

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

Our ref: HA/2015/117046/02-L01
Your ref: WA/22/15/OUT
Date: 04 August 2015

Dear Neil,

OUTLINE APPLICATION WITH SOME MATTERS RESERVED TO PROVIDE UP TO 400 NO. NEW DWELLINGS, UP TO 500 SQM OF NON-RESIDENTIAL FLOORSFACE (A1, A2, A3, D1 AND/OR D2), 5000 SQM OF LIGHT INDUSTRIAL FLOORSFACE (B1 (B)/(C)) & ASSOCIATED WORKS INCLUDING ACCESS, INTERNAL ROAD NETWORK, HIGHWAY WORKS, LANDSCAPING, SLECTED TREE REMOVAL, INFORMAL & FORMAL OPEN SPACE & PLAY AREAS, PEDESTRIAN & CYCLIST INFRASTRUCTURE UTILITIES, DRAINAGE INFRASTRUCTURE, CAR & CYCLE PARKING & WASTE STORAGE. THIS APPLICATION IS A DEPARTURE FROM THE DEVELOPMENT PLAN & A DUAL PARISH WITH EASTERGATE. LAND TO THE EAST OF FONTWELL AVENUE FONTWELL

Thank you for your consultation on this proposal. Please quote our reference number in any correspondence.

Environment Agency Position

The applicant has provided confirmation from Southern Water that a connection can be made to the mains system and that in their view the associated costs involved are viable. We can therefore remove the first objection which relates to Foul Drainage. We ask to be reconsulted if the council is minded to approve the application, as we wish to include a condition on this subject.

Our second objection remains, with regard to risk to groundwater from proposed development including development within a source protection zone.

We have reviewed the Framework Construction Environmental Management Plan – Water Resources submitted by the applicant.

Environment Agency
Guildbourne House Chatsworth Road, Worthing, West Sussex, BN11 1LD.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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The majority of the detail within the document is standard pollution prevention advice and mitigation. As the site partly lies in a Source Protection Zone 1 and lies over the Chalk, we would expect detailed specific information, assessment and pollution prevention mitigation proposals (best practice) rather than the standard good practice that has been described.

The report does not contain a Conceptual Site Model or qualitative risk assessment. Though some of this has been included within each section, the specific risks have not been described in detail. The report should be focused on the risks in SPZ1 and provide more detail on the mitigation and pollution prevention measures for construction and post construction activities. This will inform the overall assessment so that we can evaluate whether appropriately worded conditions can be recommended. In particular the description of “appropriate measures” and “managed appropriately” are deemed to be not specific enough to evaluate fully.

Advice to Applicant

Further specific comments on the report are included below.

Section 2 Geological Ground Conditions

2.1 – the last states “limestone”. The site actually lies over Chalk

Section 3 Groundwater

3.2 The first line states “...minor secondary B aquifer”. The word “minor” should be removed.

Section 5 Proposed Surface Water Management

5.1.1 – what does it mean by “..managed appropriately...”. This should be described in full.

5.1.3 – 4th bullet point - What does it mean by “...water being prevented from passing untreated in to the underlying aquifer”. Does this mean there will be a dedicated wheel and vehicle wash bay to collect water or/and water treatment prior to water discharging to ground.

5.1.3 – 6th bullet – what does it mean by “Appropriate measures ...”. This should be described in full.

Section 5.2 On Operation

Section 5.2.2 and 5.2.3.

The description of the surface water drainage pollution prevention measures seem to be unclear and are only provisional. As described above, a CSM (qualitative risk assessment) would provide the basis for a robust and clear surface water drainage scheme that include definitive pollution prevention measures for a development in a groundwater sensitive area. This sections needs to be more robust in its approach.

Section 5.2.4.and 5.2.7

The description of the car parking and service yard for the proposed GTR facility needs to be more detailed with further information on the pollution prevention capabilities. Stating that “...runoff and any associated hydrocarbons are managed sustainably and appropriately” and “...directed through appropriately specified petrol interceptors...” doesn’t describe the risks and descriptive measures to manage runoff in detail. As this site is located in Source Protection Zone 1, this detail is required to effectively consider

the overall risk to groundwater.

Section 6 Proposed Foundations

Though the potential risk to groundwater has been described, ground improvements, foundation and potential piling pose a significant risk to groundwater. This section need to be expanded in line with the previous section comments to fully describe risks (CSM). Any potential piling works would cause turbidity problems which could affect water quality at the groundwater abstraction borehole. This should also include concrete and mixing processes.

Section 7 Control of Pollution of Groundwater

Some of the details of this section address construction and operation risks. It would be useful to separate these risks to 1) Construction and 2) Operational (post construction). Any storage of chemical, fuels and oils and any discharge/disposal of construction water must be undertaken outside SPZ1. The risk associated with this should have been described.

10th Bullet point – Wheel Wash, again this must be outside SPZ1. Suspended solids will not be the only contaminant that needs to be considered. See comments for section 5.1.3.

Section 7.4 The Groundwater Regulations 2009 have been revoked. The Environmental Permitting Regulations 2010 (EPR2010) implement several European Directives that apply to groundwater protection, such as the protection of groundwater against pollution by certain dangerous substances' (80/68/EC); the protection of groundwater against pollution and deterioration (2006/118/EC); (Groundwater 'Daughter' Directive (GWDD)) and establishing a framework for Community action in the field of water policy (the Water Framework Directive (WFD))

The provisions of these Directives were originally implemented through the Groundwater Regulations 2009 – which have now been revoked. A groundwater activity is defined in EPR 2010 Sch. 3 (3), and includes discharges of pollutants that might lead to direct or indirect inputs to groundwater.

Section 8 Conclusions

8.2 and 8.3 what does it mean by “..undertaken appropriately...” and “...appropriate measure...”. This should be described in full or referenced back to the detailed sections in the report.

8.3 what does it mean by “..receiving bodies of water..”. This should be described in full.

Advice to LPA

We ask to be reconsulted if further information is submitted in relation to the above concerns. We will provide you bespoke comments within 21 days of receiving formal reconsultation.

If you are minded to approve the application contrary to our objection, I would be grateful if you could re-notify the Environment Agency to explain why material considerations outweigh our objection, and to give us the opportunity to make further representations. Should our objections detailed above be removed, we will recommend the imposition of conditions to be included on any subsequent approval.

Yours sincerely

Mrs Sophie Brown

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Sustainable Places Planning Advisor

Direct dial 01903 703858

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