

**From:** Kanan Purkayastha <Kanan.Purkayastha@lewes-eastbourne.gov.uk>

**Sent:** Wednesday, January 17, 2024 2:50 PM

**To:** Chloe Timm <Chloe.Timm@lewes-eastbourne.gov.uk>; Customer First <customerfirst@lewes-eastbourne.gov.uk>

**Subject:** RE: Re: Planning ref: 230800-Land contamination comment

Dear Chloe,

The application is for the construction and operation of a solar photovoltaic farm with battery energy storage and associated infrastructure including transformers, inverters, DNO Substation, customer switchgear, security cameras, fencing, access tracks, landscaping, and safeguarding of land for potential pedestrian/cycle link at Land South of Cross Levels Way, Eastbourne

The proposed development requires the site preparation works, which will predominantly relate to the cultivation and levelling of the site ready for the installation of the frames to support the solar panels. This means that assessment of the site for its suitability for the development of solar farm is pertinent.

I have reviewed the 17 parts of the Phase 1 Desktop study report prepared by Wardell Armstrong for the use of the site as Solar Farm (Report ref: ST19983 dated March 2023). This desk study report has summarised the available information and potential risks for the proposed development at the Site.

I concur with the source-pathways-receptors identified in the report para 7.1-7.16. The Site is considered to present an overall

Low to Moderate risk from past land use, surrounding land use, ground instability and contamination. The part of the site is used as a historic landfill, though the extent of boundary of the landfill is not clear. I agree in principle the conclusions and recommendation of the Phase 1 report. The report para 10.8, which recommended a ground investigation to be undertaken to address the various environmental and geotechnical issues identified within the report.

If LPA is minded to grant a planning permission for solar farm, then I recommend the following conditions:

#### 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.

#### 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.

#### Condition 3 Previously unidentified land 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 (1-3): 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 170, 174, 178 and 179].

#### **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 Material

No material shall be imported to within the development site until the developer has submitted details of the assessment of the imported material which demonstrates the suitability of the material 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: In the interests of the amenities of the area, having regard to guidance within the National Planning Policy Framework

Condition: 5 Assessment of UXO Risk

No development (including any construction, demolition, site clearance or removal of relic structures) approved by this planning permission, shall take place until an assessment of UXO (unexploded ordnance) risk is undertaken. The assessment must be taken by a competent person and conform with current guidance and best practice.

Regards,

Kanan

**Dr Kanan Purkayastha**

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