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Sent: 05 December 2024 15:47:47 UTC+00:00
To: "planninginfo" <planninginfo@midsussex.gov.uk>
Subject: Mid Sussex DC - Online Register - Consultee Comments for Planning Application
DM/24/2799

Consultee comments

Dear Sir/Madam,

A consultee has commented on a Planning Application. A summary of the comments is provided below.

Comments were submitted at 05/12/2024 3:47 PM from Oliver Benson on behalf of Contaminated Land.

Application Summary

Reference:	DM/24/2799
Address:	Land At Caldyne Park Wallage Lane Rowfant Crawley West Sussex RH10 4NQ
Proposal:	Proposed new 4 bedroom dwelling.
Case Officer:	Caroline Grist

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Comments Details

Comments:	The proposed development site has a historic use as a depot, which raises concerns about potential contamination due to the presence of made ground and former fuel storage tanks. The applicant has acknowledged the likelihood of contaminated land conditions being imposed within their planning statement, and this is essential given the risks associated with the site's past use. Potential contaminants may include hydrocarbons from potential fuel leaks, heavy metals, polycyclic aromatic hydrocarbons (PAHs), volatile organic compounds (VOCs), and possibly asbestos-containing materials (ACMs), all of which could pose risks to human health and the environment. There is also a potential risk from historic nearby landfills. To address these risks, a full contaminated land condition will be required. This will involve a Phase 1 Desk Study, followed by an intrusive Phase 2 Site Investigation if necessary to identify any contamination in the soil and groundwater. If contaminants are
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found, a remediation strategy must be prepared, implemented, and validated to ensure the site is suitable for residential use.

It is also essential to recognise the limitations of any site investigation, as it is neither practical nor possible to test every area. Therefore, a discovery strategy must be in place to manage any unexpected contamination encountered during construction, ensuring appropriate steps are taken to assess and remediate any newly identified risks before work continues. These measures are necessary to ensure the development proceeds safely and responsibly.

In summary, I recommend approving the application with the following conditions:

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 of the site, including the identification and removal of asbestos containing materials, 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

and unless otherwise agreed in writing by the Local Planning Authority,

- 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;

and, unless otherwise agreed in writing by the Local Planning Authority,

- c) Based on the site investigation results and the detailed risk assessment (b) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

2. The development hereby permitted shall not be

occupied/brought into use until there has been submitted to and approved in writing by the Local Planning Authority a verification plan by a competent person showing that the remediation scheme required and approved has been implemented fully and in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action shall be identified within the report, and thereafter maintained.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

3. If during construction, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the LPA), shall be carried out until a method statement identifying, assessing the risk and proposing remediation measures, together with a programme, shall be submitted to and approved in writing by the LPA. The remediation measures shall be carried out as approved and in accordance with the approved programme. If no unexpected contamination is encountered during development works, on completion of works and prior to occupation a letter confirming this should be submitted to the LPA. If unexpected contamination is encountered during development works, on completion of works and prior to occupation, the agreed information, results of investigation and details of any remediation undertaken will be produced to the satisfaction of and approved in writing by the Local Planning Authority.

Reason: To ensure that the risks from land contamination to the future users of the land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Kind regards