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Sent: 17 March 2025 16:15:42 UTC+00:00
To: "planninginfo" <planninginfo@midsussex.gov.uk>
Subject: Mid Sussex DC - Online Register - Consultee Comments for Planning Application DM/25/0582

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 17/03/2025 4:15 PM from Oliver Benson on behalf of Environmental Protection.

Application Summary

Reference:	DM/25/0582
Address:	Incorpore Ltd 34 Cyprus Road Burgess Hill West Sussex RH15 8DX
Proposal:	Demolition of existing building, erection of a part 4, part 5 storey building for assisted living accommodation for up to 14 occupiers and on-site staff facilities (Use Class C2) and commercial space on the lower ground floor (Use Class E).
Case Officer:	Katherine Williams

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Comments Details

	Having reviewed the application for the demolition of the existing building and the erection of a part 4, part 5 storey building for assisted living accommodation for up to 14 occupiers and on-site staff facilities, along with commercial space on the lower ground floor, I have several concerns.
Comments:	Firstly, the broad nature of Use Class E on the lower ground floor makes it difficult to attach specific conditions without knowing the exact type of use. Therefore, I recommend that prior to the commencement of any commercial use, a condition be attached requiring the submission of a Noise Management Plan. This plan should include details on hours of operation and measures to mitigate noise impact on the residents. Additionally, an acoustic report should be undertaken to determine the necessary sound

insulation between the proposed commercial use and the residential areas. In the absence of specific use details, it is advisable to assume a worst-case scenario, such as a gym with music, and insulate accordingly.

Secondly, records indicate that the site was used as a printing works between circa 1967 and 1972 and was in industrial use thereafter. Given this history, it is recommended that a contaminated land condition be attached to the application. This condition should require, at the very least, a desktop study to be submitted. Depending on the results of this study, further investigative works may be necessary. Additionally, a discovery strategy should be included to ensure that if any contamination not previously identified is discovered during construction, works will cease until a further assessment is made and appropriate remediation methods are implemented.

Recommendation: approve with conditions:

1) Noise Management Plan: Prior to the commencement of any use within the commercial space (Use Class E), a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- Hours of operation,
- full details of loading/unloading arrangements,
- Noisy activities, and
- Measures to mitigate noise impact on the residential areas.

The Noise Management Plan shall be implemented in full on occupation (initial or subsequent) of the commercial space and complied with thereafter unless otherwise agreed in writing by the Local Planning Authority.

2) An acoustic report shall be undertaken and submitted to the Local Planning Authority prior for approval to the commencement of any use within the commercial space (Use Class E). The report shall assess the type of sound insulation required between the commercial space and the residential areas, a provide recommendations on the sound insulation to be installed.

3) 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.

4) 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.

5) 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