

From: Maria Tomalova <Maria.Tomalova@arun.gov.uk>
Sent: 14 January 2021 09:17
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: AL/84/20/PD, Required Contamination Land Condition

Please upload the below to the above application; EH further comments.

Maria Tomalova | Senior Planning Officer, Directorate of Place, Arun District Council | Location: First Floor, Arun Civic Centre,
Maltravers Road, Littlehampton, BN17 5LF
Internal: 37510 | External: +44 (0) 1903 737510 | E-mail: maria.tomalova@arun.gov.uk



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From: Craig Milligan <Craig.Milligan@arun.gov.uk>
Sent: 14 January 2021 08:56
To: Maria Tomalova <Maria.Tomalova@arun.gov.uk>
Subject: RE: AL/84/20/PD, Required Contamination Land Condition

Good morning Maria,

Thank you for bringing this matter to my attention.

Having reviewed the representation made by the agent below and with consideration to your comments, I am satisfied that the suggested watching brief condition is appropriate to manage any potential contaminated land issues that may be identified during the development.

Kind regards
Craig

Craig Milligan
Environmental Health Officer
Technical Services

T: 01903 737670

E: craig.milligan@arun.gov.uk

Arun District Council, Civic Centre, Maltravers Rd, Littlehampton, West Sussex, BN17 5LF
www.arun.gov.uk



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From: Maria Tomalova <Maria.Tomalova@arun.gov.uk>
Sent: 13 January 2021 17:34
To: Craig Milligan <Craig.Milligan@arun.gov.uk>
Subject: AL/84/20/PD, Required Contamination Land Condition

Hi Craig,

As we always have to ask applicant/agent for an agreement to pre commencement conditions the above condition is one of them.

The agent stand is that: "Historically the building has been in use for light industrial purposes. The building has a concrete slab with no evidence of contamination. As such there is no record of any activities that are likely to have generated contamination. No remediation measures proposed or required."

What is more, recently we gave a permission for change of use from B1(c) to C3 for the same building AL/31/20/PD, no such a condition attached since there was no response that time from EH what cause the fallback position wherein the applicant can convert the subject building to a dwelling without any contamination requirements.

Probably in this situation it would be rather difficult to refuse this application on this ground therefore I would like to ask you if you would be willing
Consider compromised condition (suggested by an agent).

As a compromise I suggest a watching brief condition along the lines of that below:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. development shall not be first occupied until

- i) An investigation and risk assessment has been undertaken in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority, and*
- ii) where remediation is necessary a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. Any remediation shall be fully implemented in accordance with the approved scheme before the development is brought into use, and*

iii) a verification report for the remediation shall be submitted in writing to the Local Planning Authority before the development is first brought into use.

Please let me know until tomorrow if possible.

Thank you

Maria

Maria.Tomaleva | Senior Planning Officer, Directorate of Place, Arun District Council | Location: First Floor, Arun Civic Centre,
Maltravers Road, Littlehampton, BN17 5LF
Internal: 37510 | External: +44 (0) 1903 737510 | E-mail: maria.tomaleva@arun.gov.uk



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