Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:

DISC/24/0220
Broomlands Farm, Robin Hood Lane, Warnham, West Sussex, RH12 3RR

DESCRIPTION:

Approval of details reserved by conditions 16 and 27 to approved application DC/20/0716

RELEVANT PLANNING HISTORY:

DC/20/0716	Part demolition of central part of the agricultural building and conversion of the remaining parts of the building to create 2No. 3 bedroom dwellings and 2No. 4 bedroom dwellings with associated external alterations, car parking and landscaping.	Application Permitted on 24.07.2020

PLANNING ASSESSMENT

Planning Application DC/20/0716 was granted consent on 24.07.2020. This permission was for the following:

Part demolition of central part of the agricultural building and conversion of the remaining parts of the building to create 2No. 3 bedroom dwellings and 2No. 4 bedroom dwellings with associated external alterations, car parking and landscaping.

Consent is sought to discharge the details reserved by conditions 16 and 27.

Condition 16:

Pre-Occupation Condition*: Prior to the first occupation of any part of the development hereby permitted, a contamination verification plan shall be submitted to and approved, in writing, by the Local Planning Authority. The verification plan shall provide details of the data collected in order to demonstrate that the works set out in Condition 6 are complete, and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.*

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).

Condition 27:

Regulatory Condition*: No soils shall be imported or re-used within the development site until the developer has submitted details of the chemical testing and assessment of the soils which demonstrates the suitability of the soils for the proposed use. The assessment shall be undertaken by a suitably qualified and competent person and full details shall be submitted to and approved in writing by 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 submission includes detailed reports comprising a contamination verification report and additional site investigation and remediation strategy. The Verification Report confirms the completion of remediation work following contamination concerns from earlier investigations. Key points include:

- Remediation Overview: The report verifies the removal of unsuitable made ground materials associated with the site's historical agricultural use. It also confirms that new, certified soils were imported to replace contaminated ground.
- Previous Findings: Earlier studies (2023 and 2024) identified lead, PAHs, asbestos, and hydrocarbons in the made ground, as well as the potential need for remedial actions to address contamination risks to human health and water supply.
- Soil Import and Validation: Imported soils were tested and certified as suitable for residential gardens, confirming no contamination. Monitoring of soil during excavation showed no evidence of unexpected contamination.
- Conclusions: The report concludes that the site now meets the necessary safety standards for residential use, with no further remediation or long-term monitoring required. The final recommendation is for regulatory approval to discharge the remaining planning conditions related to contamination.

This report ensures that the site is safe for its planned residential development.

The additional site investigation and remediation strategy focuses on contamination risks in preparation for a residential development. Key findings include:

- Previous Contamination: A 2023 report identified elevated levels of lead, PAHs, and asbestos in some areas. Groundwater contamination was not a concern due to low aquifer productivity.
- Human Health Risks: Lead, PAHs, and hydrocarbons were found above safe thresholds in certain soil samples, presenting risks to human health, domestic pets, and water supply pipes.
- Remediation Strategy: The proposed strategy involves removing contaminated soils, especially in landscaped areas, and replacing them with safe, tested soils to protect future residents.
- Asbestos: Although no asbestos was detected in this investigation, previous findings suggest asbestos may still be present in some areas, requiring careful handling.

The strategy also outlines ongoing monitoring and regulatory approval processes to ensure the site meets safety standards before development proceeds.

Following consultation with the Council's Environmental Health Officers, no objection was raised with regards to the contents of the reports in context of the conditions. The submitted detail is therefore considered sufficient pursuant to condition 16 and 27.

Recommendation: Application Permitted

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/24/0220
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Supporting Docs	Verification Report by Kalex Limited dated August 2024	LQ1146-R4	29.08.2024
Supporting Docs	Additional Site Investigation & Remediation Strategy by Kalex Limited date August 2024	LQ1146-R3	29.08.2024

DELEGATED

Case Officer sign/initial RHERMITAGE Date: 21.10.2024

Authorising Officer sign/initial TDALE Date: 21.10.2024