

West Sussex County Council
Development Control
County Hall Tower Street
Chichester
West Sussex
PO19 1RH

Our ref: HA/2020/122700/01-L01
Your ref: WSCC/052/20
Date: 19 November 2020

Dear Sir/Madam

THE CONSTRUCTION OF A 1.3KM SINGLE CARRIAGEWAY WITH A 3M WIDE SHARED CYCLEWAY/FOOTWAY, 2.5M WIDE CENTRAL ISLAND, ONE UNCONTROLLED PEDESTRIAN CROSSING WITH A CENTRAL ISLAND TO ENABLE USERS OF THE PROW TO CROSS THE CARRIAGEWAY, THREE ROUNDABOUTS, PROVISION OF HARD AND SOFT LANDSCAPING, ROAD MARKINGS, TRAFFIC SIGNALS, BUS STOPS, AND SIGNALISED PEDESTRIAN CROSSINGS, CONSTRUCTION OF A SUBSTATION BUILDING; INSTALLATION OF A NOISE BARRIER, AND ASSOCIATED WORKS

LAND TO THE NORTH OF EASTERGATE AND NORTH-WEST OF BARNHAM, PO22 0DF

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 2 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– 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)

Environment Agency
Guildbourne House Chatsworth Road, Worthing, West Sussex, BN11 1LD.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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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 2 - 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)

This condition is required 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.

Advice to Local Planning Authority/Applicant

Flood risk activity permit

As noted within the Flood Risk Assessment (FRA) the Environment Agency have been in dialogue with Jacksons Civil with regards permit requirements.

Any works in under or over the Barnham Lane watercourse , a classified 'main river ' under our jurisdiction, or within 8 metres from the watercourse bank edges, a Flood Risk Activity Permit (FRAP) will need to be formally applied for. This will be applicable where the Attenuation Pond 3 is to discharge into the said watercourse.

The Environment Agency would reiterate as per this dialogue, immediately south of this point, the proposed bund is to be located over a line where there may be an existing land drain/watercourse. If this established via further investigation a consent may be required from the Lead Local Flood Authority (LLFA).

Fisheries and biodiversity

The construction of the scheme has the potential to adversely impact water quality, most likely through the contamination of spilt liquids such as fuel or oils. Therefore, spill kits should always be available, and machinery or tools fueled away from any watercourse, or areas that will flow into a watercourse. However, the likelihood of this is expected to be low due to the site location, and the Lidsey Rife being located outside of the site boundary. No impacts on fish populations are expected from the delivery of this work.

Deep infiltration system for surface water or sewage effluent

Our position statement is copied below but given how shallow the groundwater is, there is the potential for a direct discharge, which we would be strongly against and unlikely to support given the proximity to Portsmouth Waters abstraction.

The Environment Agency will only agree to the use of deep infiltration system for surface water or sewage effluent disposal if the developer can show that all of the following apply:

- The discharge to groundwater is indirect (with the exception of clean uncontaminated roof water to ground)
- There are no other feasible disposal options such as shallow infiltration systems or drainage fields/mounds that can be operated in accordance with the appropriate current British Standard 6297:2007 A1:2008.
- The system is no deeper than required to achieve sufficient soakage
- Acceptable pollution control measures are in place

- Risk assessment demonstrates that no unacceptable discharge to groundwater will take place – in particular inputs of hazardous substances to groundwater will be prevented
- There are sufficient mitigating factors or measures to compensate for the increased risk arising from the use of deep structures

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

Yours faithfully

Mrs Sophie Brown
Sustainable Places Planning Advisor

Direct dial 02030 257250

Direct e-mail planningSSD@environment-agency.gov.uk

cc WSP