

**From:** planninginfo@midsussex.gov.uk <planninginfo@midsussex.gov.uk>  
**Sent:** 10 December 2025 10:23:56 UTC+00:00  
**To:** "planninginfo" <planninginfo@midsussex.gov.uk>  
**Subject:** Mid Sussex DC - Online Register - Consultee Comments for Planning Application DM/25/3059

## 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 10/12/2025 10:23 AM from Oliver Benson on behalf of Contaminated Land.

### Application Summary

Reference:	DM/25/3059
Address:	Badgers Brook London Road Bolney Haywards Heath West Sussex RH17 5PY
Proposal:	Demolition of existing dwelling and commercial building, with the erection of 4 x 4 Bedroomed Houses and 2 x 5 Bedroomed Houses
Case Officer:	Andrew Watt

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### Comments Details

Comments:	The site has historically been used for agricultural purposes, and there were barns on the land that may have stored materials such as biocides, fuels, and potentially animal carcasses. These uses present a risk of localised contamination.
	Photographs submitted with application 13/02062/FUL clearly indicate that the site was used for storing farming equipment.
	In addition, the site is adjacent to made ground to the north, which has been present since around 1937, and a former plant nursery to the south, recorded circa 1956. Both of these neighbouring uses could have contributed to localised contamination.
	Given these factors, a phased contaminated land condition should be applied to ensure the site is suitable for its proposed residential

use. If the initial desktop study or subsequent intrusive investigation demonstrates that the risk to future occupants is negligible, later phases can be signed off at those stages.

A discovery strategy should also be included so that, if unexpected contamination is encountered during construction, works are halted until further assessment and any necessary remediation measures are agreed and implemented.

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. Prior to the completion of the development hereby permitted, a verification report prepared by a competent person shall be submitted to and approved in writing by the Local Planning Authority. The report shall demonstrate that any remediation scheme required and approved has been implemented in full and in accordance with the approved details (unless otherwise agreed in

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writing by the Local Planning Authority). 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.

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Kind regards