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

Our ref: HA/2012/113336/01-L01
Your ref: AWDM/1113/12

Date: 09 October 2012

Dear Mr Barnett

RESTORATION OF TEVILLE STREAM INVOLVING CONSTRUCTION OF A WORKS COMPOUND AND ACCESS VIA DOMINION WAY, CONSTRUCTION OF A NEW CHANNEL AND CONSTRUCTION OF AN EARTH MOUND TO BLOCK THE EXISTING TEVILLE STREAM CULVERT ADJACENT TO DEACON WAY.

LAND EAST OF DEACON WAY WORTHING WEST SUSSEX

Thank you for your consultation regarding the above. Please quote our reference number on any correspondence.

Environment Agency position

We consider that planning permission could be granted to the proposed development as submitted if the following two planning conditions are included as set out below. Without these planning conditions, the proposed development on this site poses an unacceptable risk to the environment.

Planning Condition 1 of 2

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority (LPA)) shall be carried out until the developer has submitted a remediation strategy to the LPA detailing how this unsuspected contamination shall be dealt with and obtained written approval from the LPA. The remediation strategy shall be implemented as approved.

Reasons: Previous investigations have identified contamination in the area, specifically the landfill and from discrete sources near the pylons. Contamination that is identified through the development must be dealt with so that pollution of the water environment is prevented.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

This planning condition is necessary to ensure the proposal complies with the principles of the NPPF.

Planning Condition 2 of 2

The development hereby permitted shall not be commenced until such time as a scheme to

1. dispose of surface water and

2. provide pollution prevention mitigation measures to improve water quality

has been submitted to, and approved in writing by, the LPA. The scheme shall be implemented as approved.

Reasons: Although the scheme is designed to create a new surface water course, receiving water from other drainage sources such as roads may be contaminated. Appropriate pollution prevention measures must be incorporated in to the scheme so that water quality improvements can be made. It is recommended that a Water Quality Strategy is developed that includes different pollution prevention measure (Treatment Train) and that they are incorporated in to the scheme.

This planning condition is necessary to ensure the proposal complies with the principles of the NPPF.

I hope the above comments are satisfactory but if you require any further information please contact me.

Yours sincerely

Helen Tier

Environment Agency
Sustainable Places Planning Adviser

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cc Environment Agency

End