

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

Sent: 22 January 2020 13:36

To: Emma Jones

Cc: James Cross <James.Cross@arun.gov.uk>; Planning.Responses <Planning.Responses@arun.gov.uk>

Subject: RE: RE: Y/114/19/DOC - Cinders Lane Nursey and Works to the Rear

Dear Ms. Jones,

Many thanks for your e-mail.

In considering condition 10 for discharge, there are three elements to Part 4 which must be addressed:

- confirmation of the data that will be collected to demonstrate the remedial work is being achieved;
- details of any long-term monitoring required;
- details of contingency should previously unidentified contamination be discovered.

In relation to the above, I can confirm that the basic overview of the remedial option presented in section 4.6.3 *Excavation of Impacted Soil* of Soils Ltd.'s updated report is satisfactory, although full details of the proposed data set and whether any long-term monitoring of the site is required should be provided and approved prior to works commencing. The revised discovery strategy is considered satisfactory in relation to the third point as outlined above. It is anticipated that any stockpiles will be covered regardless of weather conditions in order to reduce dust.

If the above are agreeable, EH is satisfied that condition 10 can be discharged.

Evidence of the remedial works (including plans, photographs, laboratory reports, certification of any exported/imported material from site, whether any previously unidentified contamination was identified and if so, how this was remediated, updated risk assessment, etc.), should be included in the final verification report (Condition 22).

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

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From: Emma Jones [REDACTED]
Sent: 21 January 2020 13:11
To: Kate Giddings <kate.giddings@arun.gov.uk>
Subject: RE: RE: Y/114/19/DOC - Cinders Lane Nursey and Works to the Rear

Hi Kate,

I have received your comments back from James Cross regarding the contamination planning condition at Cinders Lane Nursery. On looking at the conditions again, there is an additional condition (number 22) to cover the verification of the remediation works once complete. Condition 10 relates to the remediation strategy and verification plan, as you say, and I believe the submitted report covers both of these. It does however give a few options for remediation and I can now confirm we will be following the strategy for the excavation of the impacted soil (4.6.3 in the report). Is confirmation of the strategy sufficient for you to recommend the discharge of condition 10 please?

Please copy James Cross in on your response.

Thank you &
Kind regards

Emma
Emma Jones
Architect BA(Hons) MArch



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From: James Cross [<mailto:James.Cross@arun.gov.uk>]
Sent: 20 January 2020 16:32
To: Emma Jones [REDACTED]
Subject: RE: RE: Y/114/19/DOC - Cinders Lane Nursey and Works to the Rear

Hi Emma,

Please find the below response that I've received from our Environmental Health Officer:

Thank you for providing the responses to my queries; I can confirm that these are satisfactory. EH cannot recommend discharge of the entire condition as half of point 3 and point 4 remain outstanding, however I understand that a partial discharge programme has been agreed. Once the remediation strategy has been submitted and agreed, part 3 of condition 10 can therefore be considered fulfilled. Part 4 relates to a verification plan which should be provided post-remediation and will be separately considered.

I will arrange for the conditions to now be discharged on this basis, caveated with the requirement to fulfil Parts 3 and 4 of Condition 10 once this information is readily available. I will get this passed to my manager on Thursday of this week for discharge (likely around Friday/Monday). I hope these timescales are acceptable to you.

Please let me know if you require any further information or clarification in the interim period.

Kindest regards,

James Cross Bsc (Hons) MSc Lcgi TP. MRTPI
Senior Planning Officer
Arun District Council, Maltravers Road, Littlehampton, BN17 5LF
Email: james.cross@arun.gov.uk | DD: 01903 737784

From: Emma Jones [REDACTED]
Sent: 17 January 2020 16:18
To: James Cross <James.Cross@arun.gov.uk>
Subject: RE: RE: Y/114/19/DOC - Cinders Lane Nursey and Works to the Rear

Hi James,

Please find attached amended report and corresponding data in response to the comments from the environmental health officer.

Please see e-mail below for direct responses in red.

If you have any more queries please let me know.

Is it possible to discharge any of the other submitted conditions in the meantime please?

Thank you &
Kind regards

Emma
Emma Jones
Architect BA(Hons) MArch

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From: James Cross [<mailto:James.Cross@arun.gov.uk>]

Sent: 16 January 2020 15:50

To: Emma Jones

Subject: FW: RE: Y/114/19/DOC - Cinders Lane Nursey and Works to the Rear

Hi Emma,

I've received the below correspondence from our Environmental Health Officers. Could you please address these as soon as possible so we are able to work towards discharge of this condition please?

Kindest regards,

James Cross Bsc (Hons) MSc Lcgi TP. MRTPI

Senior Planning Officer

Arun District Council, Maltravers Road, Littlehampton, BN17 5LF

Email: james.cross@arun.gov.uk | DD: 01903 737784

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

Sent: 16 January 2020 15:46

To: James Cross <James.Cross@arun.gov.uk>

Cc: Fiona Fitzgerald <Fiona.Fitzgerald@arun.gov.uk>; Planning.Responses <Planning.Responses@arun.gov.uk>

Subject: FW: RE: Y/114/19/DOC - Cinders Lane Nursey and Works to the Rear

Dear James,

As Fiona is off sick today, the above DoC has been passed to me for comment re. condition 10 (contamination). This Department is not able to recommend discharge of points 3 and 4 of the condition as the contamination onsite has not been adequately addressed. As per my comments of 7 June 2019, Soils Ltd.'s Main Investigation Report (ref.: 17034/MIR, dated August 2018), identified exceedances of lead (located in WS4 at 0.15 mbgl) and several PAH's (located in WS1 at 0.35 mbgl); these locations appear to approximately correlate with TP2 and TP10, respectively. TP2 and TP10 were sampled at 0.5 mbgl which is not representative. The 2019 report states that the 2018 exceedances have now been subjected to statistical analysis which should please be made available.

The TP2 and TP10 samples were taken below Made Ground to determine if there was any noticeable leaching into the underlying natural materials (to which the answer would appear to be possibly a little in TP2 and nothing in TP10) from the overlying and surrounding materials so we can advise on removal depths, extents and mitigation/pathway considerations etc. in the proposed remediation strategy. Soils Limited accept that this was not made clear in the later 2019 report which has been revised (Note:Table 3.1 Page 10).

Soils Limited do not normally provide internal working documents and spreadsheets in either reports or submissions, but our working summary in XLS is enclosed on this one occasion purely for reference. However, this summary should be viewed in the context of being a working in-house document and neither repeated nor published as part of the planning submission. It should also be considered confidential and copyright of Soils Limited.

Furthermore, having now reviewed Soils Limited's Supplementary Investigation Report (ref.: 17926/SIR_R27, dated November 2019), please may EH comment as follows:

- it is assumed that the data presented in the first table on page 7 are the depths at which the made ground was identified; could this please be confirmed Please see updated report.
- please may Appendices B.3 and C be provided See above
- please may the applicant advise whether the Human Health Risk Assessment has been updated since the August 2015 version supplied within this submission Nothing has been updated appropriate generic guidance values since Nickel in 2015 – which was undertaken to mesh with the new sensitivity based waste criteria update.
- the Environment Agency may wish to comment on the potential risk to groundwater on and from the site and may wish to review the water monitoring data (Soils Ltd., ref.: 17034/GW, dated April 2019) Our geotechnical engineers would be happy to discuss this, in general the data from TP2 and TP10 (for example) does indicate that even from the elevated outliers identified, there is no significant leaching into local waters.
- the discovery strategy should be updated to read: *If during development, any visible contaminated or odorous material, (for example, asbestos containing material, stained soil, petrol / diesel / solvent odour, underground tanks or associated pipework) not previously identified, is found to be present at the site, no further development (unless otherwise expressly agreed in writing with the Local Planning Authority) shall be carried out until it has been fully investigated using suitably qualified independent consultant(s). The Local Planning Authority must be informed immediately of the nature and degree of the contamination present and a method statement detailing how the unsuspected contamination shall be dealt with must be prepared and submitted to the Local Planning Authority for approval in writing before being implemented.* Please see revised report

I look forward to receipt of a suitable remediation strategy and associated validation report.

Many thanks,

Kate.

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

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From: Karen Boxall <Karen.Boxall@arun.gov.uk>
Sent: 16 January 2020 14:14
To: Kate Giddings <kate.giddings@arun.gov.uk>
Subject: FW: RE: Y/114/19/DOC - Cinders Lane Nursey and Works to the Rear

Hello,

Sorry, could you take a look for me

Thanks

Karen

From: James Cross <James.Cross@arun.gov.uk>
Sent: 15 January 2020 13:31
To: EH Planning Consultations <EHPlanningConsultations@arun.gov.uk>
Subject: RE: Y/114/19/DOC - Cinders Lane Nursey and Works to the Rear

Hi Environmental Health,

I am still outstanding a response regarding condition 10 of planning permission Y/5/17/OUT. I am in a position where I can discharge most other conditions but cannot proceed in the absence your formal comments in respect of this outstanding matter. I attach a copy of the original consent which details condition 10 for your assistance.

I look forward to hearing from you with anticipation.

Kindest regards,

James Cross Bsc (Hons) MSc Lcgi TP. MRTPI
Senior Planning Officer
Arun District Council, Maltravers Road, Littlehampton, BN17 5LF
Email: james.cross@arun.gov.uk | DD: 01903 737784

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