

Dear James,

Application: Outline application for the erection of up to 150 dwellings, with associated works, parking, landscaping, publicly accessible open space, land for education or community use, with access from Green Road and Eastern Road

Location: Land South Of Green Road Wivelsfield Green East Sussex

Response:

The applicant has submitted a preliminary site investigation report prepared by Eastwood Consulting Engineers (dated 11 November 2024). The report has highlighted the need for “additional site investigation”. I also note that no soil chemical analysis was carried out at the site. Landscaping activities are also involved at the site.

If LPA is minded to grant a planning permission, then considering the sensitive uses of the site, I recommend the following conditions and informative:

Condition 1 Land contamination

No development approved by this planning permission shall take place until a remediation strategy that includes the following components 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. Additional site investigation scheme, based on preliminary investigations already undertaken to provide information for a detailed assessment of the risk to all receptors that may be affected , including those off site.
- b. The results of the site investigation and the detailed risk assessment referred to in (a) and based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- c. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that risks from any land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors [in accordance with National Planning Policy Framework, para 187, 196 & 197].

Condition 2 verification report

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall include any plan (a 'long term monitoring and maintenance plan) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that any remediation, if deemed necessary, is satisfactorily completed

Condition 3 Previously unidentified contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason:

To ensure that any contamination identified during the construction works is fully characterised and assessed.

Condition 4: Construction Environmental Management Plan (CEMP)

No development shall take place until a Construction Environment Management Plan has been submitted to and approved in writing by the Planning Authority. The approved plan shall set out the arrangements for managing all environmental effects of the development during the construction period, including traffic (including a workers' travel plan), temporary site security fencing, artificial illumination, noise, vibration, dust, air pollution and odour, site illumination and shall be implemented in full throughout the duration of the construction works, unless a variation is agreed in writing by the Planning Authority.

Reason: In the interests of amenity of the locality

Condition 5: Imported soil

No soils shall be imported within the development site until the developer has submitted details of the chemical testing and assessment of the soils which demonstrates the suitability of the soils for the proposed use. The assessment shall be undertaken by a suitably qualified and competent

person and full details shall be submitted to and approved in writing by the local planning authority

Reason: To protect the amenity of the locality in accordance with policy ST3 of the Lewes District Local Plan.

Informative

(a) The applicant is hereby reminded of the Control of Asbestos Regulations 2012 when carrying out demolition and other works associated with the development hereby permitted. For more information please visit <http://www.hse.gov.uk/Asbestos/regulations.htm>

(b) All waste material arising from any site clearance, demolition, preparation and construction activities should be stored, removed from the site and disposed of in an appropriate manner.

(c) The applicant is reminded that according to NPPF where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

Regards,

Kanan

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