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**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

APPLICATION FOR DISCHARGE OF CONDITIONS

REFERENCE: DM/26/1727

**DESCRIPTION: DISCHARGE OF PLANNING CONDITIONS NO'S 4, 5 AND 7
RELATING TO PLANNING APPLICATION DM/24/3051.**

LOCATION: HIGHFIELDS, WEST HILL, EAST GRINSTEAD, WEST SUSSEX

DATE: 30 JUL 2026

Thank you for your application for approval of details reserved by condition received 15th July 2026

Unfortunately I am unable to formally discharge the condition(s) for the following reasons:

- 4 The details of the Construction Environmental Management Plan (CEMP: Biodiversity) is being considered by the Councils Ecology Consultant. Once I have their response I will be in contact with you regarding condition 4.
- 5 Whilst a Highways and Logistics Plan has been submitted, this does not cover a number of points set out in condition 5 which states:

'Other than works to construct the new vehicular access from West Hill, no other part of the development shall commence until such time as the new vehicular access serving the development from West Hill has been constructed in accordance with the approved plans, including the agreed bank works to achieve the required visibility splays. This also includes signage and some physical feature on the existing access road to restrict vehicular access to the development, so there is no intensification of the existing substandard access.'

Reason: In the interests of road safety and to accord with Policies DP21 and DP26 of the Mid Sussex District Plan 2014 - 2031.'

The details provided is more akin to a construction environmental management plan and does not detail the actual signage and features to be installed to restrict vehicular access using the existing entrance. What is to be installed to prevent traffic after construction of the access onto West Hill using the existing? In addition, no details on timings of the works and how long it will take until the new access is opened has been provided.

I am currently **unable** to discharge condition 5 attached to planning reference DM/24/3051.

- 7 The Council's Contaminated Land Officer has considered the submitted Phase 2 Ground Investigation and Contamination Assessment and has provided the following comments:

'The investigation identified an elevated concentration of arsenic within made ground, with a reported concentration of 63 mg/kg, exceeding the assessment criterion adopted within the report. The consultant concludes that further assessment is required to determine whether this represents a localised hotspot and recommends additional investigation.'

Condition 7(a) requires a site investigation that provides sufficient information for a detailed assessment of risk to all receptors. In this case, the consultant's own conclusions indicate that further work is necessary before the significance and extent of the arsenic contamination can be properly understood. As a result, I do not consider the contamination to have been fully characterised and therefore do not consider the requirements of Condition 7(a) to have been met.

Until the extent and significance of the arsenic contamination have been established, it is not possible to determine whether remediation is required or what form any remediation should take. Consequently, it would be premature to assess compliance with Condition 7(b), which requires an options appraisal and remediation strategy based on the completed site investigation and risk assessment.

I therefore recommend that the applicant undertakes further assessment of the identified arsenic hotspot as the report suggests. If unacceptable risks are identified, an appropriate remediation strategy should also be submitted for approval.'

In light of the above I am currently **unable** to discharge condition 7 attached to planning reference DM/24/3051 and further information is required.

INFORMATIVES

1. The submitted Construction Environmental Management Plan submitted in respect of condition 4 also refers to condition 3. No application to discharge condition 3 has been submitted nor has not been included within this discharge of condition application. A separate application to consider condition 3 will need to be provided for consideration.

I would appreciate your attention to the above matter, please submit the outstanding requirements within 14 working days from the date of this letter, in order that this matter can be given further consideration. Failure to do so may result in the refusal of your application.

A handwritten signature in black ink, appearing to read 'EO' followed by a stylized flourish.

Eric Owens
Interim Assistant Director Planning and Sustainable Economy

RQDCOZ