Horsham District Council

# DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/25/0358
The Studio, Nep Town Road, Henfield, West Sussex, BN5 9DY

DESCRIPTION:
Approval of details reserved by condition(s) 4 (contamination) to approved application DC/23/1734.

RELEVANT PLANNING HISTORY:

| | | |
|---|---|---|
| DC/23/1734 | Conversion and extension of vacant light industrial building to a one-bedroom dwelling with associated external alterations. | Application Permitted on 09.10.2025 |

PLANNING ASSESSMENT
Planning Application DC/23/1734 was granted consent on 09.10.2025. This permission was for the following:

***Conversion and extension of vacant light industrial building to a one-bedroom dwelling with associated external alterations.***

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

**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 have been submitted to and approved, in writing, by the local planning authority:*

*(a) An intrusive site investigation scheme, based on the Phase I Geo-Environmental Assessment (reference LS1425) and the updated letter reference LS7490 dated 29.02.2024 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*
*(b) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation and an options appraisal.*
*(c) 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 is supported by a Phase II Contamination Assessment and Ground Gas Risk Assessment. The Council's Environmental Health Officer confirmed that the intrusive site investigation and remediation measures submitted pursuant to parts (a) and (b) of the condition are acceptable and

can be discharged. Whilst concerns were previously raised regarding verification of the radon barrier installation, it was acknowledged that the barrier had been installed and that there would be little practical benefit in withholding discharge of part (b). Accordingly, parts (a) and (b) of the condition are considered satisfied.

Part (c) of the condition requires the submission of a verification plan demonstrating that the approved remediation measures have been completed and setting out any requirements for longer-term monitoring and maintenance. No such verification plan has been submitted and therefore part (c) of the condition cannot be discharged at this time. This element may be addressed through a subsequent application to discharge condition prior to occupation of the dwelling. An informative is attached accordingly.

**Recommendation: Application Permitted**

Note to Applicant
The applicant is advised that the discharge of condition notice relates only to parts (a) and (b) of condition 4, and that the remaining part of the condition (c) will require formal discharge at a later date prior to the occupation of the development should the applicant wish to pursue the permission. Accordingly, the discharge of part (a) and (b) only does not inhibit the applicant's ability to commence the development.

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.

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**Plans list for: DISC/25/0358**
Schedule of plans/documents **approved**:

| Plan Type | Description | Drawing Number | Received Date |
|---|---|---|---|
| Supporting Statement | Phase II contamination assessment | LS8889 REV A | 13.11.2025 |
| Supporting Statement | Ground Gas Risk Assessment | LS8889.1 REV A | 01.12.2025 |

**DELEGATED**

Case Officer sign/initial Bethan Tinning Date: 20.10.2026

Authorising Officer sign/initial RHERMITAGE Date: 26.10.2026