

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

Our ref: HA/2020/122504/01-L01
Your ref: AWDM/1264/20
Date: 08 September 2020

Dear Sir/Madam

MIXED USE DEVELOPMENT COMPRISING UP TO 475 DWELLINGS ALONG WITH ASSOCIATED ACCESS, INTERNAL ROADS AND FOOTPATHS, CAR PARKING, PUBLIC OPEN SPACE, LANDSCAPING, LOCAL CENTRE (USES INCLUDING A1, A2, A3, A4, A5, D1, D2, AS PROPOSED TO BE AMENDED TO USE CLASSES E, F AND SUI GENERIS) WITH ASSOCIATED CAR PARKING, CAR PARKING FOR THE ADJACENT RAILWAY STATION, UNDERGROUNDING OF OVERHEAD HV CABLES AND OTHER SUPPORTING INFRASTRUCTURE AND UTILITIES (OUTLINE WITH ALL MATTERS RESERVED)

LAND NORTH WEST OF GORING RAILWAY STATION, GORING STREET, WORTHING, WEST SUSSEX.

Thank you for consulting the Environment Agency on the above application.

Environment Agency Position

We have **no objection** to the proposed development as submitted, **subject to the inclusion of the following 7 conditions**, in any permission granted.

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

Condition 1 – Implementation of Flood Risk Assessment

The development shall be carried out in accordance with the submitted flood risk assessment (ref D1586/FRA/1.3, July 2020) and the following mitigation measures it details:

- The development, including drainage features, shall not extend beyond the plans submitted in the FRA.
- No part of the development shall come within 8m of the banks of the Ferring Rife.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed

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Portfield Depot Oving Road, Chichester, West Sussex, PO20 2AG.
Customer services line: 03708 506 506

www.gov.uk/environment-agency

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above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason(s)

In line with section 9 of the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change to reduce the risk of flooding to the proposed development and future occupants, to reduce the risk of flooding from blockages to the existing culvert(s) and to ensure the banks of the Ferring Rife can be maintained.

Condition 2 - Development on land affected by contamination

Prior to each phase of development approved by this planning permission no development shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

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
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 results of the site investigation and the detailed risk assessment referred to in (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 the remediation strategy 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 written consent of the local planning authority. The scheme shall be implemented as approved.

Reason(s)

To ensure that the development does not contribute to, or is not put at unacceptable risk from/adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.

Condition 3 – Verification report

Prior to each phase of development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. 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.

Reason(s)

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 170 of the National Planning Policy Framework.

Condition 4 – Previously unidentified contamination

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) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning

authority. The remediation strategy shall be implemented as approved.

Reason(s)

To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.

Condition 5 – SuDS infiltration of surface water into ground

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason(s)

To ensure that the development does not contribute to, is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework.

Whilst we would not object to the use of SuDs at this site we expect the developer to incorporate suitable level of pollution prevention measures into the drainage design to ensure that groundwater and drinking water supplies are protected.

With regards to clean roof water, we have no objection to this being discharged to ground. However surface water drainage from car parking areas and roads has the potential to contain pollutants and hazardous substances. We would expect a risk assessment to be carried out to determine the level of treatment required prior to the water from these areas being discharged to ground. We would like to direct the developer to the Ciria SuDs manual C753 where industry best practice is provided. It provides further information and guidance on risk assessment and the likely level of treatment needed for such sites. This can be found at <http://www.susdrain.org/>.

Condition 6 – Piling and boreholes

Piling and investigation boreholes using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details.

Reason

To ensure that the proposed development, does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework and Position Statement of the [‘The Environment Agency’s approach to groundwater protection’](#)

Condition 7 - Decommissioning of investigative boreholes

A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of each phase of development.

Reason

To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies in line with paragraph 170 of the National Planning Policy Framework and Position Statement of [‘The Environment Agency’s approach to groundwater protection’](#).

Advice for Local Planning Authority/Applicant

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The Environment Agency completed a new flood risk model for the Ferring Rife in 2020. The outputs of this model will be used to update the published Flood Map for Planning in November 2020. The proposals outlined in this application show all development to be in Flood Zone 1 based on the update due in November. As such it is the view of the Environment Agency that the development shall be deemed in Flood Zone 1 with parts of the site boundary falling into Flood Zones 2 and 3.

Should you have any further queries please do not hesitate to contact me.

Yours faithfully

Miss Anna Rabone
Sustainable Places Advisor

Direct dial

Direct e-mail anna.rabone@environment-agency.gov.uk

cc Pegasus Planning Group