

Mr Jim Blackwell  
Torbay Council  
Planning & Development Services  
Town Hall Castle Circus  
TORQUAY  
TQ1 3DR

**Our ref:** DC/2021/122238/04-L01  
**Your ref:** P/2021/0765  
**Date:** 07 January 2022

Dear Mr Blackwell

**DEMOLITION OF EXISTING COACH STATION BUILDING, CAFÉ AND TOILETS AND CREATION OF 5 NEW COMMERCIAL LIGHT INDUSTRIAL UNITS (USE CLASSES E(G) & E(C). ERECTION OF PUBLIC TOILETS, 3 NEW COACH BAYS AND ASSOCIATED PUBLIC REALM (DESCRIPTION AMENDED 10.09.2021) COACH STATION LYMINGTON ROAD TORQUAY TQ1 4BD**

Thank you for submitting Drawing 3466.ENG.EA 'FLOW PATHS AND ASSOCIATED SECTIONS' Rev P1 dated 4/01/22 which shows exceedance flow routes that flood waters would take in times of flooding. The revised plan we feel better demonstrates the situation at hand than the previous plan and we are able to remove our objection for flood risk reasons.

**Environment Agency Position**

We do not object to this development subject to the inclusion of the following contamination conditions including a condition requiring the submission of a remediation strategy. This should be carried out by a competent person in line with paragraph 183 of the National Planning Policy Framework.

Without *these conditions* we would object to the proposal in line with paragraph 174 of the National Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

**Condition**

No development approved by this planning permission 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.

#### **Condition**

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.

#### **Condition**

*Piling* 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(s)**

- To ensure that the development does not contribute to, and 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 174 of the National Planning Policy Framework.
- To ensure that the proposed , does not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework

Yours sincerely

**Mark Williams**  
**Planning Advisor**

Direct dial 020 84 746199

Direct e-mail [spdc@environment-agency.gov.uk](mailto:spdc@environment-agency.gov.uk)

-