
From: Oliver Benson
Sent: 25 March 2024 12:13
To: Stuart Malcolm
Subject: RE: DM/24/0446 - Land off Scamps Hill - Contaminated Land Comments

Hi Stuart,

If both the developer and the consultant agree that an exploratory investigation is necessary to reduce uncertainty about the site, based on the data they have obtained, then I would suggest that we proceed with conditioning that. I sought to clarify that this was their recommendation, despite the low risk they have identified.

Based on this, I would recommend the following condition regarding contaminated land:

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 site investigation, based on the Phase 1 Geoenvironmental Assessment (desktop study) conducted by Lees Roxburgh Consulting Engineers, reference number: 6534/R1, dated February 2024, 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,

b) Based on the site investigation results and the detailed risk assessment (a) 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

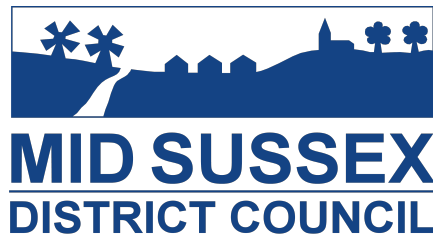
be submitted to the LPA. If unexpected contamination is encountered during development works, on completion of works and prior to occupation, the agreed information, results of investigation and details of any remediation undertaken will be produced to the satisfaction of and approved in writing by the 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,

Ollie

Oliver Benson
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“Working together for a better Mid Sussex”

From: Stuart Malcolm <stuart.malcolm@midsussex.gov.uk>
Sent: Friday, March 22, 2024 4:55 PM
To: Oliver Benson <Oliver.Benson@midsussex.gov.uk>
Subject: FW: DM/24/0446 - Land off Scamps Hill - Contaminated Land Comments

Hi Oli

Please see the below response to your recent comments and let me know your thoughts.

Thanks

Stuart

From: MacKenzie, John <J.MacKenzie@gladman.co.uk>
Sent: Tuesday, March 19, 2024 10:41 AM
To: Stuart Malcolm <stuart.malcolm@midsussex.gov.uk>
Cc: planninginfo <planninginfo@midsussex.gov.uk>; Naylor, Richard <R.Naylor@gladman.co.uk>; Williams, Neil <N.Williams@gladman.co.uk>; Scullion, Thomas <t.scullion@gladman.co.uk>
Subject: DM/24/0446 - Land off Scamps Hill - Contaminated Land Comments

Some people who received this message don't often get email from j.mackenzie@gladman.co.uk. [Learn why this is important](#)

Dear Stuart,

We write further to the initial consultation response, on the above application, from the Contaminated Land team (submitted 28 February 2024). This states the following:

I have reviewed the Phase 1 Geoenvironmental Assessment (desktop study) conducted by Lees Roxburgh Consulting Engineers, reference number: 6534/R1, dated February 2024.

The conceptual site model suggests that the site presents a low risk to receptors, considering all potential sources of contamination. This assessment is reinforced by section 5.2.2, which states, 'No specific sources of environmental risk have been identified.'

Nevertheless, the report proposes the necessity of a Phase 2 Geoenvironmental Assessment (Site Investigation). Given the assertion of low risk and the absence of identified environmental hazards, it would be beneficial to understand the rationale behind this recommendation for further intrusive investigation. Specifically, clarity is needed on the specific risks that will be assessed further.

Upon clarification of these points, I will be able to provide formal comments and recommend appropriate conditions.

As referred to in the consultation response, the Phase 1 assessment (which is based on a desk study and site walkover) concludes that no specific sources of environmental risk have been identified and the overall risk of contamination is low. The implication of this is that there will not be any insurmountable ground contamination or geoenvironmental issues associated with the release of the site for housing development, as proposed.

Notwithstanding this conclusion, this does not obviate the need for a more detailed and intrusive Phase 2 assessment to be undertaken (post outline permission), prior to the detailed design of the scheme and construction. The Phase 2 assessment is done procedurally on every site, to inform foundations/roads/drainage design and any measures required to mitigate environmental risk, as part of a process of due diligence, prior to disposal of the site to a house builder. The recommendation for the Phase 2 assessment should not give rise to any concern that there is any specific environmental or contamination risk. The need for a Phase 2 assessment is routinely secured by planning condition on any outline planning permission, as I'm sure you will be aware.

On the basis of the above, we trust that the contaminated land officer can provide a formal consultation response and recommend appropriate conditions. If there are any specific queries of a technical nature, we would be more than happy to arrange for a Teams call with our consulting engineers to discuss these.

We look forward to seeing the formal consultation response in due course.

Kind regards

John

John MacKenzie

Planning Director



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