

Vivid Design Studio Ltd
Paddock View
Calcot Mount Business Park
Calcot Lane
Curdridge
SO32 2BN

Date: 18th May 2021

Please ask for: Amy Myer
Tel: 01903 737776

Your Ref:

Our Ref: Y/43/21/DOC

Dear Mr Dudley,

Town & Country Planning Act 1990 (as amended)

Town and Country Planning (Development Management Procedure) (England) Order 2015

Approval of details reserved by condition imposed under ref Y/18/20/PL relating to Condition Nos 4 - pre-commencement site meeting, 5 - contamination, 7 - surface water drainage and 8 - maintenance & management of surface water drainage.

Land East of North End Road and West of Church Lane Nursery Yapton BN18 0GA

Notification regarding the above application:

Condition Number 5

Prior to the commencement of development, 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. As based on (a) Soils Ltd.'s Phase I Desk Study Report (ref 16612, dated Nov 2017); (b) Soils Ltd.'s Phase II Ground Investigation Report (ref 16612/GIR, dated Nov 2017); and (c) Soils Ltd.'s Soil Gas Risk Assessment letter report (ref 16615/SGRA, dated Feb 2018) - an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
2. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (1) are completed 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 then be implemented as approved.

Reason: To ensure that the development complies with approved details in the interests of protection of the environment and prevention of harm to human health in accordance with Arun Local Plan policies QE SP1 and QE DM4. This is required to be a pre-commencement condition because these

details have to be agreed and in place before any work commences. It should be noted that this is a modified version of the standard condition as the Council is satisfied that the standard initial two stages have already been satisfied.

Decision:

Arun District Council have decided to **REFUSE details reserved by condition for the following reasons:**

The discharge of Condition (5) requiring a scheme to deal with the risks of land contamination is refused for the following reason:

The Council's Environmental Health Officer has commented that the amended Land Contamination Report (prepared by Soils Limited, dated 13/05/2021) does not include an updated Discovery Strategy, which is required to fully consider Part (1) of the condition. In addition, Part (2) of the condition can only be considered once the additional sampling and on-site groundworks have been completed. The Council's Environmental Health Officer has confirmed that it is therefore not possible at this stage to recommend discharge of this condition. The proposals currently fail to demonstrate compliance with Arun Local Plan policies QE SP1 and QE DM4.

In order for the LPA to be in a position to approve a future application for the discharge of this condition, an updated Discovery Strategy and additional sampling and on-site groundworks would need to be completed and details submitted.

Please do not hesitate to contact the above officer if you require any further assistance.

Yours sincerely

A handwritten signature in black ink, appearing to be 'NC' followed by a flourish and a period.

Neil Crowther
Group Head of Planning