter is fundamental to control the development in detail in the interests of amenity and visual impact and in accordance with Policy 33 of the Horsham District Planning Framework (2015)

The Council's Planning Officers have reviewed the submitted details and have compared the proposed development site and finished floor levels against those of the pre-existing site's topography. Although there is a slight slope across the site from the north to the south, leading to a requirement to ensure the new access roads, dwellings and gardens address the slight gradients, the proposed levels show only a marginal increase above the neighbouring levels at sensitive receptors (adjacent dwellings) generally in the region of around 200mm.

The requirements of the condition have been satisfied.

Condition 8:
Pre-Commencement Condition: No development shall commence until a Drainage Strategy detailing the proposed means of foul water disposal and a detailed surface water drainage scheme (including finalised surface water drainage designs and calculations) has been submitted to and approved in writing by the Local Planning Authority. The submitted details should include a Surface Water Drainage Statement (based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development). The drainage designs shall show full coordination with a detailed landscape scheme and should demonstrate that the surface water runoff generated up to and including the 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event. The drainage scheme shall subsequently be implemented prior to first occupation in accordance with the approved details and thereafter retained as such.

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 details submitted have been reviewed by the Local Lead Flood Authority. Following assessment, more information has been requested to ensure satisfactory management of local flood risk, surface water flow paths and storage and disposal of the surface water.

Furthermore, the Council's Tree Officer has also requested more details in relation to the proximity of the attenuation basin with the trees in the southern part of the site.

The applicant has been given the opportunity to respond to the comments raised, but at the current time, there has been no response received to demonstrate that the outstanding matters are being addressed.

The requirements of the condition have therefore not been satisfied.

Recommendation: Split Decision

Consent is hereby GRANTED pursuant to Conditions 4 and 6.

Consent is hereby REFUSED pursuant to conditions 3 and 8 for the following reasons:

1 Insufficient information has been provided to demonstrate that the certainty that the site can be satisfactorily remediated. Therefore, Condition 3 of DC/22/0372 cannot be discharged at the current time.

2 Insufficient information has been provided in relation to the surface water drainage strategy. Therefore, Condition 8 of DC/22/0372 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/24/0135

(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
Plans	Construction Management Plan		31.05.2024
Plans	Levels Layout Sheet 1 of 3		31.05.2024
Plans	Levels Layout Sheet 2 of 3		31.05.2024
Plans	Levels Layout Sheet 3 of 3		31.05.2024

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

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Remediation Implementation Plan		31.05.2024
Supporting Docs	Updated Phase 2 Site Investigation Report		31.05.2024
Plans	Drainage Layout Sheet 2 of 3		31.05.2024
Plans	Drainage Layout Sheet 3 of 3		31.05.2024
Plans	Drainage Layout Sheet 3 of 3		31.05.2024

DELEGATED

Case Officer sign/initial Nicola Pettifer Date: 29.08.2024

Authorising Officer sign/initial Adrian Smith Date: 29/08/2024