

Horsham District Council
Planning team
Park House
North Street
Horsham
West Sussex
RH12 1RL

Our ref: HA/2026/127393/01
Your ref: DC/25/2087
Date: 20 January 2026

Dear Planning team,

OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS, AND THE RE-DEVELOPMENT OF THE SITE FOR UP TO 108NO. DWELLINGS (INCLUDING A MIX OF PRIVATE AND AFFORDABLE HOUSING UNITS), WITH ASSOCIATED INFRASTRUCTURE INCLUDING VEHICULAR, CYCLE AND PEDESTRIAN ACCESS, PARKING, LANDSCAPING, OPEN SPACE AND PLAY PROVISION, AND SUSTAINABLE DRAINAGE WITH ALL MATTERS RESERVED EXCEPT ACCESS.

THAKEHAM TILES LTD, ROCK ROAD, STORRINGTON, WEST SUSSEX, RH20 3AD.

Thank you for the consulting the Environment Agency on the above application.

We have reviewed the information as submitted and set out our position and comments below.

Environment Agency position

We have **no objection** to the proposal **provided that the following conditions be attached to any planning permission granted**, and that the details in relation to these conditions be submitted and approved by the Local Planning Authority.

Condition 1 - Decommissioning of redundant boreholes

A scheme for managing any borehole on site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected.

The scheme shall be fully implemented, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the Local Planning Authority.

Reasons for condition 1

If not decommissioned correctly, redundant boreholes can provide preferential pathways for contaminant movement which poses a risk to groundwater quality. Groundwater is particularly sensitive in this location because the proposed development site is located on a Principal aquifer. The application indicates that the borehole on site may require decommissioning depending on factors external to the development.

In light of the above, we consider that planning permission should only be granted for the proposed development if the above planning condition is imposed to ensure that redundant boreholes are safe and secure, and do not pose an unacceptable risk of groundwater pollution or loss of water supplies in line with paragraph 187 of the National Planning Policy Framework. Without this condition we cannot be sure that the proposed development will not cause unacceptable risk to the environment.

Condition 2 – Remediation strategy

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

- 1. Up to date Preliminary Risk Assessment (PRA) and conceptual model following the results of an exploratory investigation.**
- 2. A detailed site investigation scheme, based on the results from (1) to provide information for a detailed risk assessment to all receptors that may be affected, including those off-site.**
- 3. A tiered risk assessment using the results of the site investigation referred to in (2).**
- 4. An options appraisal including sustainability and treatability studies of the remediation measures required and how they are to be undertaken.**
- 5. A remediation strategy and verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, mitigation, maintenance and arrangements for contingency action.**

Any changes to these components require the written consent of the Local Planning Authority.

The scheme shall be implemented as approved.

Reasons for condition 2

The previous use of the proposed development area as an industrial site presents a high risk of contamination that could be mobilised during site works and construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site will create a Source Protection Zone 1 due to the borehole to be used for the supply of water for human consumption and is on a

Principal aquifer.

The submitted Phase 1 Desk Study Report (by Stantec, ref: 37212-HYD-XX-XX-RP-GE-1000, dated October 2025) demonstrates that it will be possible to manage the risks posed to controlled waters by this development. Further detailed information is however required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the Local Planning Authority. This is required prior to commencement of the development.

In light of the above, the proposed development will be acceptable, if a planning condition is included requiring the submission of a remediation strategy. This should be carried out by a competent person in line with paragraph 196 of the NPPF.

Without the above condition we would object to the proposed development in line with paragraph 187 of the National Planning Policy Framework because it cannot be guaranteed that the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate or will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Condition 3 - Verification report

Prior to any part of the permitted development being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reasons for condition 3

To ensure that the site does not pose any further risk to the land and water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 187 of the National Planning Policy Framework.

Condition 4 - Previously unidentified contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reasons for condition 4

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 187 of the National Planning Policy Framework.

Condition 5 - SuDS Infiltration of surface water into ground

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters.

The development shall be carried out in accordance with the approved details.

Reasons for condition 5

The previous use of the proposed development area as an industrial site presents a high risk of contamination that could be mobilised by surface water infiltration from the proposed sustainable drainage system (SuDS). This could pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site will create a Source Protection Zone 1 due to the borehole to be used for the supply of water for human consumption and is on a Principal aquifer. We note the submitted 'Drainage Strategy' does not acknowledge the creation and risks associated with the creation of this Source Protection Zone 1.

In light of the above, we believe that the use of infiltration SuDS while appropriate in this location, will require careful controls. We therefore request that the above planning condition is included as part of any permission granted. Without this condition we would object to the proposed development in line with paragraph 187 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

Please notify us immediately if you are unable to apply our suggested conditions to allow further consideration and advice.

Advice to the Applicant

New abstraction

The development includes an abstraction for human consumption. All groundwater abstractions intended for human consumption or food production purposes have a default Source Protection Zone 1 with a minimum radius of 50 metres. In some cases depending on the volumes abstracted, a default Source Protection Zone 2 with a minimum radius of 250 metres applies.

Activities within these source protection zones should not put at risk the abstraction. For more details we would like to refer the applicant to our groundwater position statements in ['The Environment Agency's approach to groundwater protection'](#). Careful consideration should be made to Table 1. Summary of the position statements that apply to developments and activities in Source Protection Zone 1.

Waste on-site

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the environmental permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays (contact our National

Customer Contact Centre on **03708 506 506** (Monday to Friday 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk).

We recommend that developers should refer to the [waste management](#) page on GOV.UK.

We will consider any queries in relation to the use of [Definition of Waste: Development Industry Code of Practice \(DoWCoP\)](#) (which is to be updated) through our environmental permitting enhanced pre-application advice service, considering site conditions, the materials that are proposed to be used, and the potential for harm to the environment and to human health. We can also provide advice as to whether an environmental permit is required.

Waste to be taken off-site

Contaminated soil that is (or must be) disposed of, is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with [British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan'](#) and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays (contact our National Customer Contact Centre on **03708 506 506** (Monday to Friday 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk).

If the total quantity of hazardous waste material produced or taken off site is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer. Refer to the [hazardous waste](#) pages on GOV.UK for more information.

If you have any queries regarding the above information, please do not hesitate to contact the advisor identified below.

Yours faithfully,

Environment Agency – Solent & South Downs

Sustainable Places Advisor: Anna Rabone

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