

Savannah Cobbold
West Suffolk
Planning & Regulatory Services
West Suffolk House Western Way
Bury St. Edmunds
Suffolk
IP33 3YU

Our ref: AC/2023/131556/01-L01
Your ref: DC/23/0735/FUL
Date: 08 June 2023

Dear Savannah Cobbold

DC/23/0735/FUL | PLANNING APPLICATION - FOOD TO GO POD AND ASSOCIATED FORECOURT WORKS (FOLLOWING DEMOLITION OF CAR WASH, JET WASH MACHINE AND PLANT ROOM) | HAVERHILL SERVICE STATION STURMER ROAD HAVERHILL SUFFOLK CB9 7UU

Thank you for consulting us on the above application. We have reviewed the information provided and wish to object for the reasons detailed below. Advice on how to overcome our objection is also included in our response.

Groundwater and Contaminated Land

We **object** to the proposed development as submitted because there is insufficient information to demonstrate that the risk of pollution to controlled waters is acceptable. The application fails to provide assurance that the risks of pollution are understood.

Reason

To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF 2021), paragraphs 174, 183 and 184 and Environment Agency Groundwater Protection Position Statements (2017).

The application form, submitted with the proposal, describes the current use of the site as a petrol filling station; this is a high polluting potential use.

This site is located above Secondary A and Principal Aquifers (Lowestoft Formation – sands and gravels, and Chalk respectively), it also overlies a Source Protection Zone 3 and Water Framework Directive (WFD) groundwater body (North Essex Chalk) and is just 65m from Stour Brook. The site is considered to be of high sensitivity and could present potential pollutant linkages to controlled waters.

Therefore, an assessment of potential contamination found in the proposed development site and consideration for the risk posed by foundations will need to be undertaken.

Note on Site History

We objected to (now withdrawn) application DC/18/0862/FUL, at this site, due to a lack of Preliminary Risk Assessment. Our comments are not visible on your planning website. A copy of our previous response reference AC/2018/127143/01 dated 11 June 2018 is attached.

Environment Agency
Brampton Office Bromholme Lane, Brampton, Huntingdon, PE28 4NE.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

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We do not appear to have been consulted on approved application DC/22/1016/FUL despite your Environmental Health team's recommendation that we be consulted for our opinion on the risk to controlled waters. Had we been consulted we would have objected on the same grounds as DC/18/0862/FUL and this application.

Overcoming Our Objection

The applicant should provide a Preliminary Risk Assessment (PRA), including a Desk Study, Conceptual Site Model and initial assessment of risk, to satisfactorily demonstrate to the Local Planning Authority that the risk to controlled waters has been fully understood and can be addressed through appropriate measures.

Advice to Applicant

It is noted that the section of the application form "Land where contamination is suspected for all or part of the site" was marked as "No". No evidence has been submitted to support this statement, and the site is both used car sales as well as a petrol filling station, this should have been marked as "Yes", and as a minimum, a Preliminary Risk Assessment submitted with the application.

We recommend that developers should:

- 1) Refer to our '[Groundwater Protection](#)' website;
- 2) Refer to our [Land Contamination: Risk Management website when dealing with land affected by contamination. This is based on CLR11 which is archived within CL:AIRE Water and Land Library \(WALL\)](#), and also includes the [Guiding Principles for Land Contamination](#) for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, for example human health;
- 3) Refer to our [Land Contamination Technical Guidance](#);
- 4) Refer to '[Position Statement on the Definition of Waste: Development Industry Code of Practice](#)';
- 5) Refer to British Standards BS 5930:1999 A2:2010 *Code of practice for site investigations* and BS10175:2011 A1: 2013 *Investigation of potentially contaminated sites – code of practice*
- 6) Refer to our '[Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination](#)' National Groundwater & Contaminated Land Centre Project NC/99/73. The selected method, including environmental mitigation measures, should be presented in a 'Foundation Works Risk Assessment Report', guidance on producing this can be found in Table 3 of '[Piling Into Contaminated Sites](#)';
- 7) Refer to our '[Good Practice for Decommissioning Boreholes and Wells](#)'.
- 8) Refer to our '[Dewatering building sites and other excavations: environmental permits](#)' guidance when temporary dewatering is proposed

We trust that the above information is of assistance to you. If you have any further queries, please contact us.

Please forward a copy of this letter to the applicant.

Yours sincerely

Mrs Emily Davies

Sustainable Places Planning Advisor

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

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