



Horsham
District
Council

HORSHAM DISTRICT COUNCIL CONSULTATION

TO:	Development Control
FROM:	Environmental Health and Licensing
REFERENCE:	DC/26/0933
LOCATION:	Land Between Muntham Drive and Smugglers' Lane Chapel Road Barns Green West Sussex
DESCRIPTION:	Erection of 31 dwellings with access from Chapel Road including roads, parking and open space
RECOMMENDATION:	Advice / No Objection / Objection / More Information / Modification / Refusal
SUMMARY OF COMMENTS & RECOMMENDATION: Comments relating to below information: Air Quality Assessment, prepared by Redmore Environmental, dated May 2026 Preliminary Risk Assessment, prepared by Aviron, dated May 2026 Site Investigation and Generic Quantitative Risk Assessment, prepared by Aviron, dated May 2026 Preliminary Risk Assessment Appendix Part 1-4	

MAIN COMMENTS:

Air Quality

1. The assessment has used the "Road Transport Urban Medium" classification for the damage cost assessment. Given that Barns Green is a rural village, the use of the rural classification would be considered more appropriate and I invite the applicant to resubmit their calculations. However, as the urban classification produces a more conservative assessment and higher damage costs, this approach is acceptable should the applicant wish to retain it.
2. Having reviewed the damage cost calculations, I have been unable to reproduce the final figure presented within the assessment. My own calculations result in a significantly lower damage cost. Given that the applicant's figure is the more conservative estimate, this can be accepted if they wish to retain it. Alternatively, the applicant may wish to review and recalculate the damage costs using Defra's calculator. I am happy to have further communication with the applicant if they wish to discuss calculation methodology.
3. It should also be noted that any mitigation measures proposed to offset the air quality damage costs must be additional to those already required through planning or building regulations. For example, the provision of cycle storage and electric vehicle charging infrastructure are not accepted as mitigation, as this is already a requirement under Building Regulations. Some examples of measures we would accept as mitigations are:
 - i. HDC Local Cycling and Walking Infrastructure Plan
 - ii. Improvements to existing cycling paths, and including cycle paths that meet up with current paths in the development design.
 - iii. Offsite provision of EV charging points to support the EV Charging Network and Delivery Plans for the local area.
 - iv. Support the delivery of WSCC Bus Service Improvement Plan
 - v. Other measures included in the Air Quality Action Plan and Annual Status Report

Contaminated Land

4. I welcome the findings of the investigation, which indicate that no contamination has been identified within the areas sampled. However, I do not consider the scope of the investigation to be sufficient in relation to the north-western corner of the site, where the existing dilapidated stables are located. There is potential for made ground and associated contamination in this area, and further investigation is therefore considered necessary. Whilst Table 4.2 states that *"WS4 was completed in the area of the buildings in the north-west of the site"*, I do not consider this single exploratory hole to be adequately representative of the area of potential concern. This is particularly relevant given that the land in question will form the garden area associated with the proposed dwelling in the north-west corner of the development. Furthermore, Figure 6 (*Exploratory Hole Location Plan - Proposed Development Plan*) demonstrates that WS4 does not extend into the proposed garden area of this plot and, as such, does not provide sufficient coverage of the land most likely to be affected by any historic contamination associated with the former stable buildings.
5. In summary, additional targeted investigation is required within this area to adequately assess the potential risks to future site users. Should this work be undertaken prior to determination, I would be pleased to review the findings and liaise with the applicant accordingly. Alternatively, if this is not feasible at this stage, the requirement for further investigation can be secured by planning condition

SUGGESTED CONDITIONS

Pre-Commencement Condition: 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. 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 HDC and local community regarding key construction issues – newsletters, fliers etc.

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).

And

Pre-Commencement Condition: Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination, including asbestos contamination, of the site and extant structures shall each be submitted to and approved, in writing, by the local planning authority:

- a. A site investigation scheme, based on the preliminary site investigation to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. The site investigation shall be designed and implemented in accordance with BS10175:2026 Investigation of potentially contaminated sites – Code of practice.
- b. The site investigation results and the detailed risk assessment (b) 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.

Any changes to these components require the express 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).

And

Pre-Occupation Condition: 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).

And

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 the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: 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).

NAME:	Georgina Hermitage
DEPARTMENT:	Environmental Health and Licensing
DATE:	26/08/2026