

From: planninginfo@midsussex.gov.uk <planninginfo@midsussex.gov.uk>
Sent: 23 February 2026 15:47:13 UTC+00:00
To: "planninginfo" <planninginfo@midsussex.gov.uk>
Subject: Mid Sussex DC - Online Register - Consultee Comments for Planning Application
DM/26/0303

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 23/02/2026 3:47 PM from Oliver Benson on behalf of Contaminated Land.

Application Summary

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|---------------|--|
| Reference: | DM/26/0303 |
| Address: | Land North Of Borers Arms Road Copthorne West Sussex RH10 3LH |
| Proposal: | Outline planning application with all matters reserved except for access for the demolition of an existing commercial building and the erection of up to 260 dwellings, up to 1,700sqm of employment floorspace E(c)(iii), E(g)(i)(ii)(iii), car parking, landscaping, open space, and associated development works, with access from Copthorne Bank and Borers Arms Road. |
| Case Officer: | Steven King |

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Comments Details

I have reviewed the Phase 1 Desk Study, by Aqua Terra Consultants Ltd, Ref: P25002_R1_Rev2, and dated November 2025.

The assessment identifies several potential on site contaminant sources, including historic and current industrial uses within the southern part of the site at Borers Arms Yard, fly tipped waste with suspected asbestos containing materials and burnt waste in the western field, and potential made ground associated with former structures in the north west of the site. Offsite sources include a historic garage, an electricity substation and infilled ponds which may contain unknown fill materials.

The walkover, historical mapping review and environmental data search collectively indicate that potential pollutant linkages to future residents cannot be ruled out at this stage. The desk study therefore appropriately concludes that the overall pre-mitigation risk is moderate to low and that further assessment is required. Given the presence of potential made ground, possible ACMs and the proximity of industrial uses, a full intrusive site investigation will be required before development progresses. This should include targeted sampling in the areas of fly tipping, made ground, former buildings, and the interface with Borers Arms Yard, as well as suitable ground gas and vapour monitoring based on the identified potential sources.

On this basis there is no objection to the application at this outline stage, subject to the inclusion of a standard phased contaminated land condition. This will require a Phase 2 investigation informed by the findings of the submitted desk study, followed by remediation and verification as necessary. A discovery strategy will also be required, as unforeseen contamination can occur on sites of this nature.

Recommendation: Approve with the attached conditions:

1. Prior to the commencement of development, excluding demolition and site clearance (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 shall be submitted to and approved in writing by the Local Planning Authority:

a) A site investigation, based on the Phase 1 Desk Study, by Aqua Terra Consultants Ltd, Ref: P25002_R1_Rev2, and dated November 2025 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,

b) 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