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Sent: 23 July 2025 15:41:40 UTC+01:00
To: "planninginfo" <planninginfo@midsussex.gov.uk>
Subject: Mid Sussex DC - Online Register - Consultee Comments for Planning Application
DM/25/1593

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 3:41 PM from Oliver Benson on behalf of Contaminated Land.

Application Summary

Reference:	DM/25/1593
Address:	Woodlands Close And Land To The North Of Burleigh Lane Crawley Down Crawley West Sussex RH10 4JZ
Proposal:	The demolition of numbers 9-11 Woodlands Close together with the demolition of other existing buildings on site and erection of 48 dwellings (Use Class C3) with open space, landscaping, car parking and associated infrastructure including provision of internal access roads and access road onto Woodlands Close.
Case Officer:	Katherine Williams

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Comments Details

Comments:	<p>The proposed development site lies adjacent to a historic brick field and brickworks, which operated from approximately 1897 to 1938. These former industrial uses are commonly associated with potential contamination, including heavy metals, hydrocarbons, and asbestos-containing materials. An adjacent works was also present around 1958, the nature of which is unclear but may represent an additional potential source of contamination.</p> <p>The proposed access road crosses areas historically occupied by the brickworks and a historic infilled feature, likely a former excavation or pit, which was present from at least 1897 to 1959. Infilled land can present a particular risk due to the unknown nature of the fill materials used, which may include industrial or domestic</p>
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waste.

In addition, much of the proposed development site has been in agricultural use. Agricultural land can be associated with contamination from the historical use of pesticides, herbicides, and other agrochemicals, as well as from fuel and oil storage, machinery maintenance, and waste disposal practices. These activities may have resulted in elevated levels of contaminants in the soil.

Given the site's historical context and the proposed end use as residential housing with associated gardens and open space, there is a potential for contamination to be present that could pose a risk to human health. It is therefore recommended that a phased contaminated land assessment be undertaken. This should begin with 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.

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 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