

20231116 Land To The East Of Brookers Farm Luddesdown Road Luddesdown

Environmental Agency 14 November 2023

Thank you for consulting us. Due to the scale, nature and setting of this proposal and the supporting information submitted, we have assessed this proposal as low risk. We therefore do not have any specific comments to add.

Please note that although this proposal is considered as low risk, we would still need to be re-consulted if:

- The proposal is in SPZ1/2 and will include infiltration of surface water other than clean rainwater
- The proposal is in SPZ1/2 and will include infiltration of surface water that involves deep borehole soakaways
- During development, contamination not previously identified is found to be present at the site. This will be subject to a remediation strategy.

Failing to inform us on any of the above, the development is at risk of contributing to unacceptable levels of water pollution caused by mobilised contaminants. Ensuring the protection of water pollution is in line with paragraph 174 of the National Planning Policy Framework.

Advice to applicant

If you would like to receive site specific advice or discuss documents in further details with us, we are able to do so under our charged planning advice. Please contact us on kslplanning@environment-agency.gov.uk for further details.

We would like to refer the applicant/enquirer to our groundwater position statements in '[The Environment Agency's approach to groundwater protection](#)', available from gov.uk. This publication sets out our position for a wide range of activities and developments, including the following:

- Waste management
- Discharge of liquid effluents
- Land contamination
- Ground source heat pumps
- Cemetery developments
- Drainage

Informatives

Contamination

If there is a reason to believe contamination could be an issue, applicants should provide proportionate but sufficient site investigation information (a risk assessment) prepared by a competent person to determine the existence or otherwise of contamination, its nature and extent, the risks it may pose and to whom/what (the 'receptors') so that these risks can be assessed and satisfactorily reduced to an acceptable level. *The National Quality Mark Scheme* (NQMS) accredits competent persons with regard to assessing and reporting land contamination issues.

Sustainable Surface Water Drainage

Sustainable surface water drainage systems are endorsed and encouraged by the Environment Agency as the collection and dispersal of clean surface water to ground allows recharge aquifer units. It also can help to prevent localised flooding in heavy rainfall events. Approved Document Part H of the Building Regulations 2000 establishes a hierarchy for surface water disposal. As part of this hierarchy the first option is for the disposal of surface water via SUDS, which encourage infiltration such as soakaways or infiltration trenches. An

appraisal of SUD options must be undertaken to ensure feasibility and/or suitability and it must be proven that they can be properly maintained and would not lead to any other environmental problems.

The use soakaways will always require a site specific investigation and risk assessment to assess suitability. There must be no discharge to land which is impacted by contamination and there must be no direct discharge to groundwater. As a rule of thumb we would accept roof drainage going to soakaway, but other surface drainage may need to go through treatment systems or to foul main, for instance vehicle parking. However discharge into the ground from car parking for less than 20 private cars is normally acceptable, provided there are suitable pollution prevention measures in the system prior to the discharge point and the groundwater is greater than 10 metres below final discharge level. We would **not** accept any vehicle parking drainage going to ground in an SPZ1.

Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

The detailed design at any site can be negotiated on a site specific basis dependant on environmental setting and drainage design proposals. The following website is helpful in planning drainage design.

<http://www.bgs.ac.uk/products/hydrogeology/infiltrationSuds.html>

Unexpected Contamination

Any unexpected contamination encountered should be reported to the EHO in accordance with Building regulations approved Doc C.

Please note that our advice is applicable for the information made available to us at this point. If, at any stage, this information changes, we will need to be informed and re-consulted.