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Sent: 23 July 2025 12:14:40 UTC+01:00
To: "planninginfo" <planninginfo@midsussex.gov.uk>
Subject: Mid Sussex DC - Online Register - Consultee Comments for Planning Application
DM/25/1753

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 23/07/2025 12:14 PM from Oliver Benson on behalf of Contaminated Land.

Application Summary

Reference:	DM/25/1753
Address:	Tanyard Manor Horsted Lane Sharpthorne East Grinstead West Sussex RH19 4HY
Proposal:	Removal of above ground oil tank and replacement with below ground LPG tank, replacement of cess pit with new below ground water treatment plant, replacement retaining wall and steps.
Case Officer:	Catherine Cardin

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Comments Details

Comments:	The proposed development involves the replacement of an above-ground oil tank with a below-ground LPG storage tank, alongside the renewal of foul and surface water drainage and installation of a new water treatment plant.
	The site is identified as potentially contaminated land due to its historical use as a tan yard from approximately 1957 to 2001, which may have involved the use of hazardous substances such as solvents, oils, and heavy metals. Additionally, the site lies adjacent to a historic gravel pit (c.1896–1947), which may have been infilled with unknown materials.
	While the proposed use remains the same, the associated groundworks for tank installation and drainage renewal introduce potential pathways for contaminant mobilisation. Therefore, I

recommend that the applicant submit a Phase 1 Preliminary Risk Assessment in accordance with the Land Contamination Risk Management (LCRM) guidance. Should the Phase 1 identify any credible pollutant linkages, the proposed condition will then require a Phase 2 intrusive investigation to determine the presence, nature, and extent of any contamination. Based on the findings, it may be necessary for remediation plan and validation statement to also be required.

Additionally, a discovery strategy should also be attached, so that in the event that contamination not already identified through the desktop study is found, works stop until such time that a further assessment has been made, and further remediation methods are put in place if needed.

With regard to the proposed below-ground LPG tank, this can present a higher risk than above ground tanks due to the difficulty in detecting leaks, the increased risk to groundwater, and the challenges of maintenance and inspection. Given the site's proximity to a River Ouse tributary, I recommend that the Local Planning Authority consult the Environment Agency regarding the proposed below-ground fuel storage. The EA's guidance advises consultation where underground tanks are proposed near surface water features or in environmentally sensitive locations, due to the risk of pollution from undetected leaks.

The applicant should also ensure that the proposed water treatment system complies with the Environment Agency's General Binding Rules for small sewage discharges.

Recommendation: Approval with 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, shall each be submitted to and approved, in writing, by the local planning authority:

- a) A preliminary risk assessment which has identified:
 - o all previous uses
 - o potential contaminants associated with those uses
 - o a conceptual model of the site indicating sources, pathways and receptors
 - o 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
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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.

Kind regards