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Sent: 08 August 2025 12:10:18 UTC+01:00
To: "planninginfo" <planninginfo@midsussex.gov.uk>
Subject: Mid Sussex DC - Online Register - Consultee Comments for Planning Application
DM/25/1945

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 08/08/2025 12:10 PM from Oliver Benson on behalf of Environmental Protection.

Application Summary

Reference:	DM/25/1945
Address:	Five Oaks Lodge Pomper Lane Hurstpierpoint Hassocks West Sussex BN6 9LJ
Proposal:	Prior approval for the change of use of an agricultural building to become a two bedroom residential unit.
Case Officer:	Stefan Galyas

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Comments Details

Having reviewed the application and associated site history, I recommend the inclusion of both a phased contaminated land condition and a discovery condition.

Comments: Historical mapping indicates that the site was previously used as a nursery between 1937 and 1974, covering an area of approximately 20,383 square metres. Nurseries operating during this period commonly utilised a range of agrochemicals including pesticides, herbicides, and fungicides, many of which are known to persist in the environment. Additionally, waste handling and chemical storage practices at the time were often informal and unregulated, increasing the likelihood of residual contamination.

It is also relevant to note that nurseries of this era frequently employed heating systems to support plant propagation and greenhouse operations. These systems often included pipework

and insulation materials that contained asbestos, particularly in lagging and gaskets. The presence of asbestos-containing materials (ACMs) is therefore a credible risk.

The site has remained in agricultural use up to the present day, which further supports the need for investigation. Agricultural activities may have involved the use of modern agrochemicals, fuel storage, and machinery maintenance, all of which can contribute to potential contamination. The proposed change to residential use introduces a sensitive receptor, and it is essential to ensure that the land is suitable for this end use.

In light of the above, 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: 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 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