Charlotte Burrows

From: Wendy Benson
Sent: 14 June 2013 16:16
To: Charlotte Burrows
Subject: FW: Applications to Discharge Condition No. 6 and Vary Condition No. 8 of LPA Ref FP/189/09 - Summerley Corner (South Site) Bognor Regis.
Attachments: LW23303 Remediation Strategy.pdf; Tank Letter.pdf; LW23175 Report.pdf; LW23175 Cover Letter.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Charlie

These applications were made via the planning portal (we have not received them yet) this information was sent to Damien to be added to the applications.

Thanks

Wendy

From: Damian Sullivan
Sent: 14 June 2013 10:50
To: Wendy Benson
Subject: FW: Applications to Discharge Condition No. 6 and Vary Condition No. 8 of LPA Ref FP/189/09 - Summerley Corner (South Site) Bognor Regis.

Wendy,

Attachments to be put with two recently submitted applications (one DOC and the other varying the wording of a condition) in connection with Summerley Corner, Felpham please.

If you can confirm once done and I will feed back assurance to Chris Moore.

Thanks,

Damian.

From: chris[redacted]
Sent: 13 Ju[redacted]
To: Damian Sullivan; Planning.Responses
Cc: 'Jacqui Shilton'
Subject: Applications to Discharge Condition No. 6 and Vary Condition No. 8 of LPA Ref FP/189/09 - Summerley Corner (South Site) Bognor Regis.

Dear Damian,

As discussed on the telephone today I attach copies of the original letter and relevant reports from Ashdown Site Investigations on contamination issues t the above site as supplementary information to the two new applications posted today for;-

1. Discharge of Condition No. 6 (Contamination Report and Remediation Strategy).
2. The varying of the wording for Condition No. 8 (Verification Report).

ARUN DISTRICT COUNCIL FP/103/13/DOC

For the original Planning Application approval reference FP/189/09.

I would be very grateful if the information may be tied together so that the examining officer has all the relevant information to hand.

Please contact me if there is anything else you require on this particular matter. As stated on correspondence sent with the application forms, I would be grateful if we may be given the opportunity to answer specific queries before a decision is made should any arise.

Kind regards,

Chris Moore

BSc (Hons), MBEng

Sussex Building Consultancy Limited
3 Northcote Road
BOGNOR REGIS
PO21 5LZ

[redacted]

partner
LABC

LOCAL AUTHORITY BUILDING CONTROL PARTNER

Registered in England.
Company Registration No. 4720530

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SUSSEX BUILDING CONSULTANCY LIMITED
3 NORTHCOTE ROAD, BOGNOR REGIS. PO21 5LZ

FAO Mr D Vick
Development Control
Arun District Council
Maltravers Road
LITTLEHAMPTON
BN17 5LF.

13 June 2013

Dear Mr Vick,

Ref Application to Discharge Planning Approval Conditions. Eleven Self Contained Flats - Summerley Corner (South Site), Limmer Lane, Bognor Regis.- LPA Ref. FP/189/09.

With reference to the above mentioned development, on behalf of my clients I am pleased to enclose relevant forms, plans, materials detail and samples and cheque for £97.00 to accompany the application for approval of details reserved by condition for the original application reference FP/189/09 approved on 03 March 2010.

This application relates to Condition Number 6 only as a separate application will be made to vary the wording of Condition No. 8.

You have already been sent a full copy of the geotechnical and contamination assessment report and the geo-environmental data and historical maps information prepared by Ashdown Site Investigation dated August 2012 for the previous application, however, I shall e-mail the relevant documents direct to accompany this application.

If there are any queries raised on the information supplied by Environmental Health and their validity in clearing the condition, rather than refuse the application, I would be grateful if I could be informed to allow the site investigation specialist to provide answers. It is hoped that the detail is considered satisfactory and that you can clear the condition, however, should you wish to discuss any matter please do not hesitate to contact me.

Yours sincerely,

[redacted]

C A Moore BSc (Hons) MBEng

ARUN DISTRICT COUNCIL
14 JUN 2013
RECEIVED

cc Greydune Limited.

ARUN DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

DECISION NOTICE

Application Ref: FP/189/09/

1 **To Addressee**

Mr C A Moore
Sussex Building Consultancy Lt
3 Northcote Road
Bognor Regis
West Sussex
PO21 5LZ

2 **Site Address**

Summerley Corner (South side)
Limmer Lane/Summerley Lane
Felpham
PO22 7LF

3 **Description of Development**

Renewal of unimplemented planning permission FP/244/06/ for 9 no. 2 bedroom & 2 no. 3 bedroom apartments

4 In pursuance of their powers under this Act and related Orders and Regulations the Council PERMIT this development to be carried out in accordance with the application and plan and subject to compliance with the conditions specified.

CONDITION 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

CONDITION 2 No development shall be carried out unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls and roof of the proposed building have been submitted to and approved by the Local Planning Authority and the materials so approved shall be used in the construction of the building.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 3 No development shall take place until there has been submitted to, and approved by, the Local Planning Authority, a landscaping scheme. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and of the environment of the development in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 4 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies to BS 5911:1982 with an overall capacity compatible with the site being drained.

Reason: In order to prevent pollution of the water environment in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 5 Only clean, uncontaminated rock, sub-soil, brick rubble, crushed concrete and ceramic shall be used as infill material on the site.

Reason: To prevent pollution of controlled waters in accordance with policy GEN11 of the Arun District Local Plan.

CONDITION 6 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.
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 the environment and prevention of harm to human health in accordance with Arun District Local Plan policies GEN7 and GEN31.

CONDITION 7 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 amedment 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 the environment and prevention of harm to human health in accordance with Arun District Plan policies GEN7 and GEN31.

CONDITION 8 Prior to [commencement of development]/ [occupation of any part of the permitted development], a verification report demonstrating completion of the 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. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed in an appropriate standard in accordance with Arun District Local Plan policies GEN7 and GEN31.

CONDITION 9 No development shall be carried out until all buildings and structures existing on the application site at the date of this permission have been demolished, the debris removed from the site and the site cleared.

Reason: In the interests of the amenities of the locality in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 10 The use hereby permitted building hereby permitted shall not be occupied until provision has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority to prevent surface water discharging onto the public highway.

Reason: In the interests of road safety and to accord with approved policy in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 11 The access to the proposed site shall be laid out to provide visibility splays on each side of the access in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

These splays shall be:-

(1) 2 metres by 2 metres on each side of the proposed access based on the existing highway boundary, together with sight lines defined by:-

(2) (a) A line 2.4 metres long measured along the centre line of the proposed access from the line of the nearer edge of the carriageway of Southview Road.

(b) Lines 32 metres long on each side of the access measured along the site frontage.

(c) The straight lines joining the termination of the above lines.

No other work shall be carried out on the site until the above-mentioned sight lines and splay lines have been provided and thereafter the said sight lines and splay areas shall be kept free from any obstruction to visibility in excess of 0.6 metres above the level of the adjoining carriageway.

Reason: In the interests of road safety in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 12 The building shall not be occupied until the parking spaces and turning facilities shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking and turning of vehicles. Cycle parking details shall be submitted to and approved in writing by the local planning authority before the building is occupied.

Reason: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policies DEV1, DEV5 of the West Sussex Structure Plan and GEN7 of the Arun District Local Plan.

CONDITION 13 No direct pedestrian access from the northern frontage of the site to Limmer Lane /Summerley Lane shall be formed without the prior consent in writing of the local planning authority.

Reason: In the interests of highway safety in accordance with policy NE17 of the West Sussex Structure Plan.

CONDITION 14 The building hereby permitted shall not be occupied until the footway across the northern frontage of the site has been constructed in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: In the interests of highway safety in accordance with policy GEN7 of the Arun District Local Plan.

CONDITION 15 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.
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 the environment and prevention of harm to human health in accordance with Arun District Local Plan policies GEN7 and GEN31.

CONDITION 16 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 amedment 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 the environment and prevention of harm to human health in accordance with Arun District Plan policies GEN7 and GEN31.

CONDITION 17 Prior to commencement of development, a verification report demonstrating completion of the 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. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the remediated site has been reclaimed in an appropriate standard in accordance with Arun District Local Plan policies GEN7 and GEN31.

CONDITION 21 This permission relates to the following approved plans block and site plan drawing number 505/01a dated October 2006 submitted with the application and all other plans as approved by FP/244/06....

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with GEN7 of the Arun District Local Plan.

INFORMATIVE: The West Sussex County Council as Highway Authority would remind applicants that they may have to provide on the application site, areas for the parking and unloading of vehicles, temporary contractor buildings, plant and stacks of materials as the use of the adjacent public highway for these purposes may not be acceptable under the terms of the Highways Act.

Informative

The West Sussex County Council state that the footway will need to be provided under the provisions of S38/278 of the Highways Act 1980.

The Section 106 Agreement signed in conjunction with reference FP/291/04 relating to library and education contributions applies to this permission.

INFORMATIVE: Summary of Reasons for Grant Article 22(1) General Development Procedure Order 1995

SUMMARY
This planning permission is granted because it complies with the policies listed below in that the development would not cause any material adverse effect on visual or residential amenity on the surrounding area and its character and there are no material considerations to indicate otherwise.

RELEVANT POLICIES

SOUTH EAST PLAN H5

LOCAL PLAN: GEN7, GEN12, GEN31

NATIONAL POLICIES: PPS1, PPS3, PPG13, PPS23

This is only a summary of reasons for granting to comply with Article 22 and full reasons appear in the Officer report.

Case Officer: Mrs S Leeson

Date of Decision: **3rd March 2010**

Date Decision Issued: **4th March 2010**

Head of Planning Services
Arun District Council
The Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex BN17 5LF

Karl Roberts
Assistant Director Planning Services &
Housing Strategy

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS DOCUMENT

NOTES RELATING TO PLANNING APPLICATION
TOWN AND COUNTRY PLANNING ACT 1990

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the First Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within 6 months of the date of this notice using a form which you can get from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

PURCHASE NOTICES

If either the local planning authority or the First Secretary of State refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town & Country Planning Act 1990.

Please note that this decision notice only relates to matters under the Planning Acts and does not give consent under any other legislation that may apply to the development. You will need to carry out your own checks to determine whether any other consents or permissions are required. For example, the Building Regulations are likely to apply to most developments, and a Highways Licence may be required from West Sussex County Council for any development within the public highway (including the placing of skips on highway land).

Daniel Vick

From: Matthew Kennett
Sent: 23 July 2013 10:12
To: Planning.Responses; Susan Leeson; Daniel Vick
Subject: FW: Planning Consultation on FP/103/13/DOC

From: Matthew Kennett
Sent: 23 July 2013 09:44
To: Planning.Responses; Susan Leeson
Subject: RE: Planning Consultation on FP/103/13/DOC

Hi Susan,

Sorry I did not spot this sooner I replied to Damian on 10th June. Condition 6 can be passed from the work submitted so far.

Thanks

Matthew Kennett
Pollution Officer
Environmental Health
Arun District Council
01903 737696 (direct line)
Civic Centre, Maltravers Road, Littlehampton BN17 5LF
For further information on Environmental Health's services visit our website: www.arun.gov.uk/eh

---

Hi Damian,

The works proposed in the;

REMEDIATION STRATEGY
AND VERIFICATION PLAN
Report No. LW23303/rs December 2012

And the;

Supplementary Assessment Report on the Underground Tank

Are satisfactory as far as Environmental Health are concerned. Once all the proposed works have been performed and details have been submitted in a validation report then both conditions 6 and 8 would be able to be discharged.

Thanks

Matthew Kennett
Pollution Officer
Environmental Health
Arun District Council
01903 737696 (direct line)

ARUN DISTRICT COUNCIL FP/103/13/DOC

Civic Centre, Maltravers Road, Littlehampton BN17 5LF
For further information on Environmental Health's services visit our website: www.arun.gov.uk/eh

Please consider the environment before printing this email

From: Damian Sullivan
Sent: 10 June 2013 16:23
To: Matthew Kennett
Subject: FW: Summerley Corner - South Site, Bognor Regis

From: chris [redacted]
Sent: 07 June 2013 14:39
To: Damian Sullivan
Subject: FW: Summerley Corner - South Site, Bognor Regis

Hi Damian,

Email as discussed. Grateful for any help – we are now desparate.

Kind regards,

Chris Moore

BSc (Hons), MBEng

Sussex Building Consultancy Limited
3 Northcote Road
BOGNOR REGIS
PO21 5LZ

[redacted]

From: Graham Evans
Sent: 11 July 2013 16:26
To: Matthew Kennett
Subject: FW: Planning Consultation on FP/103/13/DOC

Please respond direct.

Thanks
Graham

From: Sam Humphries
Sent: 01 July 2013 15:20
To: Graham Evans
Subject: FW: Planning Consultation on FP/103/13/DOC

C/N: 199053

DRAFT CONDITION(S) CLEARED NOTICE

Mr C Moore
Sussex Building Consultancy
Limited
3 Northcote Road
Bognor Regis
West Sussex
PO21 5LZ

Your Ref: FP/103/13/DOC
Please ask for:
Mrs S Leeson

25 July 2013

Dear Mr Moore

Town & Country Planning Act 1990 (as amended)
Planning (Listed Buildings and Conservation Areas) Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)
Application for approval of details reserved by condition 6 of previously approved planning application FP/189/09 - Contamination
Summerley Corner (South Side) Limmer Lane/Summerley Lane,Felpham,

Notification regarding the above application:

Condition Number 6

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:
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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 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.

25-7-13

Any changes to these components require the express consent of the local planning

docdecidft

authority. The scheme shall be implemented as approved.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun District Local Plan policies GEN7 and GEN31.

Decision:
Arun District Council have decided to
APPROVE the details reserved by this condition
Contamination Report as submitted by Ashdown Site Investigation Ltd dt August 2012.

Please do not hesitate to contact the above officer if you require any further assistance.

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