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Sent: 20 December 2024 13:52:07 UTC+00:00
To: "planninginfo" <planninginfo@midsussex.gov.uk>
Subject: Mid Sussex DC - Online Register - Consultee Comments for Planning Application DM/24/3054

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 20/12/2024 1:52 PM from Oliver Benson on behalf of Contaminated Land.

Application Summary

Reference:	DM/24/3054
Address:	Pollards Farm Ditchling Road Ditchling Common Ditchling Burgess Hill East Sussex RH15 0SE
Proposal:	Prior approval is sought for a change of use of the barn to a 4-bedroom house (C3).
Case Officer:	Caroline Grist

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Comments Details

My comments remain consistent with those provided for applications DM/18/4018 and DM/22/0797 for the same barn. For context, these comments broadly stated the following:

This application seeks to convert an agricultural barn into a single residential dwelling.

Comments:

The site has a historical use as agricultural land, and the barn proposed for conversion may have been used for the storage of items such as biocides, fuels, animal remains, and other materials that have the potential to cause localised contamination.

Mr. Foord's statement indicates that the barn has also been used for the storage and repair of tractors and other agricultural equipment. It is likely that these activities occurred not only under Mr. Foord's management but also during previous ownership or

use. This raises the potential for localised contamination, which must be investigated prior to occupation to ensure the site is safe for its intended residential use.

Additionally, I have concerns about the potential presence of asbestos within the structure of the building, which should be appropriately assessed and managed.

To address these issues, I recommend that a phased contaminated land condition be attached to the application to ensure the site is safely developed for residential use.

Furthermore, a discovery strategy should be included. This would ensure that if previously unidentified contamination is discovered during construction or related works, activities are halted immediately until further assessment and remediation measures are implemented, if necessary.

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, including the identification and removal of asbestos containing materials, 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.

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