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

Sent: 16 June 2020 09:44

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

Sent: 04 June 2020 15:15

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

Hi Andrew,

I have left a message with Kate Giddings. We can agree to the proposed partial discharge of conditions 6 & 7 where plots 12-18 and the northern POS would be discharged at a later date once the compound is removed. The rest of the site has been verified and can therefore be discharged as suggested by Kate.

WYG confirmed that the formation level over the full extent of the landscaped area was at virgin ground i.e. proposed garden levels minus 600mm was clean clay and identified on the verification plans. This can clearly be shown in the photos within the report. The site investigation identified Made Ground to be the source of contaminants. With no Made Ground visible and fresh excavation cutting into the virgin clay, there is no requirement for testing of materials that was not identified previously as contaminated and without visual or olfactory evidence of potential contamination. Testing of the virgin clays does not form part of the Remediation Strategy Report and page 6 clearly states: "In areas of the site where Made Ground is absent, no risk management procedures are considered necessary".

The remediation method strategy report states: "Local excavation of Made Ground material from site and off-site disposal". This is demonstrated in the cart away tickets and confirmed suitable by a visiting Geo-Environmental Consultant.

I trust Condition 5 can be discharged in full.

If you require a further extension of time through to determination please let me know.

Regards

David Innes

[REDACTED]
Blueprint Planning & Development Ltd
[REDACTED]

On 2 Jun 2020, at 08:13, Andrew Wood <andrew.wood@arun.gov.uk> wrote:

FYI please respond.

Thank you,

Andrew Wood

Andrew Wood MRTPI | Senior Planning Officer, Planning Department, Arun District Council |
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From: Kate Giddings <kate.giddings@arun.gov.uk>

Sent: 01 June 2020 13:30

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

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

Hi Andrew,

The condition cannot be discharged for the entire site because there are some areas (plots 12-18 and the communal area to the north of the site) which remain incomplete and/or outstanding. I don't know whether a partial approval is possible/acceptable from a planning perspective? Assuming the below query can be clarified, EH has no problem with a partial discharge.

With regard to the remainder of the site where groundworks (including soft landscaping) have been completed, it is understood that the made ground was removed, although the total depth of excavation is not clear. In order for EH to be satisfied that these parts of the site do not pose an undue risk to human health, please may the developer and/or their consultant confirm whether the excavation of made ground removed any of the natural strata and if so, to what depth(s). If it did not, was any sampling undertaken to ensure that the natural strata were not contaminated by the overlying material?

Thanks,

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

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

Sent: 01 June 2020 08:04

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

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

Could I also get a response to this DOC application today?

I have line managers chasing me about it.

Thanks

Andrew Wood

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: 13 May 2020 14:46

To: Planning.Responses <Planning.Responses@arun.gov.uk>; 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

Kate,

Further to your request for additional information please find the additional information you have requested to allow conditions 5,6 and 7 to be discharged in full. Condition 5 has already been part discharged.

If you could copy me in on your response to Andrew Wood that would be appreciated. I have already agreed to an Extension of Time on the application.

regards

David Innes
[REDACTED]

Blueprint Planning & Development Ltd
[REDACTED]

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

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Begin forwarded message:

From: Christian O'Brien [REDACTED]

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

Date: 13 May 2020 at 12:47:50 BST

To: "David Innes"

Cc: chris.pugh

Hi David,

Please forward this email and the associated attachments to ADC.

As you are aware, I have returned to work after a period of furlough and after reviewing the raised comments, I am satisfied that I can fully advise ADC and their Environmental Health Department on the matters relating to our site at Windroos. This is primarily on the basis of my understanding of the site, being involved from pre-purchase when it was owned by the former land owner (Stuart Lyons Haulage) and my professional experience as Dandara's Engineering Manager working on many residential housing developments with remediation elements required. I therefore feel that WYG's comments may not be required at this stage as their investigations, site visits and associated reports have been produced to specifically target the requirements of Condition 5, 6, and 7. In addition, WYG's Engineers who were working on this project have been furloughed, whereas my involvement has been throughout the project. The NHBC have also signed off their own Land Quality building control conditions on the basis of receiving the submitted reports.

With respect to Condition 5, the following reports were submitted with respect to the corresponding sub-items of the condition:

- 1) A preliminary risk assessment;
 - **June 2013 – Eastwood & Partners – Geotechnical and Geo-Environmental Site Investigation Ref: 35747-001R Issue 2**
 - **February 2019 – WYG – Ground Investigation Report Ref: A111089 V2**
- 2) Site investigation;
 - **June 2013 – Eastwood & Partners – Geotechnical and Geo-Environmental Site Investigation Ref: 35747-001R Issue 2**
 - **February 2019 – WYG – Ground Investigation Report Ref: A111089 V2**
- 3) Risk assessment, remediation options appraisal and remediation strategy;
 - **March 2019 – WYG – Remediation Strategy Report Ref: A111089 V1**
- 4) A verification plan to demonstrate that remedial works are complete.
 - **February 2020 – WYG – Remediation Validation Report Ref: A111089 V1**

With the above in mind, this Condition should be satisfied based on the above stated and submitted reports.

However, please find my response below in red to the comments raised on 2nd April 2020 by the ADC Environmental Health Department:

1. 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
 - a. This is primarily documented by WYG on Page 4 of the February 2019 Ground Investigation Report, which states: "At the time of the 2013 investigation, a plastic, above ground internally bunded tank with integral pump dispenser containing diesel fuel was present, and no signs of spillage or leakage were noted. This tank had subsequently been removed prior to the recent investigation." WYG's February 2019 site investigation was undertaken to fulfil the criteria requested by ADC with regard to investigation of ground conditions in the vicinity of known tank locations as well as to verify

the results of the Eastwood and Partners investigations in terms of proposed foundations.

- b. As Dandara's Engineering Manager who has been involved with the Windroos project from before land purchase, I can also confirm that all fuel tanks were removed by the previous owner, likely to be used again at his relocated haulage business. As such, this item should now be closed out.

2. validation visits to confirm appropriate installation of topsoil have yet to be conducted

1. In accordance with the WYG Remediation Strategy Report, the remedial action is either local excavation of Made Ground material from site and off-site disposal, or, importation of clean capping material to ensure that any Made Ground material is located at an adequate depth below final formation level.
2. Due to the limited depth of made ground found on site during the Groundworks (including breaking up and removal of concrete and asphaltic hardstanding during demolition of the existing buildings) and supported by the photographic evidence within Appendix E of the Remediation Validation Report, virgin clay ground was clearly visible at formation depth (minimum of 600mm below proposed levels in rear gardens and 450mm in other landscaped areas / Public Open Space) and verified by WYG's Geo-Environmental Engineer's in their observational site visits. The local excavated material of Made Ground was disposed of off-site and demonstrated by the Waste Transfer Notes supplied by the Groundworks Contractor (Mackoy Limited) to WYG and documented within Appendix H of the Remediation Verification Report.
3. As such, the source of contamination has been removed and under the principles of the hierarchy of hazard control under the Management of Health and Safety Work Regulations 1999, the risk to human health has therefore been eliminated. This is confirmed by WYG within Section 6 of the Remediation Validation Report.
4. This has been validated by WYG's site visits and reporting, which therefore places the site into the same situation as any other residential development without the requirements for further remediation and a proving of imported clean capping material is not required with all gardens and landscaped areas being in accordance with Chapter 10.2 of the NHBC Standards in order to receive clearance with NHBC Building Control and Warranty.
5. However, one soil sample per 200m² has been undertaken for approximately 400m² of topsoil, which has been detailed in Section 5.3 of the Remediation Validation Report and deemed Plots 1-11 acceptable. All other plots are still in construction and as such have not had the landscaping areas completed but the source of potential contamination has been removed.
6. Based on the exposure pathway between the contamination identified within the Made Ground and the future site users has been effectively removed by excavation and disposal of made ground in soft landscaped areas from site, this condition should be discharged.

2. validation inspections of plots 14-18 are to be conducted

1. In accordance with the approved Construction Method Statement and associated Construction Method Plan under Condition 11 of the Outline permission, Plots 14-18 currently located beneath our construction site compound. Since the site compound is the site's welfare facility for site operatives and visitors, as well as material

storage area, this will be present until approximately November 2020 when it will be demobilised to allow construction of Plots 14-18 as final plots to complete.

2. Following the demobilisation of the compound, the ground can be validated for Plots 14-18. However, all other plots should receive a discharge of condition on the basis that the remediation works have been completed and they can therefore be occupied.
2. **validation inspections of the communal area to the north of the site are to be conducted**
 1. Similar to Plots 14-18, this area was being utilised for construction activities and the area was inaccessible at the time of all of WYG's visits. This is the one part of the site, which is not constrained in terms of below ground drainage or above ground structures, hence it was used and remains to be used as a material storage area for excavated material from roads, drainage and foundations.
 2. As per Plots 14-18, we are aware that this area needs to be confirmed but can only be done so once it is no longer being used for construction purposes. However, all other plots should receive a discharge of condition on the basis that the remediation works have been completed and they can therefore be occupied.
2. **provision of a statement from the applicant and/or groundworks contractor that no previously unidentified potentially contaminative substances were identified during works is required**
 1. Please refer to the attached letter named '200513 Windroos - Contamination Statement'.
2. **confirmation of whether the historic gassing data have been reviewed and/or additional monitoring has been undertaken**
 1. No additional gassing data has been obtained.
 2. The Eastwood & Partners Geotechnical and Geo-Environmental Report stated:

The highest carbon dioxide concentration (6.4%) and flow rate (1.9 l/hr) give a gas screening value of 0.122 l/hr and would need to be over six times higher to exceed the upper limit for classification as Green. The maximum concentration of carbon dioxide of 6.4% does however, exceed the typical maximum concentration for classification as Green. This was the only concentration recorded above 5% by volume and the next highest concentration was 3% by volume. The "typical maximum concentrations" can be exceeded in certain circumstances should the conceptual model indicate it safe to do so. It is consequently considered that provided a ventilated void is installed beneath the ground floor slab significant risks would not be posed.
 - c. Furthermore, our substructures have been designed to include a minimum of a 225mm sub-void (in accordance with the recommendation) and a 2000 gauge DPM (beyond the recommendations) as standard, which is in accordance with CIRIA Report 659 and the protective measures for Amber 1 (next level above Green, which would need to be 6 times higher than that recorded). Please refer to the Construction Details Foundation / Ground Level drawing (DET_101-101-8) for confirmation of this.
 - d. The NHBC as our Building Control and Warranty provider for the site are also satisfied with the proposals.
7. **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.
- a. In accordance with the WYG Remediation Strategy Report, the remedial action is either local excavation of Made Ground material from site and off-site disposal, or, importation of clean capping material to ensure that any Made Ground material is located at an adequate depth below final formation level.
 - b. This has been validated by WYG's site visits and reporting, which therefore places the site into the same situation as any other residential development without the requirements for further remediation and a proving of imported clean capping material is not required with all gardens and landscaped areas being in accordance with Chapter 10.2 of the NHBC Standards in order to receive clearance with NHBC Building Control and Warranty.
 - c. Based on the exposure pathway between the contamination identified within the Made Ground and the future site users has been effectively removed by excavation and disposal of made ground in soft landscaped areas from site, this condition should be discharged.

Kind regards,
Christian O'Brien
 Engineering Manager
 <image001.jpg>

Dandara Ltd, Roman House, South Hampshire Industrial Estate, Eddystone Road,
 Totton, SO40 3SA

.....
From: David Innes

Sent: 03 April 2020 15:43

To: Andrew Wood

<Andrew.Wood@arun.gov.uk>

Subject: Re: LU/49/20/DOC -

Former Windroos Nursery,
 Worthing Road, Littlehampton,
 BN17 6LY - Stage of Development
 Discharge

Hi Andrew

I hope you are keeping well.

I have forwarded the EHO
 comments on to WYG who are
 acting for Dandara.

Stay safe.

Regards

David Innes

Blueprint Planning & Development
Ltd

On 3 Apr 2020, at
08:15, Andrew
Wood
<andrew.wood@arun.gov.uk> wrote:

Fyi pls see email
below.

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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