

Sandra Edwards

From: Amanda Scholes on behalf of Planning.Responses
Sent: 08 November 2017 09:23
To: Planning Scanning
Subject: FW: Our ref: LR4 Your ref: LU/291/17/PL Response to Liz Rogers comments 27 Sept 2017 15:51

From: Anita Gardner
Sent: 08 November 2017 09:22
To: Planning.Responses
Subject: FW: Our ref: LR4 Your ref: LU/291/17/PL Response to Liz Rogers comments 27 Sept 2017 15:51

Please treat as a consultation response

[Anita Gardner](#) | Principal Planner, Directorate of Place, [Arun District Council](#) | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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From: Liz Rogers [<mailto:erogers@chichester.gov.uk>]
Sent: 08 November 2017 09:21
To: Anita Gardner
Subject: RE: Our ref: LR4 Your ref: LU/291/17/PL Response to Liz Rogers comments 27 Sept 2017 15:51

Morning,

I have had a look through the additional information below regarding the management plan to protect the site from pollution. I am happy that this is suitable. For my other comments regarding the lighting for bats and nesting birds, I am happy for these to be included as a condition.

Many Thanks

Liz



Liz Rogers

Environment Officer

Environment

Chichester District Council

Ext: 24229 | Tel: | erogers@chichester.gov.uk | Fax: 01243776766

<http://www.chichester.gov.uk>



From: Anita Gardner [<mailto:Anita.Gardner@arun.gov.uk>]
Sent: 03 November 2017 12:23
To: Liz Rogers
Subject: FW: Our ref: LR4 Your ref: LU/291/17/PL Response to Liz Rogers comments 27 Sept 2017 15:51

Hi Liz,

I have received this e-mail from the applicants. If you require any clarification or assistance Tania White has provided her contact details if it is helpful

Thanks
Anita

[Anita Gardner](#) | Principal Planner, Directorate of Place, [Arun District Council](#) | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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From: White, Tania [<mailto:Tania.White@environment-agency.gov.uk>]

Sent: 03 November 2017 12:17

To: Anita Gardner

Subject: Our ref: LR4 Your ref: LU/291/17/PL Response to Liz Rogers comments 27 Sept 2017 15:51

Dear Anita,

I understand that the LPA is planning to issue permission at the earliest opportunity for the closure of the gap at Littlehampton Arun Tidal Walls.

I am the Environmental Lead for this project within the Environment Agency. The reason for my contacting is to offer a call today with Liz Rogers, the ecological Consultee.

On the 27th September I had responded to Liz's concerns. Calls today have suggested that these are being reviewed by the Ecology Consultee currently, and that review of these would precede permission on the 9th (following Liz's revised comments anticipated on the 7th).

I may be of useful assistance to Liz to provide revised comments at the earliest opportunity (as I understand the LPA is making efforts to provide a response by the 6th). I have good knowledge of the scheme as an Ecologist, and coordinated the information and the most recent response to Liz's concerns.

Please do pass my mobile to Liz today, if that is helpful. I have been unable to contact her directly as she is external.

Kindest regards,

Tania

Tania (Tatiana) White MCIEEM

NEAS Project Manager

National Environmental Assessment Service

Part of National Operations Assets and Incidents

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tania.white@environment-agency.gov.uk

From: Matthew East [<mailto:Matthew.East@ghd.com>]

Sent: 31 October 2017 15:01

To: White, Tania <Tania.White@environment-agency.gov.uk>

Subject: FW: Our ref: LR4 Your ref: LU/291/17/PL Response to Liz Rogers comments 27 Sept 2017 15:51

Hi Tania,

Hope you are well?

Please refer to the email below.

Our planner has been asked if you are ok with your email being uploaded to the planning portal as part of the correspondence for the application?

Many thanks

Regards

Matthew East BEng (Hons1) MIEAust
Principal Maritime and Coastal Engineer

GHD

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From: Peter Kershaw [<mailto:Peter.Kershaw@parissmith.co.uk>]

Sent: Tuesday, 31 October 2017 1:23 PM

To: Matthew East <Matthew.East@ghd.com>

Cc: Jasmine Ghorashi <Yasaman.Ghorashi@ghd.com>; Kate Panayotou <Kate.Panayotou@ghd.com>

Subject: FW: Our ref: LR4 Your ref: LU/291/17/PL Response to Liz Rogers comments 27 Sept 2017 15:51

Hi Matt,

The Planning Officer has emailed me below.

You will see that she has asked if the email at the bottom of the page - which they received from Tania White of the NEAS Project Manager National Environmental Assessment Service, Part of National Operations Assets and Incidents - can be uploaded to the Council's website for the application and taken into consideration as part of the planning application.

I don't see that there is any issue with this - Council's don't usually check and usually just put comments up online automatically- but given that she has asked me I wondered if you could please just check with Tania that this is ok with her.

Thanks,

Peter.

Peter Kershaw
Planning Consultant
For and on behalf of Paris Smith LLP, Solicitors
Commercial Property and Planning Department
DD: 023 8048 2162
Switchboard: 023 8048 2482
1 London Road, Southampton, SO15 2AE



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From: Anita Gardner [<mailto:Anita.Gardner@arun.gov.uk>]

Sent: 31 October 2017 13:07

To: Peter Kershaw

Subject: FW: Our ref: LR4 Your ref: LU/291/17/PL Response to Liz Rogers comments 27 Sept 2017 15:51

Dear Mr Kershaw,

This information has been sent directly to me. Since you are the agent for the above application I would be grateful if you can confirm that this information can be added to the application.

Regards

Anita Gardner

[Anita Gardner](#) | Principal Planner, Directorate of Place, [Arun District Council](#) | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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From: Juan Baeza

Sent: 25 October 2017 19:49

To: 'White, Tania'

Cc: Anita Gardner

Subject: RE: Our ref: LR4 Your ref: LU/291/17/PL Response to Liz Rogers comments 27 Sept 2017 15:51

Tania

Anita the case officer is aware of your email.

Regards

[Juan Baeza](#) Area Team Leader – Planning Department, [Arun District Council](#) | Location: First Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

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From: White, Tania [<mailto:Tania.White@environment-agency.gov.uk>]

Sent: 25 October 2017 14:37

To: Juan Baeza

Cc: Sykes, Oliver D

Subject: FW: Our ref: LR4 Your ref: LU/291/17/PL Response to Liz Rogers comments 27 Sept 2017 15:51

Dear Juan,

Just a quick email to ensure the below was received (as I had not sent it also to the central planning email).

Many thanks in advance for confirmation.

Tania

Tania (Tatiana) White MCIEEM

NEAS Project Manager

National Environmental Assessment Service

Part of National Operations Assets and Incidents

Floor 3, Pod 1.

Guildbourne House, Chatsworth Road, Worthing, BN11 1LD

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tania.white@environment-agency.gov.uk

From: White, Tania

Sent: 20 October 2017 17:22

To: Juan Baeza <Juan.Baeza@arun.gov.uk>

Cc: Sykes, Oliver D <oliver.sykes@environment-agency.gov.uk>; Nutt, Deborah <deborah.nutt@arcadis.com>

Subject: Our ref: LR4 Your ref: LU/291/17/PL Response to Liz Rogers comments 27 Sept 2017 15:51

Dear Juan,

The EA have received the comments of Liz Rogers (ecology) in respect to pollution, bats, birds, enhancements (vertipools and bat, bird boxes).

I seek to respond to Liz's identified query concerning the control of pollution,

I will then make a clarification of the type and location of enhancements and compensations that we have specified in respect of our duty of regard, given constraints of the site.

I would envisage that my clarifications will satisfy Liz's concerns, as I make reference below to documents submitted in support of planning that include measures specified as standard for the EA in works adjacent watercourses (and

mudflats). However the EA would be pleased to revisit any final versions of documents to ensure that reference to pollution prevention controls are further specified, if any matter remains unclear.

1. A management plan to avoid runoff polluting the Bracklesham and intertidal mudflat

Measures for control of pollution and runoff are reviewed under the EAs standard procedures for design and methodology prior to internal "sign off". These must comply with EAs operational instructions. The methodology is reviewed by the EAs permitting team and any concerns addressed in supporting documents. Recommendations for conditions are made to the MMO where works will be below MHWS. The MMO then carry these forward in license conditions as lead authority at MHWS.

As such, in the case of the LR4 scheme for piling of 27m at Riverside Autos, pollution control measures have been reviewed during the design process, and methodologies agreed by the permitting team "FRAP" (with recommendations provided to the MMO for the licensing process to proceed in parallel with the LPAs evaluation).

Given the context that the existing defence is not removed (disturbance is minimised), and the new defence is installed in-front of it at the riverward side, measures specified and agreed by the EAs permitting team FRAP include the following:

From the Environmental Action Plan:

B21	To minimise any potential impacts of other contaminating materials on water quality during construction	Implement rigorous adherence to appropriate methods (Environment Agency Pollution Prevention Guidelines) for working over and adjacent to water, including specific appropriate checks and controls before pontoon work (higher risk) activities commence Works to be completed prior to March 2018	All Reaches Reach 4	Contractor	Pollution Prevention Guidelines No. 5, 21 and 23 GPP 5, PPG 6, GPP 8, PPG 14 and GPP 21	Ongoing Monitor risk around jet blasting of capping beam in reaches 1 and 2
B22	To minimise any contribution to flood risk during construction	Large stockpiles of materials/machinery to be outside the floodplain where possible. Register with the EA flood incident management team for notification of flood warnings Existing wall will be retained until all sheetpiles have been driven. Temporary flood bags will be utilised onsite for situations with anticipated flood levels above the existing wall height.	All Reaches Reach 4	Contractor	Flood Defence Consent Design Basis Report – Buildability Statement Planning Statement	Ongoing
B23	To prevent permanent impacts to drainage systems disturbed by the works	Any drainage system disturbed must be reinstated and replaced to at least their pre-construction standard	All Reaches Reach 4	Contractor	Flood Defence Consent	Ongoing
B27	To reduce the amount of waste soils	The generation and disposal of surplus or unsuitable soil materials is to be avoided as far as practicable by adoption of the guidance published in CL:AIRE 'The definition of waste: development industry code of practice' Disposal of waste materials unavoidably generated during construction is to be disposed of via licensed waste contractors to appropriate disposal sites in accordance with the Site Waste Management Plan. Any waste soils generated on site that are suitable are to be reused where possible Waste generated on site is to be stored safely in designated areas and in appropriate containers in accordance with the Site Waste Management Plan	All Reaches Reach 4	Contractor	Site Waste Management Plan	Ongoing SWMP issued to VSL for Reaches 1 and 2 on the 22/10/13. SWMP for remaining reaches issued in Sept 2014.

From the Design Basis Report

Further controls are specified in response to FRAPs inputs and are detailed at s5.4 - Contingency in the event of adverse weather and tide and at s5.8 and sw5.6 Site Waste Management Plan.

s5.6 includes measures such as:

During the driving of the sheet piles, it is expected that sediments will be stirred up by the vibratory action of the piling hammer. In addition to this, a crane and hammer with associated hydraulic hoses will be hanging over the water. Therefore, to prevent the release of potential foreign contaminants to the river water, a temporary floating bund will be provided around the site which will encompass the jack up barge. In addition, the hydraulic fluid for the works will utilise biodegradable hydraulic fluids.

From the Planning Statement s9.1

As works are to be undertaken adjacent to/within a marine environment, works on site will be conducted in accordance with PPG5 - Pollution Prevention Guidelines for works and maintenance in or near water (EA 2007) to prevent potential negative impacts to HPI Intertidal Mudflats and Running Water - Brackish.

[PPG5 is superceded as documented in the EAP]

Recommendations of the FRAP team

A letter of comfort with recommendations is forwarded to the MMO from the FRAP team, for consideration within their license terms.

The following are included

- It must be ensured that any storage of materials and chemicals are stored in such a manner whereas they cannot enter a watercourse.
- Any chemicals must be used in accord with the manufacturers advice notes and be suitable for use in a marine environment
- The applicant must adhere to the guidelines set out in Pollution Prevention Guidelines (PPG2) [referred in the EAP as *GPP 5, PPG 6, GPP 8, PPG 14 and GPP 21*]
- Should any spills or pollution incidents occur during the works, the Agency's Incident Hotline 0800 80 70 60 must be contacted immediately.
- Piling impacts should be minimised to that which is reasonable practicable to minimise disturbance to migratory fish species passage.
- Disturbance to the tidal natural habitat and mudflats during the construction works should be kept to a minimum.
- Due to the close proximity of the principle underground aquifer, if contamination not previously identified is found to be present at the site then no further works should be undertaken until a remediation strategy has been identified, and approved by the local authority.

In respect of the ecological consultee's second query

2. Re bats and light pollution during construction phase

Following Keystone Ecology's bat inspection of the site and finding of negligible risk of an offence, the Environmental Action Plan details that light pollution of potential flyways at the river will be controlled as follows. Bearing in mind that works are undertaken during winter, when bats are flying minimally, and that working hours extend only to 18:00, the following is considered to be sufficient and precautionary.

B13	Disturbance to bats	<i>If emergency works are to be carried out outside of normal working hours, ensure any lighting that is used is angled away from the river corridor</i>	~~Reaches 6 & 6R~~ Reach 4	Contractor	Although this item relates to Reaches 6 and 6R only, best practice for working around waterways		Completion
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3. Regarding enhancement and compensation

The EA are in discussion with the supplier regarding supply of three Compton pools (a reduced dimension than vertipools). We still need to verify that fixings accord to the recess dimension of the piling sheets, however, we will select an equivalent product if Compton pool fixings are incompatible.

Re bird and bat boxes, we are aiming to install within more suitable and secure habitat to the north (this is *ex situ* to the site in proximity to saltmarsh).

Thank you for your time in considering this information with respect to the queries made and for passing this information to Liz and Chichester.

Please do not hesitate to call if there is any matter to clarify.

Tania

Tania (Tatiana) White MCIEEM
NEAS Project Manager
National Environmental Assessment Service
Part of National Operations Assets and Incidents

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