

**From:** planninginfo@midsussex.gov.uk <planninginfo@midsussex.gov.uk>  
**Sent:** 28 January 2026 09:39:52 UTC+00:00  
**To:** "planninginfo" <planninginfo@midsussex.gov.uk>  
**Subject:** Mid Sussex DC - Online Register - Consultee Comments for Planning Application  
DM/26/0181

## 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 28/01/2026 9:39 AM from Oliver Benson on behalf of Contaminated Land.

### Application Summary

|               |                                                                                    |
|---------------|------------------------------------------------------------------------------------|
| Reference:    | DM/26/0181                                                                         |
| Address:      | Wealden House Lewes Road Ashurst Wood West Sussex RH19 3TB                         |
| Proposal:     | Discharge of planning condition No: 8 relating to planning application DM/25/2428. |
| Case Officer: | Steven King                                                                        |

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### Comments Details

I have reviewed the Phase 1 Desk Study and Phase 2 Preliminary Site Investigation and Risk Assessment Report prepared by Southern Testing Laboratories Ltd, dated 4 December 2025, reference J16139.

The report satisfies Part a of the contaminated land condition (condition 8), as it provides the required preliminary risk assessment.

Comments:

However, the report makes clear that several areas of potential concern could not be accessed during the intrusive investigation. These include former fuel storage and generator locations, ductwork, substation areas where PCB contamination may be present, and the ground beneath existing buildings. The report confirms that further investigation of these areas will only be possible once demolition and site clearance have taken place.

As far as I am aware, demolition and site clearance fall outside the scope of "commencement of development" for planning purposes, and the applicant should therefore be able to undertake these enabling works to allow access for the remaining investigations. If demolition is considered to form part of "commencement", then a degree of practical flexibility may be required from the LPA, as the full site investigation cannot be completed without carrying out these preliminary works.

Given the above, the requirements of Part b of the condition have not yet been met. A complete site investigation, covering all areas identified in the preliminary risk assessment, must be submitted and approved before Part b can be discharged. I therefore recommend that only Part a of condition 8 is approved at this stage.

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Kind regards