

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



Visit Arun's web site at www.arun.gov.uk **Error! Hyperlink reference not valid.**



Save the environment - think before you print.

From: Andrew Wood <Andrew.Wood@arun.gov.uk>

Sent: 24 April 2020 10:48

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

Consultee response 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

Visit Arun's web site at www.arun.gov.uk



Save the environment - think before you print.

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

Sent: 02 April 2020 17:06

To: Andrew Wood <Andrew.Wood@arun.gov.uk>

Subject: FW: LU/49/20/DOC - Former Windroos Nursery, Worthing Road, Littlehampton, BN17 6LY - Stage of Development Discharge

Hi Andrew,

At present, Environmental Health is not able to recommend discharge of the contaminated land-related conditions whilst groundworks are ongoing. In addition, the following points remain outstanding:

- it is understood from correspondence dated May 2014 that an above-ground storage tank was due to be decommissioned; can this action please be confirmed
- validation visits to confirm appropriate installation of topsoil have yet to be conducted
- validation inspections of plots 14-18 are to be conducted
- validation inspections of the communal area to the north of the site are to be conducted
- provision of a statement from the applicant and/or groundworks contractor that no previously unidentified potentially contaminative substances were identified during works is required
- confirmation of whether the historic gassing data have been reviewed and/or additional monitoring has been undertaken
- on completion of the final validation inspections, is the consultant please able to confirm that areas of soft landscaping and residential gardens have received one of the two following treatments as this is not clear from the report:
 - a minimum of 300mm (bfgl) material removed, placement of a geo-textile 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.

Kind regards,

Kate.

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

Visit Arun's web site at www.arun.gov.uk



Save the environment - think before you print.

From: Joanne Lewis <Joanne.Lewis@arun.gov.uk>

Sent: 25 March 2020 10:34

Cc: Kate Giddings <kate.giddings@arun.gov.uk>; Andrew Wood <Andrew.Wood@arun.gov.uk>

Subject: FW: LU/49/20/DOC - Former Windroos Nursery, Worthing Road, Littlehampton, BN17 6LY - Stage of Development Discharge

Dear David

I have been forwarded your email concerning the discharge of conditions for the above site in relation to contamination. Unfortunately I am not an expert in contaminated land and I am not sufficiently qualified to assess the report. I believe Kate will be back at work next week so I have copied her into this email and I am sure she will have received your voicemail by then too.

I am sorry I can not assist further at this stage and for the delay.

Joanne Lewis

During the current situation I will be trying to work between approx. 9.30 – 3.00 Monday - Friday.



From: David Innes [REDACTED]

Sent: 20 March 2020 12:46

To: Pollution <Pollution@arun.gov.uk>

Subject: Fwd: LU/49/20/DOC - Former Windroos Nursery, Worthing Road, Littlehampton, BN17 6LY - Stage of Development Discharge

Hi

Can you follow up on the Discharge of Condition application as the time period for consultation responses has expired.

The application was validated 21 February.

Correspondence with Kate Giddings below.

thanks

David Innes
[REDACTED]

Blueprint Planning & Development Ltd is registered in Scotland, SC361579.

Our Registered Office is c/o John Kerr & Co, Hamilton Street, Saltcoats KA21 5DS

This message is confidential and/or may be privileged or protected by other legal rules and is intended for a particular recipient only. If you have received this message by mistake please notify us by return email. Do not copy this email message or disclose its contents to anyone else. Please then delete it from your system.

Begin forwarded message:

From: David Innes [REDACTED]

Subject: Re: LU/49/20/DOC - Former Windroos Nursery, Worthing Road, Littlehampton, BN17 6LY - Stage of Development Discharge

Date: 20 March 2020 at 12:21:57 GMT

To: Kate Giddings <kate.giddings@arun.gov.uk>, Andrew Wood <andrew.wood@arun.gov.uk>

Hi Kate

I left a message on your voicemail. I was just looking for an update regarding the DOC application in order that this can be discharged formally.

I look forward to hearing from you.

regards

David Innes
[REDACTED]

Blueprint Planning & Development Ltd is registered in Scotland, SC361579.

Our Registered Office is c/o John Kerr & Co, Hamilton Street, Saltcoats KA21 5DS

This message is confidential and/or may be privileged or protected by other legal rules and is intended for a particular recipient only. If you have received this message by mistake please notify us by return email. Do not copy this email message or disclose its contents to anyone else. Please then delete it from your system.

On 3 Mar 2020, at 14:59, David Innes [REDACTED] wrote:

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]

Blueprint Planning & Development Ltd is registered in Scotland, SC361579.

Our Registered Office is c/o John Kerr & Co, Hamilton Street, Saltcoats KA21 5DS

This message is confidential and/or may be privileged or protected by other legal rules and is intended for a particular recipient only. If you have received this message by mistake please notify us by return email. Do not copy this email message or disclose its contents to anyone else. Please then delete it from your system.

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

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

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]

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

Mr. Innes,

LU/56/19/DOC - Former Windroos Nursery,
Worthing Road, Littlehampton, BN17 6LY

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

Visit Arun's web site at www.arun.gov.uk



Save the environment - think before you print.

From: Kate Giddings
Sent: 24 April 2019 15:04
To: 'David Innes'
Cc: Andrew Wood; Christian

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 geo-textile 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.

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

Visit Arun's web site at www.arun.gov.uk **P** Save the environment - think before you print.

From: David Innes

Sent: 11 April 2019 15:36

To: Kate Giddings

Cc: Andrew Wood; Christian

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.

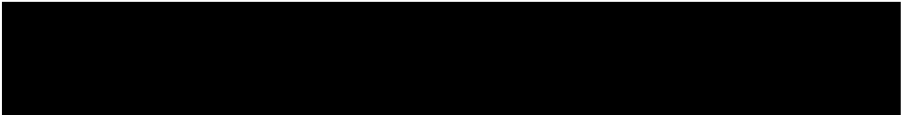
I trust that the clarifications and the additional report which was submitted to EH (pollution@arun.gov.uk and Mathew Kennett

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

Visit Arun's web site at www.arun.gov.uk  Save the environment - think before you print.

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.

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

Visit Arun's web site at www.arun.gov.uk



Save the environment - think before you print.

You can view Arun District Council's Privacy Policy from <https://www.arun.gov.uk/privacy-policy>

Important Notice This e-mail is intended exclusively for the addressee and may contain information that is confidential and/or privileged. If you are not the intended recipient (or authorised to receive it for the addressee), please notify the sender and delete the e-mail immediately; using, copying, or disclosing it to anyone else, is strictly prohibited and may be unlawful. Any views, opinions or options presented are solely those of the author and do not necessarily represent those of Arun District Council. The information in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000, therefore we cannot guarantee that we will not provide the whole or part of this e-mail to a third party. The Council reserves the right to monitor e-mails in accordance with relevant legislation. Whilst outgoing e-mails are checked for viruses, we cannot guarantee this e-mail is virus-free or has not been intercepted or changed and we do not accept liability for any damage caused. Any reference to "e-mail" in this disclaimer includes any attachments.

DISCLAIMER: The information contained in this email is intended for the named recipient only. It may contain privileged and/or confidential information and if you are not an intended recipient you must not copy, distribute or take any action in reliance on it. If you have received this message in error please notify us immediately by email

[REDACTED] Recipients must understand that conclusions, opinions and other information contained in the above email not relating to the official scope of business of Dandara Group Holdings Limited or associated companies shall be deemed not to have been given or endorsed by Dandara Group Holdings Limited or associated companies.

=====

This message contains confidential information and is intended only for the recipient. If you are not the recipient you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. E-mail transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost, destroyed, arrive late or incomplete, or contain viruses. The sender therefore does not accept liability for any errors or omissions in the contents of this message, which arise as a result of e-mail transmission. If verification is required please request a hard-copy version.

=====

DISCLAIMER: The information contained in this email is intended for the named recipient only. It may contain privileged and/or confidential information and if you are not an intended recipient you must not copy, distribute or take any action in reliance on it. If you have received this message in error please notify us immediately by email to [REDACTED]

Recipients must understand that conclusions, opinions and other information contained in the above email not relating to the official scope of

business of Dandara Group Holdings Limited or associated companies shall be deemed not to have been given or endorsed by Dandara Group Holdings Limited or associated companies.

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

DX 57406 Littlehampton

You can view Arun District Council's Privacy Policy

from <https://www.arun.gov.uk/privacy-policy>

Important Notice This e-mail is intended exclusively for the addressee and may contain information that is confidential and/or privileged. If you are not the intended recipient (or authorised to receive it for the addressee), please notify the sender and delete the e-mail immediately; using, copying, or disclosing it to anyone else, is strictly prohibited and may be unlawful. Any views, opinions or options presented are solely those of the author and do not necessarily represent those of Arun District Council. The information in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000, therefore we cannot guarantee that we will not provide the whole or part of this e-mail to a third party. The Council reserves the right to monitor e-mails in accordance with relevant legislation. Whilst outgoing e-mails are checked for viruses, we cannot guarantee this e-mail is virus-free or has not been intercepted or changed and we do not accept liability for any damage caused. Any reference to "e-mail" in this disclaimer includes any attachments.

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

DX 57406 Littlehampton

You can view Arun District Council's Privacy Policy from <https://www.arun.gov.uk/privacy-policy>

Important Notice This e-mail is intended exclusively for the addressee and may contain information that is confidential and/or privileged. If you are not the intended recipient (or authorised to receive it for the addressee), please notify the sender and delete the e-mail immediately; using, copying, or disclosing it to anyone else, is strictly prohibited and may be unlawful. Any views, opinions or options presented are solely those of the author and do not necessarily represent those of Arun District Council. The information in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000, therefore we cannot guarantee that we will not provide the whole or part of this e-mail to a third party. The Council reserves the right to monitor e-mails in accordance with relevant legislation. Whilst outgoing e-mails are checked for viruses, we cannot guarantee this e-mail is virus-free or has not been intercepted or changed and we do not accept liability for any damage caused. Any reference to "e-mail" in this disclaimer includes any attachments.
