Mr Peter Barnett
Adur District Council
Development Control
Civic Centre Ham Road
Shoreham-by-Sea
West Sussex
BN43 6PR

Our ref: HA/2009/108382/01-L01
Your ref: ADC/0396/09

Date: 19 November 2009

Dear Mr Barnett

NEW ASSEMBLY FACILITY BUILDING (TO SOUTH OF EXISTING BUILDINGS) WITH TWO-STOREY PEDESTRIAN LINK TO ADJACENT BUILDING AND SMALL EXTERNAL PLANT AREAS, DEMOLITION OF 3 TEMPORARY BUILDINGS AND AMENDMENTS TO INTERNAL ROAD

PRINT ROOM AND ARCHIVES RICARDO ENGINEERS LTD OLD SHOREHAM ROAD LANCING WEST SUSSEX

We have had an opportunity to review the information in the revised and updated Desk Study and Ground Investigation report as completed by Hydrock Consultants Ltd, dated October 2009. and are able to provide the following comments:

The report updates the information relating historic uses of the site and includes a conceptual site model and risk assessment relating to contamination issues. No additional investigation has been undertaken and therefore the assessment is based on the information collected during September 2009 and the previous report completed by Clarke Bond.

There is currently insufficient information relating to the protection of controlled waters from the development and potential for contamination, particularly to the eastern portion of the development area.

The following specific points are provided which should be addressed in order to discharge elements of the recommended planning condition in our letter dated 04 November 2009 (our reference HA/2009/108210/01-L01).

Section 3.0 Preliminary Risk Assessment - Table 3.2 Groundwater has not been considered as a receptor. Whilst the site lies outside a Source Protection Zone the chalk beneath the alluvium is classified as a principal aquifer (formerly known as a major

aquifer) in terms of the quantity of water it can yield for supply and our policy for the protection of groundwater and is therefore a controlled water.

Construction/Foundation Design - this has not been considered within Table 3.2,. The proposed foundations, as outlined in section 7.3, may act as potential pollutant pathways. This is a particular concern with Vibro stone columns which may act as a drainage feature for pollutants. This must be considered within the risk assessment.

Section 6.3 Pollution of Controlled Waters - The completed RTM assessment is based only on the data collected during the September 2009 investigation and uses only four contamination samples. Given the site's current and historic uses a single sample tested for petroleum hydrocarbons is insufficient.

The investigation scope is limited to only half of the development area, with the eastern most section not inspected. Given that the oldest buildings are sited in the east and there are known issues relating to contamination, further intrusive investigations are required to confirm that migration of contaminants has not occurred. Samples must be recovered and analysed for petroleum hydrocarbons.

Our previous comments in our letter dated 04 November 2009 (our reference HA/2009/108210/01-L01) therefore still stand and I have reproduced the letter below for your information.

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

Yours sincerely

HELEN TIER
Planning Liaison Officer (South Downs Area)

Direct dial 01903 703862
Direct e-mail planning.southdowns@environment-agency.gov.uk

cc DKA

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BN43 6PR

Our ref: HA/2009/108210/01-L01
Your ref: ADC/0396/09

Date: 04 November 2009

Dear Mr Barnett

NEW ASSEMBLY FACILITY BUILDING (TO SOUTH OF EXISTING BUILDINGS) WITH TWO-STOREY PEDESTRIAN LINK TO ADJACENT BUILDING AND SMALL EXTERNAL PLANT AREAS, DEMOLITION OF 3 TEMPORARY BUILDINGS AND AMENDMENTS TO INTERNAL ROAD

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

Environment Agency position

We consider that planning permission should only be granted to the proposed development as submitted if the following five planning conditions are imposed as set out below. Without these planning conditions, the proposed development on this site poses an unacceptable risk to the environment and we would wish to object to the application.

Planning Condition 1

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority (LPA)), 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 LPA:

1) A preliminary risk assessment which has identified:

- **all previous uses**
- **potential contaminants associated with those uses**
- **a conceptual model of the site indicating sources, pathways and receptors**
- **potentially unacceptable risks arising from contamination at the site.**

Cont/d..

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete 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 LPA. The scheme shall be implemented as approved.

Reason: The site overlies Alluvium over the Newhaven Chalk Formation, the latter is classified as a principal aquifer in terms of the quantity of water it can yield for supply and our policy for the protection of groundwater. The historic and current site uses may have resulted in areas of contamination, therefore an assessment of risk is required to ensure the protection of controlled waters.

In accordance with In accordance with the principles of Planning Policy Statement 23 – "Planning and Pollution Control" (PPS23), Policy NRM2 – "Water Quality" of the South East Plan and Policy AN5 of the Adopted Adur District Local Plan 1993-2006.

Advice to Applicant

The submitted Ground Investigation Report as completed by Hydrock Consultants Ltd does satisfactorily assess the risks to controlled waters from potential sources of contamination.

The location and design sampling/monitoring positions are not directed by a preliminary risk assessment or conceptual site model. The coverage of the intrusive investigation does not include the area nearest to potential and known sources of contamination and therefore provides only a limited assessment.

It is therefore required that further investigation is required to determine whether there is any contamination present and whether there is any risk to controlled waters. The conceptual model and risk assessment should be updated and include site specific activities and be used to direct the additional investigation.

It is noted that the testing for Total Petroleum Hydrocarbons (TPH) was limited to a single window sample, given the site usage all sampling locations should include testing for TPH.

The use of Vibrocompaction Stone Columns for foundation design is acceptable in provided that it can be demonstrated that no risk to controlled waters exist from contamination. Stone columns may provide a preferential pathway for the migration of contaminants to groundwater and the chalk aquifer.

Planning Condition 2

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A verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the LPA. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the LPA.

Reason: To ensure that any remediation is satisfactorily completed, if deemed necessary.

In accordance with In accordance with the principles of PPS23, Policy NRM2 of the South East Plan and Policy AN5 of the Adopted Adur District Local Plan 1993-2006

Planning Condition 3

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 LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure the protection of controlled waters from any previously un-identified areas of contamination, which should fully investigated and characterised.

In accordance with In accordance with the principles of PPS23, Policy NRM2 of the South East Plan and Policy AN5 of the Adopted Adur District Local Plan 1993-2006

Planning Condition 4

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the LPA, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reasons: To ensure that the proposed foundation design does not led to or increase the potential for pollution of controlled waters.

In accordance with In accordance with the principles of PPS23, Policy NRM2 of the South East Plan and Policy AN5 of the Adopted Adur District Local Plan 1993-2006

Planning Condition 5

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated October 2009 and the following mitigation measures detailed within the FRA:

- **Flood-proofing measures detailed on page 8 are included in the proposed development.**

Reason: To reduce the impact of flooding on the proposed development and future

occupants

In accordance with the principles of PPS25 – Development and Flood Risk, Policy NRM4 – "Sustainable Flood Risk Management" of the South East Plan and Policy AN3 of the Adopted Adur District Local Plan 1993-2006.

Planning Advice

Flood Risk

Your LPA's own Technical Services should be satisfied with the proposed method of surface water disposal.

Contaminated land

Soil originating from the site may be classed as hazardous waste. Appropriate testing must be carried out to determine if the waste is hazardous. Hazardous waste must be disposed of at a suitably permitted site, consignment notes and records of waste analysis must be kept on site to prove how the material was classified and disposed of.

Pollution Prevention

This site lies within a sensitive groundwater area. Groundwater is therefore potentially at risk from activities at the site.

When carrying out construction and demolition activities, potential sources of pollution from site activities will need to be identified so that appropriate pollution prevention measures are taken to avoid any contamination of controlled waters. . Precautions must be taken to avoid discharges and spills to ground both during and after construction. Controlled waters include lakes, rivers, coastal waters and groundwater

There should be no discharge of silty or dirty water to any watercourse or surface water drain during and after the proposed works.

The risk of pollution at construction and demolition sites can be significantly reduced by providing secondary containment measures for storage tanks. Oil tanks must comply with the requirements of the Control of Pollution (England) (Oil Storage) Regulations 2001.

The applicant should ensure that the interceptor is checked regularly and emptied as necessary. A licenced waste carrier must be used to carry the contents of the interceptor.

If pollution does occur within the surface water, please report the incident to the Environment Agency.

Further detailed advice can be found at the Environment Agency's pollution prevention website http://www.environment-agency.gov.uk/business/topics/pollution/32252.aspx or by calling our National Customer Contact Centre (NCCC) at 08708 506 506.

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

Yours sincerely

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