

From: Amanda Scholes on behalf of Planning.Responses
Sent: 04 March 2020 11:20
To: Planning Scanning
Subject: FW: LU/49/20/DOC - Former Windroos Nursery, Worthing Road, Littlehampton, BN17 6LY - Stage of Development Discharge

Amanda Scholes | Receptionist, Department, Arun District Council | Location: Ground Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF

Internal: 37736 | External: +44 (0) 1903 737500 ext 37736 | E-mail: amanda.scholes@arun.gov.uk



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From: Andrew Wood <Andrew.Wood@arun.gov.uk>
Sent: 04 March 2020 09:31
To: Planning.Responses <Planning.Responses@arun.gov.uk>
Subject: FW: LU/49/20/DOC - Former Windroos Nursery, Worthing Road, Littlehampton, BN17 6LY - Stage of Development Discharge

Agent correspondence pls. upload

Andrew Wood MRTPI | Senior Planning Officer, Planning Department, Arun District Council |
Location: 1st Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
Internal: 37768 | External: +44 (0) 1903 737768 | E-mail: andrew.wood@arun.gov.uk



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From: David Innes [REDACTED]
Sent: 03 March 2020 15:00
To: Kate Giddings <kate.giddings@arun.gov.uk>

Cc: Andrew Wood <Andrew.Wood@arun.gov.uk>; Christian O'Brien [REDACTED]
Subject: LU/49/20/DOC - Former Windroos Nursery, Worthing Road, Littlehampton, BN17 6LY - Stage of Development Discharge

Hi Kate

Further to your email to Andrew Wood with reference to LU/49/20/DOC application, to discharge conditions 5,6 & 7 as per the revised application form submitted on the planning portal. When I submitted the application on the portal I brought forward the details from the earlier application which only referenced condition 5. I updated the form the same day so we are seeking to discharge 5,6 & 7.

You may remember that a previous DOC application was made last year for condition 5. Parts 1 & 2 of condition 5 had been discharged and following your email to Andrew on 24 April, Andrew provided approval (see emails below) that condition 5 would no longer be a pre-commencement condition. It had been agreed at that time that a validation report would once completed address parts 3&4 of condition 5.

The report submitted seeks to provide validation of parts 3 and 4 of condition 5 (LU/229/10) which could not happen pre-commencement. The validation report by its nature can also discharge condition 6 and 7.

If you have any queries please do not hesitate to contact me.

regards

David Innes
[REDACTED]

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Begin forwarded message:

From: Juan Baeza <Juan.Baeza@arun.gov.uk>
Subject: RE: LU/56/19/DOC - Former Windroos Nursery, Worthing Road, Littlehampton, BN17 6LY - Stage of Development Discharge
Date: 31 July 2019 at 10:42:01 BST
To: David Innes [REDACTED]
Cc: Richard Castro-Parker <Richard.Castro-Parker@arun.gov.uk>

David

Thanks and noted. Andrew is returning on the 15th August so can pick up this DOC application then. With regards to the variation of condition application Richard is hoping to have a report for my attention by the 16th August.

Regards

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

Internal: 37765 | External: +44 (0) 1903 737765 | E-mail: juan.baeza@arun.gov.uk



From: David Innes <[REDACTED]>
Sent: 31 July 2019 10:12
To: Juan Baeza <Juan.Baeza@arun.gov.uk>
Cc: Richard Castro-Parker <Richard.Castro-Parker@arun.gov.uk>; Kate Giddings <kate.giddings@arun.gov.uk>; John Richards <[REDACTED]>; Chris Harrison <[REDACTED]>
Subject: Re: LU/56/19/DOC - Former Windroos Nursery, Worthing Road, Littlehampton, BN17 6LY - Stage of Development Discharge

Juan

Further to your email today stating that if we do not respond you will need to refuse LU/56/19/DOC - contamination details. You refer to Andrew's email of 15 May. I have included this below. It states in the final paragraph:

*Please accept this email as formal agreement in writing that the stage in development when the discharge of this condition is **now required is on completion of the groundworks, not on commencement of development**, due to the requirement for further information as set out in the email from the Council's Environmental Health Officer email dated 24 April 2019 15:04 below which can only be gained following the commencement of works on site.*

As you are aware works have commenced on site and when the contamination requirements set out in the Contamination submissions prepared by WYG on behalf of Dandara, and agreed by the EHO, are finalised these can be submitted in line with the requirements of Andrew's email below.

I trust you are in agreement with this.

I still require an update on the timeframe for the variation of condition application. I have left further messages and emailed you again yesterday afternoon.

I look forward to hearing from you.

David Innes
[REDACTED]

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On 15 May 2019, at 09:08, Andrew Wood <Andrew.Wood@arun.gov.uk> wrote:

Mr. Innes,

With regard to the discharge of condition 5 of LU/229/10/ by LU/56/19/DOC, the condition is as set out below:

Condition 5 – LU 229/10/

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 an 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 any contamination related to the historic and recent site uses does not cause pollution to controlled waters due to the development in accordance with PPS23 and Policy GEN26 of the Arun District Local Plan.

Please accept this email as formal agreement in writing that the stage in development when the discharge of this condition is now required is on completion of the groundworks, not on commencement of development, due to the requirement for further information as set out in the email from the Council's Environmental Health Officer email dated 24 April 2019 15:04 below which can only be gained following the commencement of works on site.

Thank you,

Andrew Wood MRTPI

Andrew Wood MRTPI | Senior Planning Officer, Planning Department, Arun District Council |
Location: 1st Floor, Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF
Internal: 37768 | External: +44 (0) 1903 737768 | E-mail: andrew.wood@arun.gov.uk

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From: Kate Giddings
Sent: 24 April 2019 15:04
To: 'David Innes'
Cc: Andrew Wood; Christian O'Brien; [REDACTED] Anna Appleton
Subject: RE: LU/56/19/DOC - Former Windroos Nursery, Worthing Road, Littlehampton, BN17 6LY

Good afternoon,

Further to the below, I am able to advise that whilst this Department cannot recommend discharge of Condition 5 of permission LU/229/10 at this stage, it is suggested that any demolition/construction works are allowed to commence with a view to being able to discharge Condition 5 (subject to satisfactory submissions) once groundworks are complete.

Furthermore, WYG's Remediation Strategy (ref.: A111089, dated March 2019) is predominantly satisfactory, however, this Department cannot be satisfied that the risks posed by land contamination to site workers, users and the environment will be reduced to an acceptable level without the historic gassing data being reviewed and/or undertaking additional monitoring.

In relation to the removal of contaminated material and replacement with certified clean topsoil, this Department would expect either of the following in areas of soft landscaping and/or residential gardens:

- a minimum of 300mm (bfgl) material removed, placement of a geotextile membrane of suitable gauge, placement to fgl of certified clean topsoil
- a minimum of 600mm (bfgl) material removed, placement to fgl of certified clean topsoil.

Should you have any queries, please do not hesitate to make contact using the below details.

Kind regards,

Kate Giddings.

<u>Kate Giddings</u>	Senior Technical Officer, Environmental Health, <u>Arun District Council</u>	Location: Arun Civic Centre, Maltravers Road, Littlehampton, West Sussex, BN17 5LF
Internal: 37586 External: +44 (0) 1903 737586		e-mail: kate.giddings@arun.gov.uk
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From: David Innes [REDACTED]
Sent: 11 April 2019 15:36
To: Kate Giddings
Cc: Andrew Wood; Christian O'Brien; [REDACTED] Anna Appleton
Subject: Fwd: LU/56/19/DOC - Former Windroos Nursery, Worthing Road, Littlehampton, BN17 6LY

Hi Kate,

Further to your emails we would like to make the following comments inserted in red following your points below.

I trust that the clarifications and the additional report which was submitted to EH (pollution@arun.gov.uk and Mathew Kennett who had dealt with original submission) on 22 March and the comments below in red allow you to formally discharge the remaining part of condition 5.

I will give you a call tomorrow afternoon to discuss.

Regards

David Innes



Good afternoon again,

Further to my below e-mail, could the consultant also please confirm whether the footer displayed from p34 in the main body of the report is merely a typographical error, as it reads December 2018, V1.

This is a typographical error. The correct date for the report is February 2019.

Many thanks,

Kate Giddings.

[Kate Giddings](#) | Senior Technical Officer, Environmental Health, [Arun District Council](#) | Location: Arun Civic Centre, Maltravers Road, Littlehampton, West Sussex, BN17 5LF

Internal: 37586 | External: +44 (0) 1903 737586 | e-mail: kate.giddings@arun.gov.uk

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From: Kate Giddings
Sent: 08 April 2019 16:43
To: Andrew Wood; 
Cc: Planning.Responses; Anna Appleton
Subject: LU/56/19/DOC - Former Windroos Nursery, Worthing Road, Littlehampton, BN17 6LY

Good afternoon,

Having now reviewed WYG's Interpretative Ground Investigation Report V2 (ref.: A111089, dated February 2019)

in relation to the above application, I have the following comments:

- ground gas monitoring was conducted in 2013; due to the age of the data, monitoring should be undertaken to ascertain the current gassing regime of the site in order to determine what, if any, remedial or protection measures are required

The ground investigation report submitted by WYG was undertaken with the objective of discharging Condition 5 section 3 of the planning condition in response to a letter dated 15th May 2014 from Arun District council which stated that Condition 5 sections 1 and 2 had been met but that further investigation was required to enable a remedial strategy to be finalised following removal of tanks. As section 1&2 are already discharged the focus can, in planning terms, only relate to section 3 of the condition we are seeking to discharge.

- the above report outlines several remedial options; please advise when a strategy has been decided

We prepared a separate remediation strategy for the site in March and this was submitted to EH section using the pollution@arun.gov.uk copy attached for convenience.

- Condition 5 cannot be discharged until a suitable and effective remedial strategy has been implemented and (as per the fourth stage of the condition), a verification report provided, to include validation sampling where necessary.

The remediation strategy report referenced above addresses these issues, including recommendations for a materials management plan, discovery strategy and requirements for verification reporting. A verification report cannot be submitted to facilitate full discharge of Condition 5 until development works are complete.

Please note that any remedial measures are likely to include some, if not all, of the following:

- asbestos management plan
- materials management plan
- discovery strategy to address any previously unidentified potential contamination.

The above can be supplied as part of any remediation plan or as stand-alone documents.

Please do not hesitate to make contact using the below details, should the need require.

Kind regards,

Kate Giddings.

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

DX 57406 Littlehampton

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