From: Tier, Helen <helen.tier@environment-agency.gov.uk>
Sent: 06 May 2009 14:05
To: Keith Morgan
Subject: LAND ADJACENT 2 BRIGHTON ROAD ADC/0124/09
Attachments: dps2.rtf

Dear Keith

I attach our response to the above planning application. Thank you for the extension of time.

Yours sincerely

HELEN TIER
Planning Liaison Officer
South Downs Area

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

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

Our ref: HA/2009/106626/01-L01
Your ref: ADC/0124/09

Date: 06 May 2009

Dear Mr Morgan

TEMPORARY STAFF PARKING AREA FOR 3 YEARS (RETROSPECTIVE) LAND ADJACENT 2 BRIGHTON ROAD LANCING WEST SUSSEX BN15 8RH

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

The site on the Lancing Sea Defences which are under our jurisdiction. Any works **whatsoever** on, over, or under this defence or between low water mark and a distance of 15 metres from the landward toe of the embankment, requires our prior consent under our Byelaws. Having checked our records no consent appears to have been granted for these works and we do not grant retrospective consent.

We do not wish to object to this development, however the works remain unconsented. If a person acts in contravention of, or fails to comply with any of these Byelaws we may, without prejudice to any proceedings, take such action that may be necessary to remedy the effect of the contravention or failure. We may recover the expenses reasonably incurred by them in doing so, from the person in default.

At this time we do not propose to take enforcement action, although in accordance with our Enforcement and Prosecution Policy, previous incidents are taken into consideration when determining appropriate enforcement action.

We will act to remove any unconsented works and restore the beach to its previous condition if access is required for future beach management activities.

Furthermore we accept no liability for any damage to the works as a result of our maintenance activities.

This letter will be held on file and this breach may be taken into account in the event of

subsequent breaches of flood defence legislation.

Notwithstanding the above comments, the applicant should ensure that no contaminants run off the parking area and onto the beach. Any spillages of oil or contaminants must be contained to prevent pollution of the environment.

The plans state that the surface is covered with compacted MOT aggregate. It is unclear where this material came from. This activity may need our authorisation.

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

cc Jon Andrews Ltd

End