



From: Ian Sellar [REDACTED]
Sent: 06 January 2021 14:44
To: Simon Davis <Simon.Davis@arun.gov.uk>
Subject: RE: Y/140/20/DOC - Cinders Lane Nursery and works to the rear, Cinders Lane, Yapton, BN18 0JJ

Hi Simon,

Thanks for your email. I have forwarded Kate's comments to our Geotechnical Engineer who has provided the attached response. I think there is possibly some confusion due to there being 2 phases to the development and the reports possibly not being explicit in their description. It may be at this juncture more appropriate for Kate to speak directly with our consultant if there is any amends or additions required to the paperwork but I will initially let you digest the attached/below.

With regards to verification, specifically for this development; The Remediation Strategy identified no sources of contamination and therefore no remedial action required, and ultimately nothing to validate. As mentioned in Chris' email attached, should we need to import any topsoil in order to make up garden levels, it will need to be accompanied by the appropriate paperwork and we could then provide a covering statement to demonstrate such. We won't really know if any imported material is required until external works are being finalised towards the end of the build programme though. As that is often the case, the verification part of the condition is often pre-occupation rather than pre-commencement.

I think provided Kate is happy that we provide a statement upon completion of all groundworks that no unforeseen contaminants were encountered (or were, and dealt with) and that any imported material was fit for purpose there is no problem letting the condition run?

In respect of the confusion over the ACM's hopefully the attached clears it up? It sounds to me like all that may be required is a further statement from Crayfern Homes regarding disposal of the fragment of ACM board in accordance with our CDM Plan.

I am of the same opinion as Chris in that I am unclear on the reference to ongoing groundwater monitoring so would request clarification in that respect? As above I can ask Soils Ltd to contact Kate directly for further discussion if you think appropriate?

Kind regards,
Ian

From: Simon Davis <Simon.Davis@arun.gov.uk>
Sent: 21 December 2020 18:33
To: Ian Sellar [REDACTED]
Subject: FW: Y/140/20/DOC - Cinders Lane Nursery and works to the rear, Cinders Lane, Yapton, BN18 0JJ

Dear Ian,

Please see below response. Please respond re the points raised.

As regards Kate's comment that the condition is not discharged until all groundworks have been completed, I note this is not expressly stated in the condition and groundworks could be commencement (it depends on what the groundworks consist of). However, there is a verification plan requirement built into the condition.. Has this been submitted as part of the documents?

Kind Regards

Simon J Davis MRTPI
Principal Planning Officer
Directorate of Place

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E: simon.davis@arun.gov.uk



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

Sent: 21 December 2020 17:59

To: Simon Davis <Simon.Davis@arun.gov.uk>

Cc: Planning.Responses <Planning.Responses@arun.gov.uk>

Subject: FW: Y/140/20/DOC - Cinders Lane Nursery and works to the rear, Cinders Lane, Yapton, BN18 0JJ

Dear Simon,

Having now reviewed Soils Limited's Preliminary Investigation Report (ref.: 18115/PIR_R26, dated February 2020), Main Investigation Report (ref.: 18115/MIR_R27, dated February 2020) and the Remediation Strategic Supplementary Investigation Report (ref.: 17926/RSSIR_R27, dated November 2020), I can confirm that the majority of the content is considered satisfactory, however there is some confusion. The Main Investigation Report details a positive asbestos identification (TP3 at 0.20mbgl), however the subsequent Remediation Investigation Report states that the absence of a positive asbestos detection '*mirrors the findings of the Phase I investigations*'. Furthermore, possible ACM were identified during the October 2020 groundworks; other than a referral to the developer and an observational comment in 'Section 4.2.1 Asbestos', no further comment or action is provided. Please may these points be clarified? At present, it does not seem that the potential risk from the asbestos identified on site has been thoroughly quantified.

The above query aside, it is recommended that the condition is not discharged until all groundworks have been completed, in order to ensure any previously unidentified contamination is suitably assessed and where necessary, remediated.

Please may the applicant also be reminded that the Environment Agency should be consulted regarding development which may impact upon the groundwater and the Agency may wish to have sight of the pending additional groundwater monitoring results.

Many thanks,

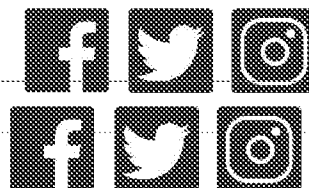
Kate.

Kate Giddings
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From: Kate Giddings

Sent: 11 December 2020 15:29

To: Simon Davis <Simon.Davis@arun.gov.uk>

Cc: Planning.Responses <Planning.Responses@arun.gov.uk>

Subject: Y/140/20/DOC - Cinders Lane Nursery and works to the rear, Cinders Lane, Yapton, BN18 0JJ

Dear Simon,

In relation to the above address, EH is not able to provide comment on the discharge of conditions 6 (contaminated land) until the Preliminary Site Investigation Report by Soils Ltd. (ref.: 18115/DS, dated February 2020) has been provided for review.

With regard to the discharge of condition 19 (lighting), the external lighting plan and light detail sheets should please be updated to include detail the light spill from each installation point. Please also note that EH cannot comment on the potential impact on bats in the vicinity.

Many thanks,

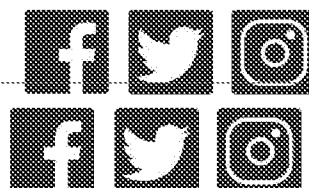
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From: Chris Swainston [REDACTED]
Sent: 06 January 2021 14:20
To: Ian Sellar; Craig Morrison
Cc: John Curry
Subject: RE: Y/140/20/DOC - Cinders Lane Nursery and works to the rear, Cinders Lane, Yapton, BN18 0JJ

Happy new year Ian.

I think there is some little confusion here as the regulator is effectively dealing with both sites as one? The reports actually reference and relate to two different areas of what is now admittedly effectively one site but that is split into two parts.

Our technician found and noted suspected ACM as board at surface on one occasion on the southern site (works to the rear?) whilst they were undertaking the investigation there and once (which will be remediated) on the actual main site (plots 16 and 17 due to TP3 positive result @ 0.20m) in the ground itself. Investigation of the rear site (site II?) showed no asbestos in the sub-surface results despite observing suspect material at surface in that will be removed from site as part of the groundworks / clearance.

We concluded that whilst there was a potential unquantified risk on Site II from the observations of our asbestos aware technician that you (as the persons ultimately responsible under CDM and planning) needed to be aware of from a H&S, discovery and disposal perspective, any such material encountered would be removed during the groundworks. Subsequent analysis of the sub-surface materials gave no positive results and therefore we concluded there was no risk in the remaining materials.

Apparently we did not make this distinction clearly enough in our report and/or the regulator thinks it is on the main site where you will be undertaking appropriate remediation in the area of TP3. Also the "mirrors the findings" comment has been taken completely out of context as it refers to the fact we only found it in one place on the main site and no-where else to date in any sub-surface sample and where we did find it , it will be removed.

Verification will be required (because it is) to prove and confirm that any imported material is suitable and fit for purpose and that will also be done for the remediation in Plots 16 and 17 on completion when we will confirm the depth replaced and analysis of the materials matches with the certification, tickets and evidence you present for those works. For both sites you already have a discovery strategy in place (as required by planning) so if you do find something nasty you already have a system in place to investigate, record and deal with it and that will still be required throughout the project.

The condition should technically remain in place for the main site until the remediation is validated and you can formally confirm you found nothing else on either site during the groundworks phase. In the case of the main site on plots 16 and 17 this arguably also requires confirmation that the remediation works are complete and validated suggesting that in order for the condition to be complied with you must do that remediation as part of the groundworks before starting construction. However, it should be easy enough to ask for a minor variation to the condition as expressed if you point out that for construction and site reasons, the actual completion of the remediation is something you plan or need to do during the construction phase. Examples of why you might need to do this are typically access and to avoid cross contaminating other works and areas.

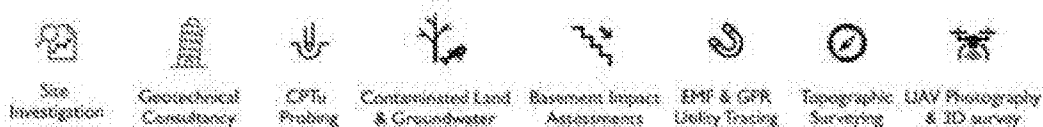
As long as the regulator knows when and where in the project cycle and plan that remediation will actually happen and they know it will be validated, they tend to be fairly amenable to retaining the condition (as arguably they have to until it is done and validated) but allow a variation so the actual construction phase can start. This is actually fairly common since there can be some confusion as to what actually constitutes groundworks and what is construction...

Slightly confused about the EA reference and pending additional groundwater monitoring results. There has not been any water risk identified in the investigative works to date so there are no established monitoring boreholes and no plans to undertake any samples. Possibly they have us confused with another site?

Regards



Christopher Swainston
Principal Environmental Engineer
BSc (Hons) Geology PGCE FGS CGeol
CLAire QP | Soils Limited



From: Ian Sellar [REDACTED]

Sent: 06 January 2021 12:52

To: Craig Morrison [REDACTED]
[REDACTED]

Subject: FW: Y/140/20/DOC - Cinders Lane Nursery and works to the rear, Cinders Lane, Yapton, BN18 0JJ

Afternoon Craig, Chris,

Happy New Year, trust you both had a good break.

Following submission of your RMS to planning, I have had the following comments back from the EHO (via the planning officer).

Please could you review and get back to me?

Kind regards,
Ian

From: Simon Davis <Simon.Davis@arun.gov.uk>

Sent: 21 December 2020 18:33

To: Ian Sellar [REDACTED]

Subject: FW: Y/140/20/DOC - Cinders Lane Nursery and works to the rear, Cinders Lane, Yapton, BN18 0JJ

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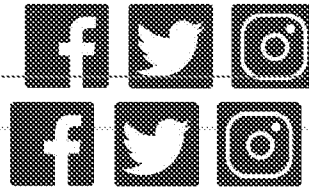
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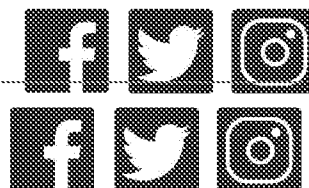
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