

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

Our ref: HA/2020/122344/01
Your ref: BN/50/20/PL

Date: 02 September 2020

Dear Sir or Madam,

DEMOLITION OF EXISTING STRUCTURES ON-SITE & ERECTION OF 42 NO. DWELLINGS WITH ACCESS, PARKING, LANDSCAPING & ASSOCIATED WORKS. THIS APPLICATION IS A DEPARTURE FROM THE DEVELOPMENT PLAN.

LAND WEST OF FONTWELL AVENUE, FONTWELL AVENUE, EASTERGATE, PO20 3RX.

Following on from an enquiry raised by Ms Laura Gibbons (Engineer, Adur & Worthing Councils), we have reviewed our response to the above application (as per our letter dated 13 July 2020, our ref: HA/2020/122344/01). Our review has highlighted that one further condition should have been included within our response.

Therefore, we would like to request that the following condition is also included within any planning permission granted:

Condition

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.

Reasons

The previous use of the proposed development site presents a medium risk of contamination that could be mobilised by surface water infiltration from the proposed sustainable drainage system (SuDS). This could pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is within Source Protection Zone 1c and approximately 150m from a public water supply abstraction. The groundwater level in this area is very shallow and therefore it is very sensitive to contamination.

Environment Agency
Guildbourne House Chatsworth Road, Worthing, West Sussex, BN11 1LD.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

In light of the above, we do not believe that the use of infiltration SuDS is appropriate in this location. We therefore request that the above planning condition is included as part of any permission granted. Without this condition we would object to the proposal in line with paragraph 170 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

We have reviewed the Drainage Strategy (dwg. 020.5360.501 Rev F) and Groundwater Monitoring Letter (ref. 16695/LR June 2018). The documents submitted propose deep infiltration crate systems, with varying depths up to 1.7m below ground level. Groundwater level monitoring across the site ranged from 2.67 – 2.43m below ground level on 19th March 2020.

Please note that we will only agree to the use of deep infiltration system for surface water or sewage effluent disposal if a developer can show that all of the following apply:

- The discharge to groundwater is indirect (with the exception of clean uncontaminated roof water to ground).
- There are no other feasible disposal options such as shallow infiltration systems or drainage fields/mounds that can be operated in accordance with the appropriate current British Standard 6297:2007 A1:2008.
- The system is no deeper than required to achieve sufficient soakage.
- Acceptable pollution control measures are in place.
- Risk assessment demonstrates that no unacceptable discharge to groundwater will take place – in particular inputs of hazardous substances to groundwater will be prevented.
- There are sufficient mitigating factors or measures to compensate for the increased risk arising from the use of deep structures

Please note that we would also still request the conditions previously identified in our letter dated 13 July 2020, and these are replicated below for ease of reference:

Condition 1

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)

While no onsite sources have been identified it is possible that previously unidentified sources may be present. Therefore this condition is required 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 2

Piling and using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority.

The development shall be carried out in accordance with the approved details.

Reasons

This condition is required to ensure that the proposed redevelopment, does not harm groundwater resources in line with paragraph 109 of the National Planning Policy Framework. The redevelopment is within a Source Protection Zone 1c with the Chalk Principal Aquifer present within 2.5m of the ground surface. Piling can cause turbidity issues and therefore we would expect to see a piling risk assessment, and also for Portsmouth Water to be informed and consulted prior to any piling or intrusive works being carried out.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours faithfully,

Mrs Sophie Brown
Sustainable Places Planning Advisor

