

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

Our ref: HA/2018/120921/01-L01
Your ref: LU/330/18/PL
Date: 13 December 2018

Dear Sir/Madam

DEMOLITION OF EXISTING BUILDINGS & THE ERECTION OF 77 RESIDENTIAL HOMES WITH ASSOCIATED ACCESS, CAR PARKING, CYCLE PARKING, REFUSE/RECYCLING STORAGE, LANDSCAPING, EARTHWORKS & INFRASTRUCTURE

LAND SOUTH OF CORNFIELD CLOSE LITTLEHAMPTON BN17 6LD

Thank you for the consultation on the above application, please quote our reference on all correspondence.

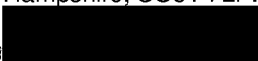
Environment Agency Position

The previous use of the proposed development site as a Brick Kiln and Landfill 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 a principal aquifer.

The application's supporting document (1) demonstrates that it will be possible to manage the risk posed to controlled waters by this development. Further detailed information will however be required before built development is undertaken.

In light of the above, the proposed development will be acceptable if the below conditions are included in any permission.

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

Environment Agency
Canal Walk, ROMSEY, Hampshire, SO51 7LP.
Customer services line: 
www.gov.uk/environment

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- 1. A preliminary risk assessment which has identified:
a conceptual model of the site indicating sources, pathways and receptors 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(s)

The sites previous use as a Brick Kiln and a landfill represent a high risk to human and environmental receptors via a number of pathways.

We support the investigations already conducted by the applicant. They recommend further investigation and monitoring and do indicate the presence of land contamination in addition to indicating the potential of groundwater contamination.

The applicant's site investigation (key doc 1) recommends further, site wide investigation which we support. We would expect to see an updated risk assessment and remediation strategy upon completion of the extended site investigation.

The site rests on River Terrace Deposits (Secondary A Aquifer) which have a highly seasonal groundwater influence and have good aquifer characteristics. These deposits are underlain by the undifferentiated Lower Chalk Group (Principal Aquifer). The potential transmissivity of the River Terrace Deposits is a significant pathway for contaminants reaching the Principal Aquifer and constitutes a significant risk to groundwater.

Site wide investigations should be able to clearly delineate the footprint of legacy industrial buildings. Additionally, further groundwater monitoring will be able to improve conceptual understanding of the impact of the landfill upon controlled waters.

Prior to each phase of development 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.

Reason(s)

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 170 of the National Planning Policy Framework.

The applicant's site investigation (key doc 1) recommends further, site wide investigation, which we would support. The sites previous use as a Brick Kiln and a landfill represent a high risk to human and environmental receptors via a number of pathways.

The development hereby permitted shall not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, has been submitted to, and approved in writing by, the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.

Reason(s)

To ensure that the site does not pose any further risk to human health or the water environment by managing any on-going contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 170 of the National Planning Policy Framework.

Initial investigations indicate a potential contaminant plume within groundwater under the site, this risk needs to be evaluated. Additionally, long term monitoring of the landfill (gas and leachate) needs to be evaluated. Post remediation, monitoring should be continued assess any positive or negative impact.

We note that BH105 detected evidence of hydrocarbon contamination directly above the River Terrace contact with the Chalk. The EA would expect the applicant to further assess these readings as part of a larger groundwater investigation.

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.

Reason(s)

To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason(s)

The sites previous use as a Brick Kiln and a landfill represent a high risk to human and environmental receptors via a number of pathways.

The previous use of the proposed development site as Brick Kiln and Landfill presents a high risk of contamination that could be mobilised by surface water infiltration from the proposed sustainable drainage system (SuDS). This could pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is located upon a 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 above planning condition is included as part of any permission granted. Without this condition we would object to the proposal in line with paragraph 170 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.

Piling & investigation boreholes using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason

The sites previous use as a Brick Kiln and a landfill represent a high risk to human and environmental receptors via a number of pathways.

To ensure that the proposed development, does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework 'The Environment Agency's approach to groundwater protection'.

Piling & investigation boreholes using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Groundwater is particularly sensitive in this location because the proposed development site is located upon Principal aquifer.

Please do not hesitate to contact me on the number below should you have any queries

Yours faithfully

Miss Suz Greenwood

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