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

Our ref: HA/2018/120259/01-L01
Your ref: FG/39/18/PL
Date: 04 April 2018

Dear Sir/Madam

DEMOLITION OF EXISTING PROPERTY & OUTBUILDINGS; ERECTION OF NEW MOTOR DEALERSHIP WITH SHOWROOM, OFFICES & MOTOR VEHICLE WORKSHOP (INCLUDING MOT) & NEW HEAD OFFICE FACILITY ADJOINING THE EXISTING PEUGEOT BUILDING ON SITE INCLUDING ASSOCIATED HARD & SOFT LANDSCAPING & ASSOCIATED SUPPORTING FACILITIES. THIS APPLICATION IS A DEPARTURE FROM THE DEVELOPMENT PLAN. WORTHING PEUGEOT LITTLEHAMPTON ROAD FERRING BN12 6PB

Thank you for your consultation on this proposal. Please quote our reference number in any correspondence.

Environment Agency Position

We consider that planning permission should only be granted to the proposed development as submitted if the following planning conditions are imposed as set out below. Without these conditions, the proposed development on this site poses an unacceptable risk to groundwater quality and we would wish to object to the application.

Development on Land Affected by Contamination

The previous use of the proposed development site as an automobile showroom/repair Centre presents a high 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 Principal aquifer.

The GCC Phase 1 desktop site investigation (J18-004-R01) submitted in support of this planning application provides us with confidence that it will be possible to suitably manage the risk posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken. It is our opinion that it would place an unreasonable burden on the developer to ask for more

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detailed information prior to the granting of planning permission but respect that this is a 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, carried out by a competent person in line with paragraph 121 of the National Planning Policy Framework.

Without these conditions we would object to the proposal in line with paragraph 109 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.

Condition 1

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site 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; and
 - potentially unacceptable risks arising from contamination at the site.
1. 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.
2. 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.
3. 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

To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution in line with paragraph 109 of the National Planning Policy Framework.

Site is located upon river terrace deposits, consisting of lenticular sands, silts and gravels, overlying undifferentiated chalk. The river terrace deposits are designated a Secondary A aquifer with minor vulnerability, the chalk is designated a principal aquifer with major vulnerability.

GCC Phase 1 desktop site investigation (J18-004-R01) recommends an invasive Phase 2 investigation to quantify any potential areas of contamination.

Condition 2

Prior to any part of the permitted 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.

Reasons

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 109 of the National Planning Policy Framework.

Site is located upon river terrace deposits, consisting of lenticular sands, silts and gravels, overlying undifferentiated chalk. The river terrace deposits are designated a Secondary A aquifer with minor vulnerability, the chalk is designated a principal aquifer with major vulnerability.

GCC Phase 1 desktop site investigation (J18-004-R01) recommends an invasive Phase 2 investigation to quantify any potential areas of contamination. Upon completion of this investigation, an assessment of the results will be required.

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.

Reasons

To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution from previously unidentified contamination sources at the development site in line with paragraph 109 of the National Planning Policy Framework.

Site is located upon river terrace deposits, consisting of lenticular sands, silts and gravels, overlying undifferentiated chalk. The river terrace deposits are designated a Secondary A aquifer with minor vulnerability, the chalk is designated a principal aquifer with major vulnerability.

SUDS Infiltration of Surface Water into Ground

The previous use of the proposed development site as automobile showroom/repair centre presents a high risk of contamination that could be mobilised by surface water infiltration from the proposed sustainable drainage system (SuDS) leading to pollution of controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon Principal aquifer.

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 following planning condition is included in any permission granted. Without this condition we would object to the proposal in line

with paragraph 109 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.

Condition 4

No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reasons

To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilised contaminants in line with paragraph 109 of the National Planning Policy Framework.

Site is located upon river terrace deposits, consisting of lenticular sands, silts and gravels, overlying undifferentiated chalk. The river terrace deposits are designated a Secondary A aquifer with minor vulnerability, the chalk is designated a principal aquifer with major vulnerability.

Decommission of investigative boreholes

The submitted planning application indicates that boreholes will need to be installed at the development site to investigate groundwater resources. If these boreholes are not decommissioned correctly they can provide preferential pathways for contaminant movement which poses a risk to groundwater quality.

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 any part of the permitted 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 109 of the National Planning Policy Framework.

Site is located upon river terrace deposits, consisting of lenticular sands, silts and gravels, overlying undifferentiated chalk. The river terrace deposits are designated a Secondary A aquifer with minor vulnerability, the chalk is designated a principal aquifer with major vulnerability. Any investigative boreholes could become potential pathways for contaminants to the principal aquifer.

Advice to Applicant

The site is located upon river terrace deposits, consisting of lenticular sands, silts and gravels, overlying undifferentiated chalk. The river terrace deposits are designated a

Secondary A aquifer with minor vulnerability, the chalk is designated a principal aquifer with major vulnerability.

Given the sensitivity of ground water in the area, any soakaway system would need to be equipped with contaminant interception systems. The AKS Ward Drainage Strategy document underlined that the design will be compliant with CIRIA guidelines and best practice.

We would encourage continued adherence to these guidelines and any deviation from the original specification would require consultation with the Environment Agency.

Yours faithfully

Miss Suz Greenwood
Planning Advisor, Environment Agency

