

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/23/02368	Your Ref:	APP/22/00492
EH Case Officer Extn:	44 6677	Date:	25 September 2023
DC Case Officer:	Ms Josephine Lacey		
DC Case Officer Extn:			
Application Number:	APP/22/00492		
Site Address:	31A North Street, Emsworth, PO107DA		
Proposed Development:	Construction of 6 No. Dwellings (2No.1bed, 3No.2bed 1No.3bed) with associated out buildings and parking, with minor amendments of design and siting - Revision of APP/19/00854.(23.11.22) Request to discharge condition 2 (05.07.23).		

Observations / Comments:

Indoor Vapour Protection

It should be noted that the submitted CPL verification report seeks to verify (/validate) the Ground Gas* protection works only, and does not aim to address the other elements of the approved Remedial Strategy. (* in this case, we are concerned with vapours noted in local soils, not ground gas *per se*)

It should also be noted that the CPL report refers to the approved RSK documents (only), and does not directly refer to the GCC J22-014-R02 v6.0 (26/10/2022) remedial strategy, which is the subject of condition 2 ("the approved RS")

In terms of the vapour protection, the implemented risk mitigation scheme differs from the approved RS principally in terms of the product specification. Comparing the permeability specifications for the product used, vs. the example product referred to within the approved RS, *prima facie* there is an almost 10-orders-of-magnitude difference in the inherent performance of the two products, even discounting any differences in the jointing system (the product used having the poorer performance). The approved RS does allow flexibility in the final choice of product, but uses the wording 'or similar', and arguably the product used is so different in performance that it does not meet this requirement.

Ordinarily I might be minded to reject the verification report on this basis, however, the approved RS assumes a solid floor, whereas the scheme implemented has opted to use a passively ventilated sub-floor void of 250mm depth. Taken together (reduced-performance barrier + additional ventilation), the system is considered to afford adequate protection to future occupants given the level of risk associated indicated by the on-site vapour screening, and so may be taken to be acceptable to meet the vapour protection objectives of condition 2, if not necessarily it's specific requirements.

The validation report otherwise indicates that a good degree of liaison has occurred between the developers, contractors, installers & verifiers, with verification taking place over a number of different occasions at key stages in the build, with good photographic evidence presented. Some detail is lacking in respect of defects noted & their rectification, but I am content to accept that this has been competently handled given the quality of the report and that it has been noted.

Clean Cover & Service Protection

The approved RS requires implementation of an engineered system of clean cover, with different standards (designs) depending upon the use of land (private garden, communal amenity planting, tree pits, permanent hard-cover). It also requires clean service corridors, or other protection of key services (principally potable water supplies).

The submitted documentation does not seek to verify these elements.

Conclusions

Whilst the CPL Ground Gas Protection Validation Report Ref: G221101-004VR (15th May 2023) is accepted, it does not address all requirements of the approved RS, and so it follows that it cannot be taken to be sufficient to discharge condition 2 as a stand-alone document.

For this reason, discharge of condition 2 is not supported at this time.

Where the developer has not maintained records of the groundworks, landscaping works, or quality certification &/or testing of imported fill; it will be possible to undertake post-construction validation – e.g. by excavating a sample of landscape types, on a reasonable unit ratio (it will not be necessary to verify each unit individually, unless initial investigation yields adverse results).

For the benefit of the applicant, it will not be expected that any surface that can be agreed to be 'permanent hard cover' (e.g. roads and driveways, etc.) will need to be excavated, as there was no specific cover requirement for these areas. Non-permanent hardstandings (e.g. patio's) also need not be destructively verified where there is an accessible area of land of equivalent type (e.g. private garden) – it will be reasonable to assume that the cover present within an accessible area will extend to the entire footprint of the landscaping type.

However, where non-permanent hardstandings cover 100% of the amenity land allocation (e.g. artificial lawn + patio), it may be necessary to physically inspect the cover system, as a future occupant may wish to implement a more natural garden. This might be avoided where sufficient plots are available with accessible spaces to demonstrate implementation of the approved cover system at the development land, in general.

Recommendations

That condition 2 remain in place pending verification of cover and service protection.

Mr. Jonathan Driver
Environmental Control Officer