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Development Control
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Littlehampton
West Sussex
BN17 5LF

Our ref: HA/2012/112783/02-L01
Your ref: BE/35/12/DOC
Date: 02 May 2012

Dear Paul

**APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION 9
AND 22 FOLLOWING THE APPROVAL OF BE/122/08/
LAND AT LEC REFRIGERATION SITE, SHRIPNEY ROAD, BOGNOR REGIS**

Thank you for consulting us on the above application. Our comments relate to condition 9 – piling only.

Environment Agency Position

We are currently unable to recommend the discharge of planning condition 9.

Thank you for forwarding the piling risk assessment produced by Keller Foundations. In principle, the details are satisfactory. The risk assessment has assumed that comprehensive clean up of the Made Ground has been undertaken. Remediation has been undertaken on areas of significant soil contamination in line with the agreed remediation strategy. Although the level of remediation was to achieve site specific levels for the protection of groundwater and human health, the level of total TPH was agreed at 5000 mg/kg for aesthetic/odour purposes. Therefore these levels may be present in the areas where pile foundations are proposed.

Though the piling assessment has looked at the principles of the risk of driving down contaminants and creating pathways, the assessment has not assessed whether the residual contamination will actually pose a risk to receptors. It is suggested that Keller Foundations liaise with Mayer Brown and Celtic Technologies to assess the unidentified risk.

Therefore at present we do not consider the recommendation of discharging Condition 9 until this assessment has been forwarded for comment and approval.

Yours faithfully

Catherine McLeod

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cc Tim Moore - Mayer Brown