

Arun District Council
Development Control
1, Arun Civic Centre Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Our ref: HA/2019/121451/01-L01
Your ref: BE/69/19/OUT
Date: 11 July 2019

Dear Sir/Madam

OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS FOR 31 NO. HOUSES AND FLATS WITH CAR PARKING, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE & ACCESS OFF SHRIPNEY ROAD (A29), ALL FOLLOWING THE DEMOLITION OF THE EXISTING DWELLING & OUTBUILDINGS

THE COTTAGE, SHRIPNEY ROAD, BOGNOR REGIS, PO22 9PA

Thank you for the consultation on the above application, please quote our reference on all correspondence.

Environment Agency Position

We have **no objections** to the proposed development, subject to the inclusion of the below conditions in any permission granted.

Without the inclusion of these conditions we consider that the development would pose an unacceptable risk to groundwater quality.

The previous use of the proposed development site as a residential/horticultural site presents a medium risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a principal aquifer underlying a secondary aquifer A.

The application's construction management plan demonstrates that it will be possible to manage the risk posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. We believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a

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decision for the local planning authority.

In light of the above, the proposed development will be acceptable if a planning condition is included requiring the submission of a remediation strategy. This should be carried out by a competent person in line with paragraph 178 of the National Planning Policy Framework.

Condition 1

Prior to each phase of development approved by this planning permission no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

- 1. A preliminary risk assessment which has identified:**
 - all previous uses**
 - potential contaminants associated with those uses**
 - a conceptual model of the site indicating sources, pathways and receptors**
 - potentially unacceptable risks arising from contamination at the site**
- 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.**
- 3. The results of the site investigation and the detailed risk assessment referred to in (2) 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.**
- 4. 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 (3) 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 written consent of the local planning authority. The scheme shall be implemented as approved.

Reason(s)

To ensure that the development does not contribute to, or is not put at unacceptable risk from/adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

The site rests upon a Secondary A aquifer (Superficial Deposits) overlying a Principal Aquifer (Undifferentiated Chalk). There is a potential linkage for contaminants to migrate vertically into the Principal Aquifer posing a risk to controlled waters.

We acknowledge that a full site investigation may not be required and would encourage a thorough preliminary investigation to ascertain the risk of contamination.

Condition 2

Prior to each phase of development being brought into use, a verification report demonstrating the 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.

Reason(s)

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.

If required, the verification report will provide confidence that the applicant has accurately considered the conceptual model of the site and any linkages between potential sources and receptors.

Condition 3

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 a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason(s)

To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.

Condition 4

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason(s)

To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework.

The Superficial Deposits beneath site may not have desirable drainage characteristics and soakage tests should be conducted to determine the suitability of SuDS at the site.

The submitted planning application indicates that boreholes may need to be installed at the development site to investigate groundwater resources / carry out soakage tests. If these boreholes are not decommissioned correctly they can provide preferential pathways for contaminant movement which poses a risk to groundwater quality. Groundwater is particularly sensitive in this location because the proposed development site is located on a Secondary A aquifer (Superficial Deposits) overlying a Principal Aquifer (Undifferentiated Chalk).

Condition 5

A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in

writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of each phase of development.

Reason

To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 170 of the National Planning Policy Framework <and Position Statement of 'The Environment Agency's approach to groundwater protection'.

Please do not hesitate to contact me on the number below should you have any queries on the above information.

Yours faithfully

Miss Suz Greenwood
Planning Advisor, Environment Agency



cc ECE Planning Limited