HORSHAM DISTRICT COUNCIL CONSULTATION

TO:	Development Control FAO Sam Whitehouse
FROM:	Environmental Health and Licensing
REFERENCE:	DC/26/1423
LOCATION:	New Barn Farmhouse, Capel Road, Rusper
DESCRIPTION:	Demolition of existing equestrian buildings, the erection of 10 dwellings, construction of replacement equestrian facilities including stables, horse walker and sand school and all ancillary works.
RECOMMENDATION:	Advice ~~/ No Objection / Objection /~~ More Information ~~/ Modification / Refusal~~

SUMMARY OF COMMENTS & RECOMMENDATION:

Future occupiers of the site are potentially at risk is potentially at risk from ground contamination and from increased aviation noise relating to the recently approved expansion of Gatwick Airport. It should be noted that the development site will with the Outer Noise insulation Zone and therefore you may wish to consult Gatwick Airport

MAIN COMMENTS:

Ground contamination risks.

The Preliminary Contamination Risk Assessment submitted with the application has concluded that there is low risk to future occupiers and that an intrusive investigation is not required. The report notes that the existing buildings are to be demolished but makes no detailed comments regarding the conditions of the buildings, their construction or the condition of the floor slabs and associated hard standings and made ground. Accordingly, the risk assessment is incomplete.

Commercial or agricultural buildings can be subject to significant contamination risks arising from their use, construction and storage of machinery, equipment, fuels or other chemicals. Potentially hazardous materials may also be incorporated in made ground, yards and hard standings

Several of the new dwellings will have gardens that overlie the footprint of the existing yards, buildings and hard standings. Conditions are recommended to ensure that the site is fully assessed and is made safe and suitable for the proposed residential with gardens end use.

Aviation noise

The Noise Impact Assessment has confirmed that the site is already impacted by aviation noise. The report also concludes that:

"an open window would not provide sufficient attenuation to permit restful sleep according to WHO guidance."

Mitigation measure will therefore be required, and conditions are proposed to ensure this is installed.

The site lies within projected 2032 54dB$_{LAEQ}$ contour for aviation noise from Gatwick airport. It is likely that outdoor amenity spaces will marginally exceed the WHO level of 55dB$_{LAEQ}$ for onset of serious annoyance in outdoor amenity spaces.

As noted above, the development will lie within the outer noise insulation zone for the expansion of Gatwick airport operations. Gatwick airport will bear the costs of insulating the proposed dwellings against aviation noise and therefore the LPA may wish to consult with Gatwick airport regarding the acceptability of the proposed development.

ANY RECOMMENDED CONDITIONS:

Ground contamination

1. 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 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
- potentially unacceptable risks arising from contamination at the site.

b) A site investigation scheme, based on (a) 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.

c) 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.

2. Prior to the first occupation (or use) of any part of the development hereby permitted, a contamination verification plan shall be submitted to and approved, in writing, by the Local Planning Authority. The verification plan shall provide details of the data collected in order to demonstrate that the works set out in Condition [1] are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

3. 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.

4. No soils shall be imported or re-used within the development site until the developer has submitted details of the chemical testing and assessment of the soils which demonstrates the suitability of the soils for the proposed use. The assessment shall be undertaken by a suitably qualified and competent person and full details shall be submitted to and approved in writing by the local planning authority

Noise and overheating

5 Prior to commencement of development (other than demolition), a scheme of noise mitigation and mechanical ventilation sufficient to prevent overheating and maintain thermal comfort shall be submitted to and approved in writing by the Local Planning Authority. The Assessment of ventilation capacity shall be based on the CIBSE overheating position statement and shall demonstrate that CIBSE TM59 methodology has been used and CIBSE TM49 modelling requirements have been suitably considered using weather file DSY 2 to model compliance. Any mechanical ventilation to be installed shall have due regard to the ANC Acoustics Ventilation and Overheating: Residential Design Guide 2020. The scheme shall include but not be limited to:

A) The performance details and a glazing plan with supporting technical specifications sufficient to achieve the habitable room standards as detailed in BS8233:2014 with no relaxation for exceptional circumstances and appropriate consideration of LAmax including details of post construction validation measurements.

B) Prior to occupation a site visit shall be carried out by a suitably qualified person and a final verification report shall be submitted to and approved in writing by the local Planning authority.

All work must be carried out by suitably qualified person, and the approved noise, vibration attenuation and ventilation measures shall thereafter be retained and maintained in working order for the duration of the use in accordance with the approved details.

NAME:	Lee Money
DEPARTMENT:	Environmental Health and Licensing
DATE:	23/10/2026