Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DISC/25/0050
Old Clayton Boarding Kennels Storrington Road Washington West Sussex RH20 4AG

DESCRIPTION:
Approval of Details Reserved by Conditions 6 (mineral extraction) and 13 (contamination remediation) to approved application DC/23/0701 (Demolition and erection of 60-bed care home (Class C2) and 8 No. age restricted bungalows (Class C3) with associated access and works).

DETAILED DESCRIPTION:

Planning Application DC/23/0701 was permitted on 16.10.2024. This permitted demolition of existing kennels and cattery buildings/structures, and existing dwellings, and erection of a 60-bed care home (Class C2) and 8No. age restricted bungalows (Class C3) with associated access, landscaping and other works (including relocation of existing staddle stone barn).

Approval is now sought for details pursuant to conditions 6 (mineral extraction) and 13 (contamination remediation). The details submitted comprise:

- GWPR6344/RMS/August 2025 Issue v3.01 Status: Final Remediation Method Statement Report by Ground and Water Limited
- GWPR6344/SIR/May 2025 Issue v.3.01 Status: Final Phase II Site Investigation Report by Ground and Water Limited
- GWPR6344 Letter 22nd April 2025 West Sussex Minerals and Waste Plan by Ground and Water Limited
- Our Ref: GWPR6344 Ground and Water Limited letter Monday 10th February 2025

RELEVANT PLANNING HISTORY:

DC/23/0701	Demolition of existing kennels and cattery buildings/structures, and existing dwellings. Erection of a 60-bed care home (Class C2) and 8No. age restricted bungalows (Class C3) with associated access, landscaping and other works (including relocation of existing staddle stone barn).	Permitted 16.10.2024

REPRESENTATIONS

Consultant Archaeologist:

Representations: None received.

Other Considerations

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

The application seeks to discharge the details submitted pursuant to conditions 6 (mineral extraction) and 13 (contamination remediation).

Condition 6 (mineral extraction)

Pre-Commencement Condition: *Prior to the commencement of development, detailed ground investigations shall be undertaken to determine if the site is suitable for incidental mineral extraction of the safeguarded mineral resource. The results of these investigations should be submitted to and approved in writing by the Local Planning Authority. If it is determined that incidental mineral extraction within the site is practical, then a scheme to secure the incidental extraction of mineral resource shall also be submitted to be approved by the Local Planning Authority.*

Reason: The incidental extraction of the mineral is in accordance with Policy M9 of the West Sussex Joint Minerals Local Plan and the National Planning Policy Framework

The applicant has provided a revised report (Minerals Supporting Statement, prepared by Ground and Water Limited, dated 22 April 2025) which includes an assessment of the quantity of the underlying soft sand.

This is in response to a previous request (Minerals and Waste Planning Authority (MWPA) dated 17/03/2025) that the applicant provide a more detailed assessment of the potential quantity of the underlying mineral resource (Folkstone Formation, soft sand) and provide further evidence to support the conclusions of the original report i.e. that the incidental extraction of the mineral resource alongside the nonmineral development would not be environmentally feasible or economically practicable.

At this stage, the MWPA is satisfied the applicant has addressed the comments raised in our previous consultation response, and the understanding of the underlying mineral resource is better understood as a result. The applicant has suggested that some limited quantities of the safeguarded resource could be extracted alongside the landscaping/excavations/footings required to bring forward the development. Therefore, the MWPA is satisfied that it has been demonstrated that the full prior extraction of the mineral resource from the site prior to the commencement of the development would not be environmentally feasible or economically practicable. Consideration toward the incidental extraction of soft sand, as required by the condition, has been demonstrated to be achievable, and would be ancillary to the development given the nominal quantities that are unlikely to be of any significant economic value. Therefore, the MWPA would offer no objection to the discharge of this condition or deem it necessary to consider any further assessment of the incidental use of the resource.

Condition 13 (contamination remediation).

Pre-Commencement Condition: *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. 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; and • potentially unacceptable risks arising from contamination at the site 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site. 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4. A verification plan providing*

details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, 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.

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).

Horsham District Environmental Health reviewed the initial Ground and Water Phase II Site Investigation Report, dated February 2025, and welcomed the targeted investigation areas beneath former structures. However, from site visit, other areas of site where buildings were previously located do not appear to have subject to additional investigation, and that made ground soils around sample TP301 not adequately determined.

Accordingly, a revised Phase II Site Investigation Reported was submitted May 2025 to which Environmental Health were satisfied that sufficient site investigation works had to be undertaken to fully address the above comments from May 2023 on application DC/23/0701, made at pre-determination stage, and that a standalone remediation method statement (RMS) would need to be provided.

A Final Remediation Method Statement Repot by Ground and Water Limited was submitted August 2025 (GWPR6344/RMS/August 2025 v3.01). Environmental Health has reviewed this and is satisfied that there is compliance with condition 13.

Conclusion

The submitted details are therefore acceptable, pursuant to the reasons for imposing conditions 6 (mineral extraction) and 13 (contamination remediation).

Water Neutrality Note: No further Habitat Regulations Assessment (HRA) is required at conditions discharge stage if a scheme has already undertaken HRA for Water Neutrality prior to being granted. The permitted scheme (DC/23/0701) was judged water neutral under the Habitat Regulations and the details pursuant will not require re-assessment of that outcome as there is no change in water usage previous assessed arising from the details pursuant.

Recommendation: Application Permitted

NOTES TO APPLICANT

The applicant should be aware that the development shall not be occupied until a verification report has been submitted to the satisfaction of the LPA and pre-occupation condition 24 of DC/23/0701 has been formally discharged.

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/25/0050
(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
Supporting Docs	GWPR6344/RMS/August 2025 Issue v3.01 Status: Final Remediation Method Statement Report by Ground and Water Limited		12.08.2025
Supporting Docs	GWPR6344/SIR/May 2025 Issue v.3.01 Status: Final Phase II Site Investigation Report by Ground and Water Limited		02.06.2025
Supporting Docs	GWPR6344 Letter 22nd April 2025 West Sussex Minerals and Waste Plan by Ground and Water Limited		25.04.2025
Supporting Docs	GWPR6344 Ground and Water Limited letter Monday 10th February 2025		17.02.2025

DELEGATED

Case Officer sign/initial Matthew Porter Date: 12-08-2025

Authorising Officer sign/initial J Hawkes Date: 12.08.2025