



HORSHAM DISTRICT COUNCIL CONSULTATION

TO:	Development Control
FROM:	Environmental Health and Licensing
REFERENCE:	DC/23/0189
LOCATION:	Sandgate Nursery, West End Lane, Henfield, West Sussex, BN5 9RD
DESCRIPTION:	Outline application for erection of a continuing care retirement community of up to 72 units of accommodation (Use Class C2) and up to 10 starter homes (Use Class C3) with associated community facilities including medical centre and on-site laundry and catering facilities, with access, infrastructure, open space, landscaping and associated works (all matters reserved except for access).
RECOMMENDATION:	No objection subject to conditions
SUMMARY OF COMMENTS & RECOMMENDATION: Comments relating to below documents: Redmore Environmental Air Quality Assessment dated June 2023 Aviron Preliminary Risk Assessment dated November 2023 Aviron Preliminary Risk Assessment and Groundwater Risk Assessment dated October 2025	

MAIN COMMENTS:Proposed Private Water Supply

Environmental Health have reviewed the Aviron Preliminary Risk Assessment and Groundwater Risk Assessment dated October 2025 and should the LPA be satisfied that abstracting water from the aquifer below the application site is viable in terms of yield for the lifetime of the development and will not have an adverse impact on the Arun Valley SACSPA and Ramsar sites, as detailed in the Natural England position statement dated September 2021, then Environmental Health are now satisfied that the risk assessing, testing and maintenance of the private water supply can be secured through conditions and we therefore recommend the below.

Contaminated Land

We have re-visited the Aviron Preliminary Risk Assessment, dated November 2023, and we have the following comments to make.

1. We are satisfied that the preliminary assessment of the risks from contamination to future site users have been fully assessed.
2. We agree with the conclusions in the report that supplementary site investigation works are required on the site. We are however happy to request these investigations through conditions – suitably worded conditions are therefore provided below.

Air Quality

Upon reviewing the Air Quality Assessment by Redmore Environmental (June 2023), it has been noted that the proposed mitigations are not acceptable. The Mitigation measures for the proposed development should be in line with the Sussex Air (2021) Air Quality and Emissions Mitigation Guidance for Sussex. The emission mitigation statement shall contain itemised costing for each proposed mitigation option and total value of all proposed emissions' mitigation. This shall be equal to or exceeding the total calculated value of emissions' damage cost. Sussex Air quality guidance aims to avoid the duplication of measures that would normally be required through other regimes or regulatory frameworks. Alternative schemes we would support include:

1. HDC Local Cycling and Walking Infrastructure Plan
2. Improvements to existing cycling paths, and including cycle paths that meet up with current paths in the development design.
3. Offsite provision of EV charging points to support the EV Charging Network and Delivery Plans for the local area.
4. Support the delivery of WSCC Bus Service Improvement Plan
5. Contributions to other measures included in the Air Quality Action Plan and Annual Status Report

To address the above a condition is recommend below.

Construction Phase

During site clearance, preparation and construction there is the potential for local residents to experience adverse impacts from noise, dust and construction traffic movements. These should be minimised and controlled by the developer and a construction environmental management (CEMP) plan is recommended as a condition.

ANY RECOMMENDED CONDITIONS:

Proposed Private Water Supply

No development above ground floor slab level of the dwellings hereby permitted shall take place until a mitigation scheme, undertaken by a suitably qualified and competent consultant, has been submitted to and been approved in writing by the Local Planning Authority that demonstrates how the water from the borehole(s) will be treated to meet the requirements of Schedule 1 of the Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent). The mitigation scheme shall ensure that the components of the proposed treatment system are compliant with Regulation 31 of The Water Supply (Water Quality) Regulations 2016 (or subsequent superseding equivalent) and Water Regulations Approval Scheme (or subsequent superseding equivalent). The mitigation scheme shall be implemented in full prior to first occupation of any dwelling and shall be retained and maintained at all times thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

And

No development above ground floor slab level of the dwellings hereby permitted shall take place until a Private Water Supply Management Plan (PWSMP) has been submitted to and approved in writing by the Local Planning Authority. The PWSMP shall include, but not necessarily be limited to, the following information:

- i. Detail on the sampling and testing regime, undertake in accordance with Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent), with detail on how any failure of any samples will be investigated and managed.**
- ii. Detail on the maintenance, servicing and cleaning of the pump, pumphouse, water treatment equipment, tanks, all pipework etc for the lifetime of the development along with regularity of servicing/maintenance and clarification what steps will be taken in the event of equipment failure. This should include any re-activation of the system after it has been out of use due to lack of use.**
- iii. Full specifications and details, including a plan or schematic, showing the supply – storage tanks, treatment etc, and means to record the total water consumption of each unit**
- iv. Arrangements for keeping written records of all sampling, results of analysis, inspection, cleaning, maintenance and for making these records available to Local Authority officers when reasonably requested.**
- v. A named person for residents to contact (24/7) in an event of a failure or issue with the private water supply;**

The management plan shall be implemented as approved and maintained for the lifetime of the development. The management plan shall be reviewed annually and any revisions shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

And

No dwelling shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that water taken from the tap within the dwelling(s) been a) sampled by a person who has undertaken the DWI certification of persons scheme for sampling private water supplies, b) has been analysed by a laboratory that is accredited to the ISO 17025 Drinking Water Testing Specification and c) meets the requirements of Schedule 1 'Prescribed concentrations or values' of the Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent).

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

And

No dwelling shall be occupied until sufficient detail has been provided which enables the Local Planning Authority to undertake a risk assessment that is compliant with regulation 6 the Private Water Supplies (England) Regulations 2016 (or subsequent superseding equivalent).

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 179 and 180 of the National Planning Policy Framework (2021), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

Contaminated Land

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 be submitted to and approved, in writing, by the local planning authority:

- (a) An intrusive site investigation scheme 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 (a) and a verification plan providing details of what data will be collected in order to demonstrate that the remedial works are complete.**

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).

And

The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification that the remediation scheme required and approved under the provisions of condition X(b) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition X(b), unless otherwise agreed 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).

Air Quality

The development hereby approved shall not commence until a scheme of air quality mitigation has been submitted to and been approved in writing by the Local Planning Authority. The details shall have regard to the Council's latest Air Quality & Emissions Reduction Guidance document. The approved scheme shall be installed prior to first occupation of the development and shall thereafter remain as such.

Reason: To mitigate the impact of the development on air quality within the District and to sustain compliance with and contribute towards EU limit values or national objectives for pollutants in accordance with Policies 24 & 41 of the Horsham District Planning Framework (2015).

Construction Phase

The development hereby approved shall not commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. During site clearance, preparation and construction the dust and Air Emission Mitigation measures described on Table 17 of the Air Quality Assessment report (Redmore Environmental, June 2023) shall be adopted. The CEMP shall include details of the following relevant measures:

- i. An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;**
- ii. A description of management responsibilities;**
- iii. A description of the construction programme which identifies activities likely to cause high levels of noise or dust;**
- iv. Site working hours and a named person for residents to contact;**
- v. Detailed Site logistics arrangements;**
- vi. Details regarding parking, deliveries, and storage;**
- vii. Details regarding dust and noise mitigation measures to be deployed including identification of sensitive receptors and ongoing monitoring;**

- viii. **Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network; and**
- ix. **Communication procedures with the LBL and local community regarding key construction issues – newsletters, fliers etc.**
- x. **Details of traffic construction routing to and from the site**
- The construction shall thereafter be carried out in accordance with the details and measures approved in the CEMP for the related phase.**

Reason: As this matter is fundamental in order to consider the potential impacts on the amenity of nearby occupiers during construction and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NAME:	Kevin Beer and Isabelle Carter
DEPARTMENT:	Environmental Health and Licensing
DATE:	14/11/25