

Zoe Toppin

From: Michael Eastham
Sent: 08 September 2020 16:26
To: Planning.Responses
Subject: FW: LU/192/20/DOC - Contaminated land

Please upload onto Ocella the email below from **Environmental Health** to discharge of condition application **LU/192/20/DOC** – Contaminated Land – Parcel A2, Hampton Park.

Thanks,

Michael

Michael Eastham
Principal Planning Officer,
Planning Department

T: 01903 737772
E: michael.eastham@arun.gov.uk

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From: Kate Giddings <kate.giddings@arun.gov.uk>
Sent: 08 September 2020 16:13
To: Michael Eastham <Michael.Eastham@arun.gov.uk>
Subject: RE: LU/192/20/DOC - Contaminated land

Hi Michael,

Thanks for clarifying this.

I believe that the consultation for discharge of these conditions should be directed to the Environment Agency as the appropriate authority.

Thank you,

Kate.

Kate Giddings
Senior Technical Officer
Environmental Health

T: 01903 737586
E: kate.giddings@arun.gov.uk

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From: Michael Eastham <Michael.Eastham@arun.gov.uk>
Sent: 08 September 2020 15:55
To: Kate Giddings <kate.giddings@arun.gov.uk>
Subject: RE: LU/192/20/DOC - Contaminated land

Hi Kate,

No. We want to approve and discharge **Condition 33**.

Condition 34 is a separate condition which requests the submission of a verification report.

Would you be happy to recommend we approve and discharge **Condition 33**?

Thanks,

Michael

Michael Eastham
Principal Planning Officer,
Planning Department

T: 01903 737772

E: michael.eastham@arun.gov.uk

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From: Kate Giddings <kate.giddings@arun.gov.uk>
Sent: 08 September 2020 15:52
To: Michael Eastham <Michael.Eastham@arun.gov.uk>
Subject: RE: LU/192/20/DOC - Contaminated land

Hi Michael,

Sorry to have missed you earlier.

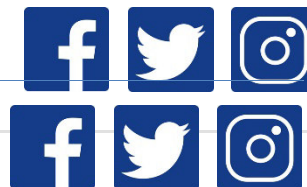
To confirm; are we now looking at an application to discharge condition 34 which relates to a verification report?

If so, I think the EA are best placed to provide comment as the justification for the condition relates to the underlying aquifer, groundwater abstraction and surface water. EH are not able to provide an assessment on these aspects. As aforementioned, if we were to provide a human health response, I'd need to see the two 2014 reports so that all the information has been reviewed before being able to comment.

Thank you,

Kate.

Kate Giddings



From: Michael Eastham <Michael.Eastham@arun.gov.uk>

Sent: 08 September 2020 15:45

To: Kate Giddings <kate.giddings@arun.gov.uk>

Subject: RE: LU/192/20/DOC - Contaminated land

Hi Kate,

Further to our telephone message regarding discharge of condition application **LU/192/20/DOC** relating to **Condition 33** at Phase 3 (Parcel A2) at Hampton Park, please see the information below:

Condition 33 imposed on the outline planning permission (LU/47/11) deals with the contamination works that are to be carried out:

No development approved by this planning permission shall commence (or such other date or stage in development as may be agreed in writing with the Local Planning Authority) until 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:

i. 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

ii. A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

iii. The results of the site investigation and detailed risk assessment referred to in (ii) 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.

iv. 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 (iii) 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 protect the Principal Aquifer beneath the site, the groundwater abstraction on site and the surface waters including the Black Ditch in accordance with PPS23 and Policy GEN26 of the Arun District Local Plan.

However, **Condition 34** of the outline planning permission requests the submission of a verification report:

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. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To protect the Principal Aquifer beneath the site, the groundwater abstraction on site and the surface waters including the Black Ditch in accordance with national guidance and Policy GEN26 of the Arun District Local Plan.

Consequently, in terms of discharge of condition application **LU/192/20/DOC** would you be able to recommend "the part approval and part discharge of the condition (i.e. **Condition 33**) in relation to Parcel A2 on Persimmon Homes Phase 3 at Hampton Park"?

Would you also support the insertion of the following text at the end of the Decision Letter partly approving the condition in relation to Parcel A2 on Persimmon Homes Phase 3 at Hampton Park:

"Further intrusive investigation and/or remedial works are required in Parcel B6 together with a watching brief to account for any previously unidentified contamination. Consequently, it is not possible to fully discharge this condition until Parcel B6 is further investigated and/or remediated, nor before the groundworks phase is complete, which includes areas of soft landscaping".

I look forward to receiving your reply.

Kind regards,

Michael

Michael Eastham
Principal Planning Officer,
Planning Department

T: 01903 737772

E: michael.eastham@arun.gov.uk

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From: Kate Giddings <kate.giddings@arun.gov.uk>
Sent: 03 September 2020 15:16
To: Michael Eastham <Michael.Eastham@arun.gov.uk>
Subject: FW: LU/192/20/DOC - Contaminated land

Hi Michael,

In relation to the above, I have now had the opportunity to review the files for LU/47/11 and can see that Environmental Health provided a consultation response in March 2011, which references a Ground Condition Assessment Report by WYG Environmental (ref.: A044029/AP/GCAR/OCT08/V1, dated October 2008) . The officer supported the report

recommendations which included tank removal and validation sampling, full ground gas assessment, DQRA or replacement soil and capping system in selected areas and an asbestos survey. Environmental Health recommended the additions of conditions ENV3, ENV4, ENV5 and ENV6 to the application, however I do not know to which conditions these codes relate.

The portal also shows a consultation response from the Environment Agency in May 2011. The EA also reference the 2008 report (plus one dated June 2008) and provide the recommendation and justification for condition 33 as it appears on the decision notice. The justification for the condition relates to protection of the principal aquifer, surface water and groundwater abstraction therefore it seems the EA are best placed to provide comment on the above application.

In the event that EH are required to provide a response from a human health perspective, I will need to see either confirmation that the 2014 reports have been approved or have sight of these reports for assessment. As aforementioned (and assuming the 2014 reports have been approved), EH has no concern regarding parcel A2 but it is recommended that the condition is not considered for discharge until groundworks are complete. This does not apply to parcel B6 as further works are required.

Please do give me a call tomorrow if this doesn't make sense or if there is something I have missed.

Thanks,

Kate.

Kate Giddings
Senior Technical Officer
Environmental Health

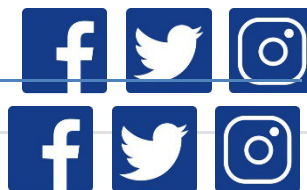
T: 01903 737586

E: kate.giddings@arun.gov.uk

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From: Kate Giddings

Sent: 02 September 2020 15:48

To: Michael Eastham <Michael.Eastham@arun.gov.uk>

Cc: Clark, Robert <robert.clark@persimmonhomes.com>

Subject: RE: LU/192/20/DOC - Contaminated land

Hi Michael,

Thank you for your e-mail.

I have not yet had a chance to review these documents but I shall endeavour to do so tomorrow and will reply as soon as I am able.

Many thanks,

Kate.

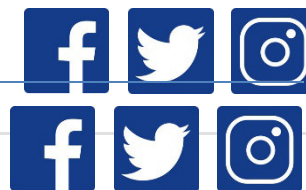
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Senior Technical Officer
Environmental Health

T: 01903 737586

E: kate.giddings@arun.gov.uk

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From: Michael Eastham <Michael.Eastham@arun.gov.uk>

Sent: 02 September 2020 14:28

To: Kate Giddings <kate.giddings@arun.gov.uk>

Cc: Clark, Robert <robert.clark@persimmonhomes.com>

Subject: FW: LU/192/20/DOC - Contaminated land

Hi Kate,

Have you had a chance to read through the information attached to this email and are you prepared to approve the discharge of the contaminated land condition?

I look forward to receiving your reply.

Kind regards,

Michael

Michael Eastham
Principal Planning Officer,
Planning Department

T: 01903 737772

E: michael.eastham@arun.gov.uk

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From: Clark, Robert <robert.clark@persimmonhomes.com>

Sent: 21 August 2020 12:15

To: Kate Giddings <kate.giddings@arun.gov.uk>; Michael Eastham <Michael.Eastham@arun.gov.uk>

Subject: RE: LU/192/20/DOC - Contaminated land

Hi Michael/ Kate

Please find enclosed confirmation that the remediation strategy has been reviewed previously and discharged for the whole site.

Attached is the following:

1. Covering letter dated 15th May 2015 for Condition 33;

2. Remediation Statement dated October 2014;
3. DoC for Condition 33 (for the whole site).

Kind Regards

Rob

Robert Clark
Head of Planning
Persimmon Homes Thames Valley
Persimmon House
Knoll Road
Camberley
GU15 3TQ
Tel 01276 808080

From: Kate Giddings <kate.giddings@arun.gov.uk>
Sent: 21 August 2020 11:24
To: Michael Eastham <Michael.Eastham@arun.gov.uk>
Cc: Clark, Robert <robert.clark@persimmonhomes.com>
Subject: RE: LU/192/20/DOC - Contaminated land

Dear Michael,

Thank you for your e-mails.

Please may you confirm whether the Phase I and Phase II reports from 2014 have these been assessed by EH? If so, please may you advise of the response and if not, please may a copy of each be forwarded to me for review. I am not able to provide comment until I am sure that the relevant documentation has been reviewed.

As aforementioned, in the event that the reports are acceptable, EH have no concerns regarding parcel A2 but it is recommended that the condition is not considered for discharge until groundworks are complete.

Kind regards,

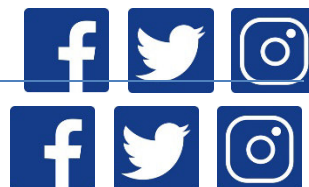
Kate.

Kate Giddings
Senior Technical Officer
Environmental Health

T: 01903 737586
E: kate.giddings@arun.gov.uk

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From: Michael Eastham <Michael.Eastham@arun.gov.uk>
Sent: 21 August 2020 08:01
To: Kate Giddings <kate.giddings@arun.gov.uk>
Cc: Clark, Robert <robert.clark@persimmonhomes.com>
Subject: FW: LU/192/20/DOC - Contaminated land
Importance: High

Dear Kate,

Would you be able to recommend “**the part approval and part discharge of the condition in relation to Parcel A2 on Persimmon Homes Phase 3 at Hampton Park**”?

Would you also support the insertion of the following text at the end of the Decision Letter partly approving the condition in relation to Parcel A2 on Persimmon Homes Phase 3 at Hampton Park:

“Further intrusive investigation and/or remedial works are required in Parcel B6 together with a watching brief to account for any previously unidentified contamination. Consequently, it is not possible to fully discharge this condition until Parcel B6 is further investigated and/or remediated, nor before the groundworks phase is complete, which includes areas of soft landscaping”.

I look forward to receiving your reply.

Kind regards,

Michael

Michael Eastham
Principal Planning Officer,
Planning Department

T: 01903 737772
E: michael.eastham@arun.gov.uk

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From: Kate Giddings <kate.giddings@arun.gov.uk>
Sent: 13 August 2020 13:58
To: Michael Eastham <Michael.Eastham@arun.gov.uk>
Subject: LU/192/20/DOC - Contaminated land
Importance: High

Hi Michael,

In relation to the above, please may you confirm whether the Phase I and Phase II reports from 2014 have these been assessed by EH? If so, please may you advise of the response and if not, please may a copy of each be forwarded to me for review.

Assuming all the reports tally, EH have no concerns regarding parcel A2 (of course my comments remain for parcel B6) but it is recommended that the condition is not considered for discharge until groundworks are complete.

With regard to the suggestion of a partial discharge for parcel A2, this decision is for Planning but please note that as aforementioned, EH recommend that the condition cannot be recommended for discharge until groundworks are complete. To reiterate, this would not apply to parcel B6 as further works are required.

Many thanks,

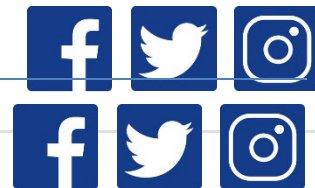
Kate.

Kate Giddings
Senior Technical Officer
Environmental Health

T: 01903 737586
E: kate.giddings@arun.gov.uk

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From: Michael Eastham <Michael.Eastham@arun.gov.uk>
Sent: 12 August 2020 14:35
To: Kate Giddings <kate.giddings@arun.gov.uk>
Subject: FW: LU/189/20/DOC and LU/192/20/DOC - Contaminated land
Importance: High

Hi Kate,

Please see the email below from Rob Clark at Persimmon Homes regarding the contaminated land reports for **LU/189/20/DOC** and **LU/192/20/DOC**.

I look forward to receiving your reply, so that I can issue the Decision letters.

Thanks,

Michael

Michael Eastham
Principal Planning Officer,
Planning Department

T: 01903 737772
E: michael.eastham@arun.gov.uk

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From: Clark, Robert <robert.clark@persimmonhomes.com>
Sent: 12 August 2020 14:21
To: Michael Eastham <Michael.Eastham@arun.gov.uk>
Cc: 'Robin Bishop' <robin.bishop@t-d-s.com>
Subject: RE: LU/189/20/DOC and LU/192/20/DOC - Contaminated land

Hi Michael

Thanks for the email - please forward this email to the EH team.

The Allotment Site

The recommendation for the allotment site is straightforward:

It is recommended that existing made ground is removed to 600 mm below finished levels and replaced with clean imported soils, which comply with the screening levels for allotment use. This thickness of clean soil is considered to sever the pathways, (including accidental ingestion, inhalation and absorption) between the contaminant source (residual made ground) and receptors (future site users).

This is a standard approach for remediation of this nature and the strategy is something we need to implement ASAP otherwise we will miss the window for this year. I am not sure why additional information/ testing is required as the recommendation will still be the same: the removal of 600mm of soil and replacement with clean imported soil.

Phase 3

We are looking to discharge **Parcel A2 only** at this stage and I can confirm that no contamination was found on this parcel; as per the report. However, we fully recognise that further investigation is required on Parcel B6 and this will be undertaken prior to starting on site and once the compound for the Lyminster Bypass has been removed. We will not be starting this parcel for at least 12 months and a separate discharge will be made nearer the time.

I hope this helps and if you would like me to speak to your Environmental Health team then please let me know.

Kind regards

Rob

Robert Clark
Head of Planning
Persimmon Homes Thames Valley
Persimmon House
Knoll Road
Camberley
GU15 3TQ
Tel 01276 808080

From: Michael Eastham <Michael.Eastham@arun.gov.uk>
Sent: 12 August 2020 08:58
To: Clark, Robert <robert.clark@persimmonhomes.com>
Subject: RE: LU/189/20/DOC and LU/192/20/DOC - Contaminated land

Hi Rob,

Do you think you can reply to the **ADC Environmental Health** consultation response to **LU/189/20/DOC** and **LU/192/20/DOC** regarding contaminated land by the close of play on **Friday 14th August**?

Kind regards,

Michael

Michael Eastham
Principal Planning Officer,
Planning Department

T: 01903 737772
E: michael.eastham@arun.gov.uk



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From: Kate Giddings <kate.giddings@arun.gov.uk>
Sent: 07 August 2020 11:37
To: Michael Eastham <Michael.Eastham@arun.gov.uk>
Subject: RE: LU/189/20/DOC and LU/192/20/DOC - Contaminated land

Hi Michael,

Thanks for your e-mail; I am working through the planning responses as quickly as I can but as I am sure you can appreciate, we are inundated with deadlines for different cases at the moment.

With regard to LU/189/20/DOC the condition cannot be discharged. Having reviewed Idom Merebrook's Site Investigation report (ref.: L-18426h-2.4.2-18-S445-JSS, dated 16 August 2018), the report does not meet the criteria as specified in condition 4. For example, the report does not include any elements associated with a Phase I report, there is no investigation methodology, no consideration of off-site sources of contamination and no risk assessment. The report also states that Inani Ltd. are proposing to develop the site for residential purposes, however the screening levels selected are for 'allotment use' (which tallies with the application details). The conclusion of the report states that the ground conditions are not suitable for use therefore the site requires remedial work. Consequently, the condition cannot be recommended for discharge.

With regard to LU/192/20/DOC, LEAP Environmental's Phase III Site Investigation Report (ref.: LP2128, dated April 2020) refers to Phase I and Phase II reports from other authors in 2014; have these been assessed by EH? If so, please may you advise of the response and if not, please may a copy of each be forwarded to me for review. I have looked on the portal but cannot find these reports.

The Phase III report recommends that further intrusive investigation and/or remedial works are undertaken in area described as B6 and that a watching brief is followed to account for any previously unidentified contamination. Consequently, it is not possible to recommend this condition for discharge until the B6 area is further investigation and/or remediated, nor before the groundworks phase is complete (this will include areas of soft landscaping). In terms of the proposed remedial strategy (remove-and-replace minimum of 600mm depth), an acceptable alternative is to remove material to minimum 300mm depth, install a suitable geotextile membrane and replace with minimum 300mm certified clean material. The further investigation and/or either remedial option will require evidencing in a verification/validation report.

Many thanks,

Kate.

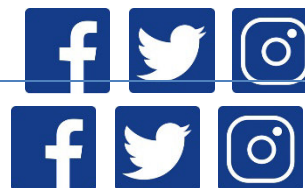
Kate Giddings
Senior Technical Officer
Environmental Health

T: 01903 737586
E: kate.giddings@arun.gov.uk



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