

From: planninginfo@midsussex.gov.uk <planninginfo@midsussex.gov.uk>
Sent: 18 September 2025 13:21:20 UTC+01:00
To: "planninginfo" <planninginfo@midsussex.gov.uk>
Subject: Mid Sussex DC - Online Register - Consultee Comments for Planning Application
DM/25/2332

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 18/09/2025 1:21 PM from Oliver Benson on behalf of Contaminated Land.

Application Summary

Reference:	DM/25/2332
Address:	Birch Trees Farm Cuckfield Road Ansty Haywards Heath West Sussex RH17 5AG
Proposal:	Erection of a single 3no bedroom dwelling and associated development.
Case Officer:	Hamish Evans

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Comments Details

Comments:

I have reviewed the submitted "Land Contamination and Ground Condition Report" and the supplementary EnviroSearch Residential Report in relation to potential land contamination at the proposed development site.

The report provides some useful background and include a basic risk assessment table, which identifies potential sources and assigns a "low" risk rating to each. However, there are several areas where further clarification or supporting information is required.

The report does not identify the author or provide evidence of relevant qualifications or experience in land contamination assessment. It needs to be confirmed that the assessment has been prepared by a suitably competent person.

The interpretation of the historical mapping annotation “Tank” as a water tank is reasonable given the context. Fuel storage on farms was uncommon during the 1908–1938 period, and tanks were often used for water, particularly for livestock or domestic supply. That said the land is still recorded as agricultural, and the report confirms that the site has been used for the storage and maintenance of agricultural machinery. These activities can present contamination risks, including from fuel, oil, lubricants, and agrochemicals. It would be useful to understand whether any such risks have been considered or ruled out.

While the risk assessment table is noted, it would be helpful to expand on this with a more structured explanation of potential sources, pathways, and receptors. A conceptual site model, even in simple form, would help demonstrate how risks have been assessed and why they are considered low. The report also refers to nearby off-site sources such as a service station and garage, but does not provide much detail on how these have been assessed in terms of potential impact on the site.

If the applicant is able to address the points outlined above, it may be possible to avoid the need for conditions relating to land contamination.

Until an updated report is submitted and accepted, I would recommend that should the application be approved, that it be subject to the standard contaminated land conditions.

Recommendation: Approve 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;
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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 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.

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