

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

Our ref: HA/2011/111266/01-L01

Your ref: BR/341/10/

Date: 17 February 2011

Dear Sir/Madam

**OUTLINE APPLICATION WITH SOME MATTERS RESERVED FOR THE
DEMOLITION OF DERELICT 2 STOREY OFFICE BUILDING & ERECTION OF 8
NO. 2 BED FLATS & 6 NO. 1 BED FLATS WITH GROUND FLOOR PARKING,
BIN & CYCLE STORAGE & CHILDRENS PLAY AREA
FORMERLY WESTSIDE SUPPLIES 17/18 DURBAN ROAD BOGNOR REGIS**

Thank you for consulting us on the above planning application.

Environment Agency position

The proposed development will only be acceptable if the following measures are implemented and secured by way of planning conditions on any planning permission granted.

Condition 1

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme 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:

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.

Environment Agency
Guildbourne House Chatsworth Road, Worthing, West Sussex, BN11 1LD.
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
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3. The site investigation results and the detailed risk assessment (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 (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 express consent of the local planning authority. The scheme shall be implemented as approved.

Reason

To ensure that the development complies with approved details in the interests of protection of Controlled Waters in accordance with PPS23 and Policy GEN26 of the Arun District Local Plan.

Condition 2

Development shall not begin until a scheme for the provision of foul and surface water drainage works has been submitted to and approved in writing by the LPA. The drainage works shall be completed in accordance with the details and timetable agreed.

Reason

To prevent pollution of Controlled Waters by ensuring the provision of a satisfactory means of foul & surface water disposal in accordance with PPS23 and Policy GEN26 of the Arun District Local Plan.

Condition 3

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the development complies with approved details in the interests of protection of Controlled Waters in accordance with PPS23 and Policy GEN26 of the Arun District Local Plan.

Condition 4

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, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason

To ensure that the development complies with approved details in the interests of protection of Controlled Waters in accordance with PPS23 and Policy GEN26 of the Arun District Local Plan.

Condition 5

Nothing other than uncontaminated excavated natural materials shall be deposited
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on the site.

Reason

To protect the groundwater quality in the area in accordance with PPS23 and Policy GEN26 of the Arun District Local Plan.

Condition 6

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set no lower than 2.2 m above Ordnance Datum (AOD).

Reason

To reduce the risk of flooding to the proposed development and future occupants in accordance with PPS25 and Policy GEN10 of the Arun District Local Plan.

Planning Informative

Please note that there may be a culverted watercourse either within or adjoining the site. The applicant should ensure that the development is not located above any culvert. If it is necessary to divert the culvert, then Flood Defence Consent would be required from the Environment Agency under the Land Drainage Act, 1991.

Advice

This site lies on Raised Marine Deposits overlying Lewes Nodular, Seaford, Newhaven, Culver & Portsdown Chalk, the latter classified as a Major Aquifer under our "Policy and Practice for the Protection of Groundwater. There is a shallow groundwater table beneath this site therefore this location is particularly sensitive with respect to pollution issues. This groundwater resource must be protected from pollution.

We consider that previous historical activities associated with this site may have caused, or has the potential to cause, contamination of Controlled Waters. If the desk top study identifies that contamination may be a problem then we recommend that development is permitted subject to suitable Planning Conditions being imposed relating to site investigation, risk assessment and remediation Method Statement.

The site lies within a sensitive groundwater area. Groundwater is therefore potentially at risk from activities at the site and all precautions must be taken to avoid discharges and spills to ground both during and after construction.

All surface water from roofs should be piped direct to an approved surface water system using sealed down pipes. Open gullies should not be used.

Care should be taken during site works to ensure that all fuels, lubrication oils and any other potentially contaminating materials should be stored (for example in bunded areas secured from public access) to prevent accidental/unauthorised discharge to ground.

All Pollution Prevention Guidelines information may be freely viewed and downloaded from the NetRegs section of our website. The website address is: www.environment-agency.gov.uk/netregs/resources/278006

May we take this opportunity to remind you that the primary responsibility for safeguarding land and other property, including neighbouring land, against unacceptable risk from contamination rests with the owner and that where development is proposed, the developer is responsible for ensuring that development is safe and suitable for use for the purpose for which it is intended.

I trust that the above comments are satisfactory but if you require any further information please contact me.

Yours faithfully

Miss Catherine McLeod
Planning Liaison Officer

Direct dial 01903 703858

Direct e-mail PlanningSSD@environment-agency.gov.uk

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