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Sent: 31 October 2025 16:29:23 UTC+00:00
To: "planninginfo" <planninginfo@midsussex.gov.uk>
Subject: Mid Sussex DC - Online Register - Consultee Comments for Planning Application
DM/25/2720

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 31/10/2025 4:29 PM from Oliver Benson on behalf of Contaminated Land.

Application Summary

Reference:	DM/25/2720
Address:	Kilwood Apartments Rocky Lane Haywards Heath West Sussex RH16 4XL
Proposal:	Proposed 6 two-bedroom apartments within a 3-storey apartment block.
Case Officer:	Caroline Grist

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Comments Details

Comments: The proposed development site has previously been subject to investigation and remediation under outline application DM/15/5107, which included the provision of gas protection measures such as gas membranes and barrier pipework for the three apartment blocks constructed at that time. These measures were implemented due to contamination identified on site, which warranted protection against ground gases and other potential risks to human health.

Given the nature of the contamination previously encountered and the proposed construction of a new three-storey apartment block comprising six two-bedroom units, it is essential that the risks associated with land contamination are appropriately assessed and managed for this phase of development.

As such, should the application be granted, I would recommend the

inclusion of a phased contaminated land condition to ensure that the necessary site investigation, risk assessment, and any required remediation are undertaken prior to development. This will safeguard future residents and ensure the site is suitable for its intended use.

Additionally, a discovery strategy should also be attached, so that in the event that contamination not already identified prior to construction and works, that works stop until such time that a further assessment has been made, and further remediation methods 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
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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