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Sent: 10 December 2024 15:40:27 UTC+00:00
To: "planninginfo" <planninginfo@midsussex.gov.uk>
Subject: Mid Sussex DC - Online Register - Consultee Comments for Planning Application DM/24/2936

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 10/12/2024 3:40 PM from Oliver Benson on behalf of Contaminated Land.

Application Summary

Reference:	DM/24/2936
Address:	Springfield Farm Lewes Road Scaynes Hill Haywards Heath West Sussex RH17 7NG
Proposal:	Prior Notification application for Change of use of agricultural building to form 3 no. dwellings with associated operational development.
Case Officer:	Hamish Evans

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Comments Details

Comments:	I have reviewed the planning application and consulted relevant historical records, including previous applications for properties in the surrounding area. A prior application in 2014 (14/03160/PDOFF) for the conversion of an office building to residential dwellings to the south resulted in no comments from the council's contaminated land officer at the time. In 2012, an application (12/01645/FUL) for a plant nursery extension to the north included a contaminated land report. This report concluded that while the previously undeveloped agricultural field and the current use as a nursery were unlikely to have caused land contamination, there were three large oil tanks on site, as well as drums of oils and lubricants. The report noted that there was no evidence of spills from a site walkover, and the council had no records of incidents. However, the possibility of historical pesticide use was acknowledged. The report ultimately concluded that there
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was no increased risk from potential contamination, given that the existing land use was not changing, and therefore no ground investigation was recommended.

The application site, as an agricultural building, is likely to have had limited impact on land contamination in comparison to industrial or commercial activities. However, there is still a low risk of contamination, and it is important to consider potential historical activities, particularly from the nursery to the north and any residual contamination from pesticides, oils, or lubricants, which were noted on the nearby site. The absence of any records of spills or incidents, as well as the lack of any significant contamination sources on the agricultural building site itself, suggests that the contamination risk is low. However, given the proximity to the plant nursery with past oil storage and potential pesticide use, it would be prudent to undertake a site-specific assessment to confirm the absence of contamination.

Given the historical context and potential for residual contamination from neighbouring uses, I recommend that a preliminary desktop study for contaminated land is undertaken for the proposed site. This assessment should include a site walkover, a review of potential contamination sources, and an evaluation of whether any further investigation is necessary. The risk assessment should be submitted before any development work begins.

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:
 - 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.

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

