From: Kevin.Beer <Kevin.Beer@horsham.gov.uk>
Sent: 13 February 2025 10:50:20 UTC+00:00
To: "Nicola.Pettifer" <Nicola.Pettifer@horsham.gov.uk>
Subject: DISC/24/0298 - Chanctonbury Nurseries
Importance: High

Dear Nicola,

Environmental Health have reviewed the most recently submitted reports and the further detail, in particular the additional information on the further site investigations, is welcomed. We do however have the following comments to make:

Ground and Water Phase II Site Investigation Report, dated January 2025

1. From reviewing the logs we note that TP401, TP402 and TP403 were advanced into the bund along the eastern side of the site and found 2.00m of reworked ground and, according to the logs, where not advanced to the natural ground. We also note that six samples collected from the bund were subject to chemical analysis and that elevated levels of lead and asbestos have been detected. Given these findings we are not entirely convinced that the materiel within the bund presents a low risk to future site users.
2. We are not against the principle of the bund staying as a landscape buffer, however given the above we would welcome some comments from the applicant confirming how the boundary between the private gardens and the bund will be managed and ensure that there is no encroachment onto the bund in the future.
3. We note that WS405 terminated at 3.00m due to a refusal which we assume was in the natural ground. We note that an above ground tank with associated underground infrastructure was historically located in this part of the site, we would therefore welcome some comments from Ground and Water confirming that the reason for refusal was not as a result of any underground infrastructure.
4. We understand that a sample was collected from underneath the concrete slab in south western part of the site. From reviewing the chemical test certificate we assume the sample taken from 2.50m in TP407 was this sample, we would however be grateful if Ground and Water can confirm this.
5. From reviewing the log for TP408 we note that 0.30m of made ground was found with material logged as Weald Clay reported from 0.30m to 2.00m. However, from reviewing the photo of TP408 supplied by Ground and Water there would appear to be an inclusion approximately half way down the trial pit and darker material present at depth. Unfortunately we are therefore not convinced that the lighter brown material in the photo, which visually does look similar to reworked natural ground found in TP406 and TP407, is the natural ground. We also note that no samples from TP408 were subject to chemical analysis.
6. Given the above we therefore remain concerned that the eastern extent of the deeper area of made ground associated with the reservoir has still not been established.
7. We note that that further sampling for pesticides has been undertaken which is welcomed. We note that elevated levels of pesticides were detected at 0.10mbgl in HP417 and HP420, no sampling of deeper soils was however undertaken at these locations so it is not clear if deeper/natural soils have been impacted.
8. Similar to the above we note that elevated levels of general contaminants have been found elsewhere on the site, it however not clear if these are limited to the made ground i.e. has testing of natural ground at these locations determined that natural soils are uncontaminated.
9. We note that some further locations (HP404, HP411 to HP415) were advanced in the vicinity of the former above ground fuel tanks which is welcomed. These locations have detected traces of petroleum hydrocarbons so we consider there to be the possibility of elevated levels of petroleum

hydrocarbons present underneath the concrete hardstanding which is still present. This area should therefore form part of the remedial works and further comments on this are provided in the below sections.

Ground and Water Remediation Method Statement Report, dated January 2025

1. We note the comments in section 4.1.1 'Following removal the void should be inspected and samples must be taken from the base and walls of the excavation and tested for lead and PAH's to enable validation that the associated contamination has been removed'. Given the presence of vehicle parts and visual hydrocarbon contamination we also consider that sampling for petroleum hydrocarbons should also form part of the sampling suite for this part of the site. We would also welcome commentary in the RMS confirming that the excavation will not be backfilled until the samples from the base and side of the excavation have come back as uncontaminated.
2. We note that significant depths of material will need to be backfilled in this part of the site to bring ground level back up to existing levels. We would therefore welcome detail in the RMS on what steps will be taken to ensure this material does not present a source of ground gas to residential dwellings located in this part of the site.
3. Remedial works associated with the former above ground tank and associated underground infrastructure do not appear to have been documented in this report.
4. We note the comments in section 4.4 'Chemical analyses should be undertaken at a rate of 1 validation trial hole per plot or area of soft-landscaping and a sample taken equating to 1 sample per 50m3 imported for topsoil and 1 per 100m3 for subsoil'. It is however not clear what technical guidance this sampling frequency has been taken from and at what depth topsoil becomes subsoil. Ideally we would like to see the testing frequency for topsoil and subsoil to be the same with testing frequencies dependant on the source of the material. It is also not clear the aforementioned validation trial holes will be confirming soil quality and depth of clean cover system – we would be grateful if this can be confirmed.
5. We also note the comment 'Validation samples of the backfill material should be taken at a ratio of 1 sample per 500m3 of soil from an appropriate and quality source'. It is unclear what is meant by backfill and at what depth this becomes subsoil.
6. We note the comment in 4.1.2 'The identified lead and asbestos are located within sections of the bund which will require removal to enable the formation of the gardens and properties. Following the partial removal of the bund to facilitate construction it is recommended that further sampling and analysis be undertaken to confirm removal of the identified contamination' – we are not comfortable with the use of the word 'recommended' as it does not provide the LPA with sufficient assurances that these works will be undertaken.
7. We note the comments in section 4.1.4.1 'It is therefore recommended that the use of Metal or Barrier pipes are implemented as part of the design in order to prevent an unacceptable risk to future receptors'. Similar to the above we are not comfortable with the use of the word 'recommended' in the context of confirming what remedial measures will be installed, if barrier pipes are required then the RMS needs to formally confirm that barrier pipes will be installed as part of the redevelopment of the site.

Cognition Land and Water Remediation Implementation Plan, dated 24 January 2025

1. Section 2.7 mentions a 600mm capping layer in gardens and soft landscaped areas. There is however no mention of the 450mm clean capping layer in soft landcaped areas as detailed in the Ground and Water report.
2. Section 3.1 detail works in relation to fuel storage tanks and associated pipework, there is however no detail on this in the Ground and Water RMS.
3. Section 3.3 states 'Soils will be tested at a frequency of 1 in 500m3'. Further detail on sampling rates is also provided in Table 2, there does however appear to be different to the sampling frequency quoted in the Ground and Water RMS.

4. We note the comment 'Made ground for reuse beneath the capping system (clean cover soils in soft landscaping, roads, buildings, hard landscaping) will not be subject to specific acceptability or reuse criteria but will be free from evidence of gross contamination'. Given our observations on the site, in particular in the south western corner of the site, Environmental Health are not comfortable with this statement. In our view material used as backfill requires some level of testing before re-use.
5. We also note the comment in section 3.7 'if soils are imported to site and intended for reuse within the cover layer, these will be subject to the same testing and frequency as sit won soils'. We assume this to mean imported soils will be subject to testing at a rate of 1 in 500m3, similar to the above this is different to the testing rates quoted in the Ground and Water RMS.
6. We note that hours of work are detailed in section 5.3, the hours should however mirror the hours detailed in condition 31 of the parent permission, DC/22/0372.

   Regulatory Condition: No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays.

7. Finally we note that four drawing are provided in Appendix 1 (Drawings). The drawing titled 'Made Ground Area Coverage' and 'Site Surfacing and Made Ground' do not appear to be referenced in the made body of the report so their context is not clear. It is also not clear if these two drawings are based on the most recent site investigation works. Given the comment on the latter drawing 'subject to further SI and EHO approval' we assume that these are historic and are now outdated, we would however be grateful if can be confirmed. If they are outdated they either need to be updated or removed.

Given the above unfortunately we are not in a position where we can recommend the discharge of condition 3 at this time. We are however mindful of the time constraints with this application, we would therefore welcome dialogue with all parties on the above matters with a view to resolving them as quickly as possible.

Kind regards

Kevin

Kevin Beer

Environmental Protection Officer (Pollution)

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Horsham District Council 50 YEARS