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for people and wildlife

Environment Agency

Adur & Worthing Councils
Development Control
Portland House
Richmond Road
Worthing
West Sussex
BN11 1LF

Our ref: HA/2018/120643/02
Your ref: AWDM/0935/13

Date: 20 April 2020

Dear Sir or Madam,

OUTLINE PLANNING APPLICATION (INCLUDING APPROVAL OF DETAILS OF ACCESS) FOR REDEVELOPMENT OF GENERAL INDUSTRIAL LAND FOR A MIXED USE SCHEME WITH UP TO 120 NEW DWELLINGS (USE CLASS C3), HOTEL (USE CLASS C1), OFFICES AND LIGHT INDUSTRIAL (USE CLASS B1), RETAIL (USE CLASS A1), FINANCIAL AND PROFESSIONAL SERVICES (USE CLASS A2) AND CAFE (USE CLASS A3), WITH ASSOCIATED ROADWAYS, PARKING AND FLOOD DEFENCE WALL (SITE INCLUDES RIVERBANK BUSINESS CENTRE AND 12-18 OLD SHOREHAM ROAD).

ROPETACKLE NORTH, RIVERBANK BUSINESS CENTRE, 39 OLD SHOREHAM ROAD, SHOREHAM-BY-SEA, WEST SUSSEX.

AMENDED DOCS FOR DISCHARGE OF CONDITION 14

Thank you for consulting the Environment Agency on the above application following the submission of amended documents for the discharge of condition 14 (namely a 'Verification Report (Gas Protection Measures) for the site at plots 40-47 & 96-99' by Geo-Environmental Services Ltd, ref: GE15209/VR/JUL19, dated 08/07/2019).

We have reviewed the information as submitted and set out our position and comments below.

Environment Agency position

We are unable to recommend that condition 14 is discharged at this time.

Reasons

The Applicant requests the discharge of condition 14 pertaining to site investigation to identify contaminated land on the site. In our previous response (dated 30 August 2018, our ref: HA/2018/120643/01), we requested that the Applicant completed a verification report, and carried out additional groundwater monitoring in a specific area of the site to confirm the natural attenuation of a known hotspot of contamination.

Our review of the submitted Verification Report found the document to be inadequate. It fails to discuss the details of the risks associated with known contamination in the made ground and its potential impact upon groundwater. We find it concerning that no remediation strategy for this known potential source for contamination has been submitted for review.

We found no risk assessment within the report, detailing how remedial actions reduced risks through breaking pathways to sensitive receptors. A summary of the remedial actions chosen was also not included. Additionally, in Section 2.2 paragraph 6, it states that contamination within the superficial soils at depth beneath the site have been assessed in relation to groundwater. There is no evidence within these documents as to what criteria this contamination risk has been assessed.

Finally, we are disappointed that further testing of the perched/groundwater in the specific location mentioned in our previous response does not seem to have taken place. The Applicant's position that no specific measures with respect to protection of groundwater are required on the site was based on thorough analysis of groundwater samples taken across the site. However, investigations and analysis, continued to identify contamination from chlorinated solvents within groundwater. Whilst the Applicant's initial conceptualisation was supported by us, further monitoring was required to provide strong evidence that natural attenuation had removed the chlorinated solvent from groundwater beneath the site.

In summary, for us to be able to recommend the discharge of condition 14, we require the Applicant to submit a verification report containing:

- A summary of the remedial actions planned or carried out so far.
- A risk assessment showing how the proposed remedial works will lower any risk to the environment.
- Evidence and a summary of what criteria has been used to justify the Applicant's position regarding further mitigation of risks to groundwater.
- Data from groundwater sampling proximal to the location where chlorinated solvents were detected in groundwater. If sampling was not possible, then we would expect a risk assessment based upon best industry practice, to strengthen the Applicant's initial conceptualisation.

Please do not hesitate to contact me using the contact details shown below should you have any queries regarding the above information.

Yours sincerely,

Miss Anna Rabone
Sustainable Places Advisor

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