

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From: Environmental Health **To:** Development Control

Our Ref: CONS/24/02105 **Your Ref:** APP/24/00405

EH Case Officer Extn: 44 6677 **Date:** 13 February 2025

DC Case Officer: Mr Narinder Lakhan

DC Case Officer Extn:

Application Number: APP/24/00405

Site Address: Pipeline from proposed reservoir near Middle Park Way to
Bedhampton Pumping Station, Meyrick Road, Havant

Proposed Development: Hybrid application seeking: 1) Full permission for development of new pipelines to transfer water from Bedhampton Springs to fill the reservoir in the winter and draw it off to treat and supply when needed in the summer, comprising: construction of two predominantly underground pipes in tunnels linking the reservoir with the existing pumping station at Bedhampton with associated infrastructure including: emergency drawdown discharge structure at Hermitage Stream; construction of eight access shafts; upgrades to existing culverts close to shafts five, six and eight to manage flood risk; washout and air valve chambers (typically below ground), new plant at Bedhampton Pumping Station, modifications to Bedhampton 2 operational building and permanent diversion of Footpath 34 at Bedhampton Pumping Station.

2) Outline application for an associated underground Cross-connection chamber and above ground kiosk at the reservoir site with vehicular accesses for maintenance.

An Environmental Statement has been submitted with the application under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Observations / Comments:

These comments follow review of the revised environmental statement, Construction method statement, outline Construction Environmental Management Plan, and Structural Soils Ltd. Factual Report on Site Investigation Pipeline Corridor.

It is understood that the piling risk assessment, Materials Management Plan (MMP), and Contamination Watching Brief (WB) referenced in Chapter 10 are to be produced at a later date, similarly the Pollution Management & Mitigation- (PMMP), Emergency Response- (ERP), and Hazards & Effects Management- (HEMP) Plans referenced in the Construction Method Statement (CMS) & Environmental Management Plan (CEMP).

Risks to Principal & Secondary Aquifers; Piling, Tunnelling

I have reviewed the available geological & geotechnical information alongside the scheme

design, and am satisfied that the overwhelming majority of the works do not risk adverse interaction with the principal aquifer, in terms of turbidity, flow pathways or contamination. As such, no objections arise to the above-referenced deferrals.

The details of construction method are similarly clear on the management options for addressing the risks of pathway creation, and will provide opportunity for observation & oversight. There are relatively few gross contamination risks identified along the pipeline route, the most likely potential source being the former fuel retail sites along New Road. My expectation is that the pipeline development be required only to ensure that it does not create additional risk either through creation of a new pathway between existing contamination and a receptor that is not currently at risk of harm, or through the relocation &/or reuse of contaminated spoil.

Construction management & mitigation measures outlined are agreed to be adequate to control the risks to the secondary aquifer & any supported surfacewaters, and to prevent any tangible net adverse impact upon existing pollutant loading as a result of development.

I would also note that no objections arise to the over-grounding of pipelines at Bedhampton (P0), but similarly, there is no in-principal impediments from a risk perspective to excavations within- (i.e. tunnelling through-) the landfill area, given what is known about it's composition. For the purposes of the Materials Management Plan, arisings from excavations within the landfill area are likely to be excluded from reuse under the scope of the code of practice, as materials have already attracted waste status.

Materials Management Plan – Contamination Risk

Chapter 10 refers to several exceedances of controlled waters Environmental Quality Standards (EQS) in both soil leach test & direct groundwater monitoring results. These cover a number of contaminants; Copper (Cu), Lead (Pb), Nickel (Ni), Cadmium (Cd), and a group of priority Poly-Aromatics (PAH(5)). Elevated PAH(16) and Hydrocarbons (TPH-CWG) were also noted in some shallow soil samples.

The majority of exceedances relate to annual average benchmarks (EQS-AA) which apply at the receptor, and not necessarily within an aquifer waterbody, and most of these exceeded the EQS-AA by less than one order of magnitude. Exceptions were noted in individual samples with Cu & PAH(5) values up to 2 orders of magnitude over their respective EQS-AA. Exceedances of maximum allowable 'at receptor' concentrations of Pb were also noted, with values up to 500%. Some exceedances were also noted in direct sampling of the secondary aquifer.

I had concerns about the distribution & representativeness of these results with respect to the MMP, the principal risk being that soils might be relocated from a place remote from/hydraulically disjoint from a surfacewater channel to a place that is proximal- and up-hydraulic-gradient of- a surfacewater receptor. Whilst the code of practice governing reuse of soils contains provisions for such circumstances, Contamination risks could arise which are relevant to local policies DM10 & DM17, and NPPF paragraphs 187, 196 & 197.

I have carefully reviewed the Structural Soil factual site investigation and note that only shallow samples were scheduled for leachable contaminant tests, with results consequentially biased toward made ground and disturbed soils, alongside natural drift immediately underlying made soils and topsoil. Leach tests are probably not representative of spoil generated from micro-tunnelling/pipe-jacking, and were not undertaken in the area of planned open cut.

I also note that soils results were not out of keeping with normal background levels (UKSO & BGS estimated), that not all leachable contaminants were represented in directly measured samples, that elevated concentrations were identified within the aquifer at trail holes that did not identify soils with leachable concentrations, and that some elevated concentrations within the secondary aquifer were identified at locations close to credible local sources.

While some natural soils tested did return results with elevated concentrations, there was evidence to support an assumption of attenuation with depth. The elevated concentrations identified are also noted to be distributed widely within the development redline boundary, and to already be present at a number of location in close proximity to the surfacewater channel.

This lends some confidence that even where shallow soils are excavated and relocated within the development redline boundary, the provisions of Appendix 2 of the CL:AIRE code of practice (DoWCoP) are likely to be met (i.e. that levels of naturally occurring contaminants in imported-/deposited-/reused- soils are unlikely to materially exceed concentrations in soils at the receiving location).

Given the above factors, I am minded to recommend that weight be given to NPPF para 201 (the assumption that separate pollution control regimes will operate effectively) over the provisions of related contamination policies in respect to the issue of materials re-use, recognising the sustainability benefits of avoiding unnecessary materials movement &/or disposal.

No objections arise, and no conditions are proposed.

Acute Hazards & Unexpected Contamination

It is noted that neither the Atkins Ground Investigation Report (Appendix A10.5) nor the SSL Factual Report on Ground Conditions (Appendix A10.8) contain an outline specification for a contamination watching brief (referenced at ES 10.179), though the Atkins Report does acknowledge at 9.9 that this is a likely requirement. Whilst it is noted that provisions are included at para's 22 & 37 of the CEMP, and REAC table Ref G2 in Appendix A to the CEMP relate (and as such, would be secured as an approved framework document), it is noted that the Environment Agency has nevertheless recommended a related condition (condition 4, response dated 11th October 2024).

I note that the wording proposed by the Agency is incomplete, and I would recommend replacement/substitution with a more tightly worded compliance condition, as below (EA Reason for imposition largely retained);

Condition [X] – Unexpected Contamination

“Reasonable vigilance for the presence of contamination and buried hazards shall be maintained during all groundwork. In the event that any significant buried waste material, possible UXO or suspected contamination is encountered (e.g. significant made soils, or any obviously contaminated, stained, discoloured or odourous soil/groundwater); works in affected areas of the site shall cease until the Local Planning Authority has been notified of the discovery and a scheme to deal with the risks associated with the suspected contamination has been submitted to- and approved in writing by- the Local Planning Authority.

The scheme may take a proportionate approach to the degree of formality adopted and may comprise separate results / reports / statements as appropriate, but unless specifically excluded by agreement shall include;

- 1) Investigation in the vicinity of the suspect material, sufficient to characterise it's nature, likely extent & mobility,*
- 2) An appropriate assessment of the risks & hazards posed to all receptors that may be affected, based upon 1), and;*
- 3) Where potentially unacceptable risks are identified by 2), a Remediation / Risk Management Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability*

All investigation, assessments & other actions required by 1)-3) above (and B, below) shall be undertaken & documented by competent persons, and the findings presented in a written format. The

scheme shall be implemented as approved.

Prior to the commissioning of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

- A) A written statement confirming that no suspected contamination was identified during development, OR;*
- B) Documentation in accordance with 1) & 2) above; together with a Verification Report (where appropriate) which demonstrates that the agreed remediation objectives (3)) have been met.*

Reason: 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 DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 187, 196 & 197 of the National Planning Policy Framework 2024."

The condition wording above has been minimally adapted to include the REAC table Ref GC1, in respect of the potential for unexploded ordnance to be encountered during works.

Air Quality – Construction Traffic & Dust

I have considered the supporting information, scheme design and the comments of the Local Highway Authority, and would conclude that the traffic diversions & additional HGV vehicle movements are unlikely to result in a temporary breach of an air quality objective over a relevant period (typically 12 months, but equally expected to apply to short term limits).

Considering health-focussed policies, a temporary adverse impact upon relevant local exposures (to Air Pollutants) could in principle occur. However, I would also recognise that these effects would be temporary in nature and would thus not contribute materially to the health impacts of cumulative exposures, as is assumed to occur in the underlying health-based standards (e.g. the WHO Guidelines).

Issues arising from road closures, highways diversions and construction traffic are considered to fall more appropriately under the highways function, impact & amenity, rather than that of Air Quality.

In terms of dust, I am minded to agree that with the mitigations outlined, the residual impact of the development should be acceptable.

Noise & Vibration

I note that my nuisance and amenity colleague has already responded to this consultation. My only addition comment would be that under the REAC table (appendix A, CEMP); the noise provisions at NV5 & NV7 do not apply equally to NV6, which concerns vibration. I would argue that that perceptible vibration of a dwelling could be a greater stressor/trigger for anxiety than noise, and I would advocate for the agreement of thresholds, monitoring of impacts, and provision for temporary relocation that apply to noise be conferred to NV6, to apply equally to vibration, in addition to the survey provisions. Given the pipeline route, my anticipation is that (in the case of residences-), the perception of adverse impact is more likely to arise as an issue than material structural damage.

Mr. Jonathan Driver
Environmental Control Officer