

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/24/02304	Your Ref:	APP/19/01226
EH Case Officer Extn:	44 6677	Date:	10 September 2024
DC Case Officer:	Ms Lesley Wells		
DC Case Officer Extn:	4 223		
Application Number:	APP/19/01226		
Site Address:	Coldharbour Farm - Phase 2, Coldharbour Farm Road, Emsworth		
Proposed Development:	Construction of 44 dwellings with access, open space, landscaping and associated work and diversion of footpath No. 71 to the west (Approved 22/03/2024). Request to Discharge Conditions 10, 11, 12, 13, 14, 16, 17, 19, 20, 23 and 25 (28/06/2024).		

Observations / Comments:

I have reviewed information relevant to noise, dust, lighting, air pollution and surfacewater drainage/pollution control.

SuDS/Pollution Control (c.11, c.12, c.20)

I would agree with the local flood authority that the surfacewater drainage scheme includes no specific water quality measures within the design.

It is acknowledged that the design includes provisions for silt traps, inspection chambers, pre-treatment structure, catch-pits and access to/cleansing of the attenuation tank. Some removal of coarse & medium-fine particulate matter is expected in practice, but the SuDS manual acknowledges the risk of re-suspension and confirms that no pollutant removal should be ascribed to storage/attenuation tank systems (see 21.6 of C756).

Maintenance provisions appear broadly adequate given the scope of the system proposed, but given the discharge destination, it is not clear that the system as proposed is adequate in its current form (e.g. without a pollution attenuation & retention feature).

Lighting (c.19)

No specific issues have been identified from the submitted plan / environmental context. No objections arise.

Construction Environmental Management Plan (CEMP, c.13)

The Dodswell Projects CEMP iss 5 19/08/2024 includes some referencing errors, in particular mis-matched links between condition requirements and relevant CEMP sections – in some cases with no relevant provisions included in the main text. The text also refers to documents/content within the appendices that does not appear to be included.

The CEMP does not directly address all of the elements of c.13. For example (but not necessarily limited to-);

- Soil movement tracking provisions do not include reference to ensuring material is suitable for use
- There are no provisions regarding the storage and dispensing of fuels, chemicals (etc.)
- Appendix 2 contains the main development drainage plan, and does not provide the intended detail of temporary drainage arrangements to be in place during construction
- Details on how sediment (etc.) are to be prevented from entering the water via runoff are not robust, being undermined by the Appendix 2 content, the omission of the Health & Safety Plan, and the concept of a 'settlement system' referenced at 7.14 not being developed further within the plan.
- The compound drawing at Appendix 1 indicates the compound position, and not the compound layout. c.13 doesn't require the layout specifically, but activities covered by other specific c.13 provisions are intended to be restricted to the compound, and with reference to wheel-washing, 8.3 cannot be interpreted in the absence of the TMP drawing, which is assumed to refer to the compound area.
- The CEMP doesn't specifically address the measures outlined in Table 16 of the Lustre Air Quality Assessment (AQA). Of the 19 groups of provisions listed in the AQA, 6 are broadly met by CEMP provisions, 6 are partially met, and 7 are not addressed at all. In particular, provisions about recording inspections, actions taken to resolve or mitigate issues, recording complaints and actions taken in response to complaints, and providing information to the local authority on request.

It is expected that site management and personnel will use the CEMP as the operational framework document, and not the AQA – which is why it was required that the provisions be transferred across to ensure that they have effect.

Conclusion

It is expected that objections to a positive discharge of conditions could be sustained based upon the submitted information – in particular in relation to drainage/surfacewater related conditions, both temporary & permanent, and to the CEMP condition no. 13.

My expectation is that the presence of the ordinary watercourse which the access must traverse, and the proximity of a statutory main river (West Brook) was the driver for these provisions, and I would expect the Environment Agency to object to the temporary provisions, and the Lead Local Flood Authority to the permanent provisions. Where this isn't the case, I would expect that Development Management should at a minimum confirm with those consultees that there is a rationale for accepting the submissions in their present form.

I don't consider the current CEMP to be sufficiently robust in respect of dust control, in the control of pollutants in site runoff, or in the storage and handling of fuels and other substances hazardous to human health or to aquatic ecology. For this reason, I cannot recommend that c.13 be discharged at this time.

Mr. Jonathan Driver
Environmental Control Officer