WSCC CONSULTATION RESPONSE:

County Planning – Minerals & Waste Planning Authority ('MWPA')

TO:	Horsham District Council FAO: Nicola Pettifer
DATE:	10/07/2025
LOCATION:	Horton Landfill Site, Gas and Electricity Site, Henfield Road, Small Dole, West Sussex, BN5 9XJ
SUBJECT:	DC/24/0374 - Erection and operation of Photo-voltaic (PV) Panels and Associated Works.
RECOMMENDATION:	☑ Advice ☐ Objection ☐ Modification ☑ No Objection ☐ More Information ☐ Refusal

These comments follow the submission of further information provided by the applicant July 2025, namely the 'Technical Note - Monitoring and Management (V4)' – hereafter referred to as 'TNMM'.

The following should be read in in conjunction with our previous comments dated 9 May 2024 and 10 December 2024.

The submitted TNMM identifies how the proposed development, if approved, would interact with any ongoing conditional requirements of extant landfill planning permissions (e.g. extant aftercare), and how the wider site would be monitored and regulated by both the LPA and WSCC.

In summary, the periphery of the landfill would continue to be subject to extant aftercare provisions monitored by WSCC (as required by WSCC/088/10/UB and WSCC/042/19), with the area within the application site to be monitored and regulated by HDC (taking into account any new/additional landscaping and biodiversity measures proposed). The TNMM also confirms the key actions/monitoring provisions to be taken forward in respect of the underlying former landfill. These clarifications are welcomed, and providing they are accepted by the LPA, the MWPA request the provisions of the TNMM are referenced in the decision and/or secured by condition as appropriate.

The MWPA would note that the proposed swales (as identified in plans contained within the submitted drainage strategy) would, in part, be situated in peripheral restored areas the subject of extant aftercare requirements monitored by WSCC. The TNMM confirms WSCC approval would be sought for any changes to the approved Landscape, Restoration and Aftercare Management Plan (LRAMP) prior to any works commencing on site. Without prejudice to future consideration of any changes sought, in the context of the wider proposed landscaping and biodiversity measures, the addition of swales into the establishing restored areas, is in principle, likely to be acceptable. However, the MWPA would highlight that consideration should be given to be given to

minimising/replacing any habitat loss, and where appropriate, for the transplant of any mature trees into other areas.

Whilst a matter for the LPA, as highlighted in our previous comments, the MWPA consider the views of the Environment Agency (EA) to be importance regarding the acceptability of the proposals in respect of environmental risk and potential conflict with ongoing management requirements of the landfill. The LPA should be satisfied that such matters are adequately controlled, including any potential for impacts on the landfill containment system and gas/leachate infrastructure. This should include consideration of any excavations necessary, the introduction of swales, and planting species appropriate for a capped landfill.

To this end, it is noted that the applicant has provided outline construction and installation methods, and the EA have requested a tailored landfill CEMP and Contamination Remediation Strategy (EA response of 2 December 2024). The MWPA support this being secured by condition.

It is also welcomed that the applicant confirms all environmental monitoring obligations for former landfill activities required by the Environmental Permit (as regulated by the EA) remain extant.

It is recommended that the LPA be satisfied that the proposed development would be acceptable in landscape and biodiversity terms. The MWPA support any such provision/mitigation being secured by condition and/or legal agreement as appropriate.

Subject to the imposition of appropriate conditions and consideration of the matters as set out above, the MWPA offers **no objection** to the proposed development.

James Neave – Principal Planner
West Sussex County Council – Planning Services