Our ref: KT/2011/113113/01-L01
Your ref: TM/11/01191

Date: 12 July 2011

Tonbridge & Malling Borough Council
Development Control
Gibson Building
Gibson Drive
Kings Hill
West Malling
ME19 4LZ

Dear Sir/Madam

ERECTION OF 177 DWELLINGS, CREATION OF 6.82HA OF OPEN SPACE INCLUDING LOCAL AREA OF EQUIPPED PLAY (LEAP), NEW VEHICULAR ACCESS ONTO HAUL ROAD AND MODIFIED VEHICULAR ACCESS ONTO QUARRY HILL ROUNDABOUT. PROVISION OF ROADS, FOOTPATHS, LANDSCAPING AND ALL ASSOCIATED INFRASTRUCTURE, REMOVAL OF BRICK DECK TO ISLES QUARRY EAST.
ISLES QUARRY, QUARRY HILL ROAD, BOROUGH GREEN, SEVENOAKS.

Thank you for your letter dated 14 June 2011. We have no objection to the application, providing the following three conditions are attached to any permission granted.

Condition 1 : The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure adequate and appropriate management of foul and surface water.

Condition 2 : Prior to the commencement of the development approved by this planning permission (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority), 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 local planning authority:

1. A preliminary risk assessment which has identified
a. all previous uses;
b. potential contaminants associated with those uses;
c. a conceptual model of the site indicating sources, pathways and receptors;
d. 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 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 express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure development does not result in unacceptable risks to groundwater in the underlying principal aquifer within Source Protection Zone 3 for a public water supply. To ensure development is carried out in accordance with PPS 23: Planning and Pollution Control to deal with risks associated with historic contamination.

Condition 3 : Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To ensure ground improvement works are carried out with due regard to the risks to groundwater presented by contamination present in the made ground beneath the site, as highlighted from site specific investigations.

Groundwater Protection
Flood Risk Assessment Scott Wilson 21 April 2011 – proposes below ground attenuation storage before discharge to watercourse. But leaves open the possibility of infiltration pending 'further investigations prior to detailed design stage'.

The site lies in a sensitive setting with regard to groundwater, being underlain by a principal aquifer and within Source Protection Zone 3 for the Borough Green public groundwater abstraction.

As such, based on information provided so far, we consider that discharging into the made ground at the site would be unacceptable due to the risk of mobilising contamination via preferential pathways. They may also be unsuitable from an engineering perspective due to the risks of creating ground instability.

Land Contamination
We note the conclusions of the Geo-environmental and Geotechnical Ground Conditions Report 2010 (Scott Wilson, April 2011). In general the conclusions are acceptable and the proposals for further investigative works at the site are acceptable. We would agree that further delineation works are needed, especially in Area 1, to establish hydrocarbon impacts on soil (and thus potential for impacts on groundwater).

We note the comments regarding the limitations of leachate testing that have been carried out so far during the investigation; further comment on potential risks to groundwater across the whole site should be made once further investigations have

been completed. A detailed risk assessment/remediation strategy (including target concentrations protective of human health and groundwater for materials retained on site following development) would be expected.

Piling

With respect to any proposals for piling through made ground, we would refer you to our guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected By Contamination: Guidance on Pollution Prevention". NGWCL Centre Project NC/99/73. We suggest that approval of piling methodology is further discussed with us when the guidance has been utilised to design appropriate piling regimes at the site. This guidance is available on our website.

Flood Risk

We note that there are limitations with respect to the use of sustainable drainage systems at this site, and that it is therefore proposed that storage will be provided in oversized pipes/underground storage units and/or permeable paving where appropriate. Whilst we appreciate the constraints, we do not support the reliance on storage crates to provide the majority of the storage requirements at the site. This is because we have concerns regarding their sustainability and maintenance over the life time of the development.

We accept that the proposals should not result in an increase in runoff, however, we would expect a development of this size to contribute towards a reduction across the catchment. In this instance, we would encourage the developer to consider the use of rainwater harvesting to contribute towards the storage requirement for the site, reducing the reliance on modular storage and reducing the consumption of domestic potable water. It will not be acceptable to rely on the provision of oversized pipes and modular storage.

Planning Policy Statement 25 (PPS25): *Development & Flood Risk* includes recommendations for dealing with surface water within Annex F. Paragraph F5 is of particular relevance and states *"The effective disposal of surface water is a material planning consideration in determining proposals for the development and use of land. It will always be much more effective to manage surface water flooding at and from new development early in the land acquisition and design process rather than to resolve problems after development"*

It should be noted that the design of a surface water management scheme can significantly effect the design and layout of the site, which is why it is of benefit to the developer to consider the design early.

Pollution Prevention

Care should be taken during and after construction to ensure that all fuels, oils and any other potentially contaminating materials should be stored (for example in bunded areas secured from public access) so as to prevent accidental/ unauthorised discharge to ground. The areas for storage should not drain to any surface water system.

Where it is proposed to store more than 200 litres (45 gallon drum = 205litres) of any type of oil on site it must be stored in accordance with the Control of Pollution (oil storage) (England) Regulations 2001. Drums and barrels can be kept in drip trays if the drip tray is capable of retaining 25% of the total capacity of all oil stored.

Yours faithfully

Cont/d..

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cc Barton Willmore LLP

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