

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

**Our ref:** HA/2011/112405/01-L01  
**Your ref:** WA/92/11/  
**Date:** 08 December 2011

Dear Sir/Madam

**REMOVAL OF EXISTING UNDERGROUND FUEL TANKS, AND INSTALLATION OF NEW UNDERGROUND FUEL TANKS, REPOSITIONING OF VENT STACK AND REROUTING OF ASSOCIATED UNDERGROUND PIPEWORK. NEW FORECOURT PAVINGS WHERE DISTURBED.  
SHELL FONTWELL ARUNDEL ROAD FONTWELL BN18 0SB**

Thank you for consulting us on the above planning application.

**Environment Agency Position**

We consider that planning permission should only be granted to the proposed development as submitted if the following planning condition is imposed as set out below. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would wish to object to the application.

**Condition 1**

No development approved by this planning permission shall begin (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), until the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A site investigation scheme, based on previous site desk study, site investigations and groundwater assessment 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 detailed risk assessment referred to in (1) 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 (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages,

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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**

The site lies in Source Protection Zone 1 for Eastergate Public Water Supply Abstraction. The groundwater beneath the site is therefore extremely sensitive to any proposed development at this site. The site investigation request is to assess whether any contamination is apparent within the tank farm area only. Ideally this would be assessed when the tanks have been uplifted. This is supported by PPS23.

### **Condition 2**

Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the local planning authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the local planning authority

### **Reason**

The site lies in Source Protection Zone 1 for Eastergate Public Water Supply Abstraction. The groundwater beneath the site is therefore extremely sensitive to any proposed development at this site. This condition is therefore supported by PPS23. In line with our Groundwater Protection Position Statements, Defra Code of Practice, Petroleum Industry "Blue Book" Document, Groundwater Monitoring is required. We note that Groundwater Monitoring borehole MW1 is inaccessible. We require that Monitoring Borehole MW1 to be reinstated prior to any tank removal.

### **Advice**

We have reviewed the Planning, Design and Access Statement, previous site investigation reports and the Comprehensive Groundwater Monitoring Event document in support of this application.

We will normally object to any redevelopment scheme involving retention of underground storage of hazardous substances in SPZ1 unless there are substantial mitigating factors.

For all storage of pollutants underground we expect operators to adopt appropriate engineering standards, meet the requirements of Pollution Prevention Guidance (PPG) 27 (Environmental Alliance, 2007) as a minimum standard and have effective management systems in place. These should take into account the nature and volume of the materials stored and the risk to groundwater, including the location with respect to source protection zones.

In situations where redevelopment or refurbishment of underground storage at sites is unavoidable, we will review the risks and any contamination history and take account of the proposed improvements. We will not object to below ground storage in such situations provided there is evidence that:

- there are no suitable alternatives to below ground storage; and
- redevelopment will maintain a low risk or significantly reduce an existing risk to groundwater; and
- proposals comply with appropriate engineering standards (APEA, 2011); and
- effective management systems are or will be in place; and

- redevelopment does not bring the below ground storage nearer to any abstraction source at risk.

Substantial mitigating factors would be required for any retention of underground storage of hazardous substances in SPZ1.

The Planning, Design and Access Statement has provided reasonable answers too the above points. We also agree with the Tank and Chamber detail design plan. Therefore we do not object to the proposal for the retention of underground storage at this site.

Yours faithfully

**Catherine McLeod**  
**Planning Liaison Officer**  
**Environment Agency**

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