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Sent: 10 March 2025 16:57:07 UTC+00:00
To: "planninginfo" <planninginfo@midsussex.gov.uk>
Subject: Mid Sussex DC - Online Register - Consultee Comments for Planning Application DM/25/0445

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 10/03/2025 4:57 PM from Oliver Benson on behalf of Contaminated Land.

Application Summary

Reference:	DM/25/0445
Address:	Land At Colwell Farm Lewes Road Haywards Heath West Sussex
Proposal:	Outline application with all matters reserved except for access, for up to 80 dwellings with associated landscaping, open space, infrastructure and vehicular and pedestrian accesses.
Case Officer:	Joanne Fisher

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Comments Details

Comments:	As part of the application, a phase 2 site investigation was undertaken by Patrick Parsons, dated July 2024, reference: CHH-PPC-00-XX-RP-G-0002.
	The report has not identified any contaminants above the screening levels adopted for residential use without homegrown produce. Preliminary gas monitoring on site from three monitoring wells suggests that soil gas protection may be required. The report notes that the previous gas testing on site only included one visit, whereas guidance would require six. As such, they recommend that a soil gas monitoring program should be completed, with five additional rounds being undertaken.
	As such, a phased contaminated land condition should be attached to the application. Further intrusive investigation, in the form of gas testing will be part of a phased approach, whereby, if contamination

is found above the assessment criteria, a remediation option appraisal, remediation plan, and verification report will be required. If no unacceptable risk is found during the intrusive investigation, the entire phased condition can be discharged at that stage.

Additionally, a discovery strategy should also be attached, so that in the event contamination not already identified through the desktop study or site investigation is found, works will cease until further assessment has been carried out and additional remediation methods are implemented, if necessary.

Recommendation: Approve with conditions.

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 each be submitted to and approved, in writing, by the local planning authority:

a) a further site investigation, based on the phase 2 site investigation undertaken by Patrick Parsons, dated July 2024, reference: CHH-PPC-00-XX-RP-G-0002., 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 LPA,

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

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 LPA 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 (common to all): 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

In addition, the following precautionary condition should be applied separately:

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 LPA.

Kind regards