HORSHAM DISTRICT COUNCIL CONSULTATION

TO:	Development Control
FROM:	Environmental Health and Licensing
REFERENCE:	DISC/24/0135
LOCATION:	Chanctonbury Nurseries, Rectory Lane, Ashington, West Sussex, RH20 3AS
DESCRIPTION:	Application for approval of details reserved by conditions 3,4,6 and 8 to approved application DC/22/0372
SUMMARY OF COMMENTS & RECOMMENDATION: Comments relating to below information: Ground and Water Phase II Site Investigation Report dated June 2023 Updated Phase 2 Site Investigation Report dated January 2024 Cognition Land and Water Remediation Implementation Plan dated 17 May 2024	

MAIN COMMENTS:

Condition 3

Environmental Health have reviewed the above-mentioned reports and we have the following comments to make.

Ground and Water Phase II Site Investigation Report dated June 2023 and Updated Phase 2 Site Investigation Report dated January 2024

1. We appreciate that 18 locations have advanced across the site, in our view there is however limited investigation in certain parts of the site, in particular the southern and south eastern part of the site. We appreciate the access constraints in southern part of the site, this part of the site will however become residential with gardens so we require confidence prior to the development commencing that all areas have been subject to adequate investigation.
2. There would also appear to be pockets of deeper and variable made ground in certain parts of the site, in particular in the vicinity of WS4, TP7, TP4 and the bund along the eastern perimeter of the site. With only one sample taken from each of these locations that was subject to analysis for a wide range of contaminants we are not convinced the sampling in these locations is compliant with BS 10175 which suggests sampling at every change of strata. In our view the made ground at these locations has not been adequately characterised. In addition, it is our view that limited chemical data has been provided for natural soils across the site.
3. The relevance of the above is that if a 600mm cover system is installed, as proposed, we require confidence that the material below it, either made or natural ground, will not present a risk to future site users.
4. Whilst we appreciate that some sampling for pesticides and herbicides has been undertaken, which given the land use history is welcomed, we are not convinced that sufficient testing for these contaminants has been undertaken.
5. From reviewing the Land Science Phase I Geo-environmental Investigation dated October 2021 (Appendix C) we note that the following is included as recommendations in section 5.2.
    - *Positions should be located in areas of concern, i.e., targeted to specific points of potential contamination such as the former fuel tank and pump house location in the southwest corner of the site and below the greenhouse and hardstanding areas.*
    - *Positions should be located in receptor sensitive locations such as in proposed garden areas, below the footprint dwellings, in the location of buried services (water supplies).*
6. It is not clear however if the consultant undertaking the site investigation has followed the above recommendations – in the first instance we would be grateful for locations of the trial hole/boreholes overlain on a proposed site layout.
7. It is also not clear if the site investigation has targeted specific sources of contamination on the site – greenhouse are currently present on the southern part of the site, review of the Land Science Phase 1 Assessment does however also discuss greenhouses historically being present in the northern part of the site and a 'tank' present in the south western corner of the site. As detailed above fuel tanks and pump houses have historically also been present on the site.
8. The site investigation should be based on the findings of the Phase 1 Desk Study, however given the above we would question whether the site investigation has targeted any of the above-mentioned potential sources of contamination.
9. From reviewing the table on page 10 of the January 2024 report we note that elevated levels of lead and mercury were found in TP106 and TP101 respectively. From the reviewing the chemical test certificates in Appendix E the locations have however been numbered TP1 to TP7 i.e. the same as the June 2023 investigation and not TP101 to TP107 as detailed on the trial pits logs – this is not good practice and not in accordance with current industry guidance.

10. From reviewing the trial pit logs we also note that made ground depths were significantly shallower across the whole site than the previous investigation which we consider unusual.
11. We note that TP106 and TP107 were targeting the bund along the eastern boundary of the site – this feature requires further investigation.
12. To summarise the above, we are of the view that the site investigations provided to date do not adequately characterise ground conditions across the site and have not fully investigated potential sources of contamination.

Cognition Land and Water Remediation Implementation Plan dated 17 May 2024

1. The amount of detail provided in the above-mentioned report is welcomed, we note however that no detail or insufficient detail has been provided on the proposed clean cover system, validation of imported soils, verification of cover system once installed etc. We appreciate that this may be beyond the scope of the RIP, however in order to discharge condition 3 a remediation method statement (RMS) containing the above information will need to be provided.
2. We note the proposals include the re-use of site won material under a Materials Management Plan (MMP). We are not against the principle of this, we are however not in a position where we can formally agree to the re-use of site won material until we are satisfied that sufficient testing of soils has been undertaken and we are satisfied that the made ground soils on the site have been adequately characterised.
3. Whilst we are not against an RMS being produced at this stage we would recommend that the RMS is not finalised and issued to the LPA until we are satisfied that sufficient ground investigation have been undertaken, as detailed above.

Additional Comments

1. During a visit to the area by an EHO in June 2024 further site investigations were observed in the northern part of the site – if the report on these investigations is now available we would ask that it is submitted.

Given the above unfortunately Environmental Health are not in a position where we can recommend the discharge of condition 3 at this time.

NAME:	Kevin Beer
DEPARTMENT:	Environmental Health and Licensing
DATE:	13/08/2024