

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/23/03753	Your Ref:	APP/17/00863
EH Case Officer Extn:	44 6677	Date:	30 January 2024
DC Case Officer:	Arleta Miszewska		
DC Case Officer Extn:	0 996		
Application Number:	APP/17/00863		
Site Address:	Southleigh Park House, Eastleigh Road, Havant, PO9 2PE		
Proposed Development:	Hybrid Application - Full Application for change of use, alterations to and extension of existing buildings to 20 Residential units, (13 dwellings in the main house and 7 in other Listed Buildings) with associated landscaping parking and amenity space. Outline Application (All Matters Reserved except means of access) for the demolition of 1983 office building and associated brick and glass corridor link and development of up to 70 residential units, associated landscaping, parking and infrastructure works. (30.1.19) Request to discharge Condition 14 [Assessment of Ground Conditions – Contamination] & Condition 16 [Unexploded Ordnance Risk Assessment & Management]		

Observations / Comments:

Condition 14

The submitted assessment comprises an environmental desk study & site walkover only, and therefore pertains to c.14 1) only.

It is clear that some intrusive investigation has occurred, comprising the installation of a number of wells for groundwater monitoring, however this does not appear to have been submitted in support of this application. The scope of that work is unclear.

The condition is intended to be iterative, and where an early stage of investigation & assessment indicates a negligible risk the condition as a whole may be discharged.

The research contained within the submitted assessment does contain some useful information which informs our understanding of risks associated with some potentially contaminating features (e.g. boiler house & generator being gas fuelled, and not fuelled by liquid fuels, for example); however it does not inform us with a high degree of certainty as to whether the commercial use was limited to office use throughout the commercial tenure, or whether it included higher risk categories (e.g. general industrial & research & development uses). I am mindful of some of the features identified in the desk-based information for which no evidence has been identified during the site walkover survey (presumably due to removal in earlier redevelopment works).

The report recommends that '*...the significant risks to human health are investigated further*', proposing that a phased investigation be undertaken. This is to comprise a shallow

investigation of soils of the private garden areas serving the building conversions, and a combined geo-environmental assessment in connection with the new construction.

In this case therefore, it is not appropriate to discharge c.14 in full.

I would broadly concur with the report recommendations, but I do think that the dismissal of some risks (e.g. soil gas associated with formal landfill to the NE) risks omitting sampling from the scope of the intrusive investigation which might miss local sources.

Given that there are some groundwater monitoring wells at the site, and that the combined geo-environmental assessment (new build area) will almost certainly include some bored trial holes; I would suggest that in the interests of completeness it would be helpful to undertake some soil gas spot monitoring, vapour screening (for total Volatile Organic Carbons), and a small number of groundwater samples – these may be informative of the presence or probable-absence of significant local sources.

I would agree that the risks to future occupants probably arise principally from shallow made soils, but there is a possibility of contaminants to be present which might pose a risk via vapour pathways – whether present on the groundwater surface, or sorbed onto soil particles. I would not go so far as to insist that bored window-/windowless- trial holes be used for the envisaged investigation, but I would recommend that the investigation include some screening of soil arisings for total volatile compounds (e.g. via a handheld PID, using headspace). Coupled with screening from the existing wells, this would provide certainty as to the dismissal of risks via vapour pathways, or to potable supplies.

This is important, as progression of conversion works beyond a certain point would potentially make challenging the mitigation of such pathways (especially vapour to internal spaces).

I do not wish to unduly restrict the commencement of conversion works at the site, but for the benefit of the applicant, I would stress the importance of obtaining the results of the envisaged intrusive investigation early in the process so as to enable any consequential amendments to the approved works (which, being a listed building may involve a revised consent-), to be addressed at an appropriate time and not at a time which requires disruption of works already completed.

I would *support the discharge of condition 14 in relation to part 1) only, and spatially limited to the conversation works only.* It would be simpler to retain the prior to commencement clause until the empirical dismissal of risks (via the intrusive investigation), but I am mindful that the desk-based information does not give specific reason for concern about significant vapour risks. I would not object to the lifting of the prior to commencement clause, provided that the applicant understands that progression of works ahead of the results of the investigation would be ‘at risk’, and that the progression of works might prejudice the ability to respond to the results of that investigation (which could, as a worst case, require the undoing of completed works and retrofit of remedial measures).

I think the risk associated with permitting commencement under the ‘as may be agreed in writing with the Local Planning Authority’ provision is not sufficiently high as to refuse the request to lift this restriction against the informed wishes of the applicant.

Approving the GCC desk study as an approved document would retain the impetus to complete the intrusive investigation under the compliance clauses of c.14, and c.15 would continue to restrict occupation ahead of approval, so the Council retains a backstop for surety in the protection of future occupants from chronic risks.

Condition 16

The report concludes a low-medium risk, based upon several records of foreign dropped ordnance in the general vicinity, and similar records of fallen undetonated allied anti-aircraft ordnance from the local gun emplacement.

It would appear that the latter is the greater risk in undeveloped areas of the site, and that the greater risks exist in undeveloped, and naturally vegetated areas of the site.

Risk management measures are basic, and relatively limited. This is considered to be appropriate to the identified risks.

The report does not include a specific protocol for a formal watching brief, although generic risk management guidelines are included. Recommended measures for this site predominantly rely upon the communication to groundworkers of the potential for encountering ordnance, so that any suspicious buried objects may be treated with the requisite caution. This is in turn via a recommendation that key staff (e.g. site or project manager) receive appropriate training, and specifically assume the responsibility for providing this information to groundworkers.

c.16 does contain a compliance clause, and it is considered reasonable to expect that having secured the risk assessment, it's recommendations will be appropriately incorporated within the site health & safety procedures. In line with the principles of NPPF'23 para.194, the Council may assume that the Health & Safety regulatory regime will operate effectively (and that the recommended actions will be implemented & observed).

On this bases, *the discharge of c.16 is recommended.*

Mr. Jonathan Driver
Environmental Control Officer