

**From:** planninginfo@midsussex.gov.uk <planninginfo@midsussex.gov.uk>  
**Sent:** 26 August 2025 10:56:19 UTC+01:00  
**To:** "planninginfo" <planninginfo@midsussex.gov.uk>  
**Subject:** Mid Sussex DC - Online Register - Consultee Comments for Planning Application DM/25/1921

## 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 26/08/2025 10:56 AM from Oliver Benson on behalf of Contaminated Land.

### Application Summary

Reference:	DM/25/1921
Address:	East Lodge Farm Malthouse Lane Hurstpierpoint Hassocks West Sussex BN6 9LA
Proposal:	Proposal for 7 new build houses
Case Officer:	Andrew Watt

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### Comments Details

Comments: A contamination risk assessment was previously submitted in support of planning application DM/21/1118, which related to the redevelopment of the site for commercial use. That assessment concluded that contamination levels were below thresholds for commercial land use. However, the current proposal is for residential development, which introduces more sensitive receptors, including residents and potential plant uptake in garden areas.

The previous investigation identified elevated concentrations of arsenic and lead in made ground beneath hardstanding (TP2), which exceed residential land use thresholds. Petroleum hydrocarbons were also detected in topsoil (TP4), likely linked to historic car servicing activities.

In light of the above and the fact the propsoed now seeks to bring more sensitive receptors to site, a phased contaminated land

condition is necessary to ensure that the site is appropriately assessed and, if required, remediated prior to occupation. A discovery condition is also recommended to address any unexpected contamination encountered during development works.

Recommendation: Approve with the following 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 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

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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.

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Kind regards