

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/23/00936	Your Ref:	APP/17/01324
EH Case Officer Extn:	44 6677	Date:	20 June 2023
DC Case Officer:	Steve Weaver		
DC Case Officer Extn:	44 6512		
Application Number:	APP/17/01324		
Site Address:	Dunsbury Park, Fitzwygram Way, Havant, PO9 4EE		
Proposed Development:	Variation of Condition B6 of Planning Permission APP/15/00732 to remove restriction on proportion of B8 floorspace allowed within the Dunsbury Park development, and thus provide for a maximum mixed use floor space of 61,779sqm within Classes B1, B2 and/or B8 of the Use Classes Order 1987 as amended.(13.12.18).Request to discharge conditions A3, A5, A10, A11, A12 & 13, A14, A17 & 18 and B10 (03.12.20). Request to discharge conditions A11, A12, A13 and B11.(10.02.23). Request to discharge conditions A1, A9 and B4 (23.03.23). Request to discharge condition A14 (plot 5) (17.03.23).		

Observations / Comments:

The standard of evidence presented in the Hydrock 19453-HYD-500-XX-RP-GE-5000 Remediation Verification Report is very good, and clearly demonstrates good site practice & recordkeeping by the principal contractor.

The hotspot identified for removal appears to be of natural origin, represented by a local horizon soils that are rich in organic matter – thought to explain both the soil gas & the presence of organic compounds. It's removal for off-site disposal is reasonably well documented, with waste tickets presented for material of an appropriate waste code.

I note that some trail holes in other areas of the site are identified on drawing no. 19453-HYD-500-XX-DR-GE-1010 P1 as attracting a hazardous waste classification (2 no. stable non-reactive hazardous, and 1 no. hazardous), due to marginal exceedances of leachable selenium & total dissolved solids in the case of stable non-reactive classifications, and high pH in the case of the Hazardous Waste classification. The selenium exceedance is marginal, and was identified within natural deposits. The other exceedances of non-hazardous standards were associated with engineered fill.

Other samples taken from the engineered fill however show these values not to represent typical concentrations which might generally characterise the material. As isolated elevated results of different parameters, I am not particularly concerned given the context of the site and the results of the previously accepted groundwater risk assessment.

The conclusions of the 19453-HYD-500-XX-RP-GE-5000 Remediation Verification Report are accepted.

It is noted that the authors recommend an update of the 19453-HYD-500-XX-RP-GE-5000 report upon completion of Groundworks & the Materials Management Verification Report (required for the DoWCOP MMP), in order to support discharge of c.A15. I would point out that A15 is a compliance condition that does not require formal discharge/sign-off per se. In my view, either;

- i) A14 should remain in place (this application refused-) pending the envisaged update to the ...GE-5000 report, or;
- ii) the Council should interpret the DoWCOP MMP process to be a separate pollution control regime for the purposes of NPPF 2021 para. 188, and take the view that it is not necessary to await the full MMP verification to support the discharge of c.A14, which has more limited scope (seeks to verify Remedial Strategy 19453-HYD-XX-XX-RP-GE-3001 (14/04/2022) only).

Groundworks are largely complete, and have been well documented & illustrated, showing soil conditions that would make obvious any anthropogenic inclusions or other visually identifiable signs of contamination (generally absent from record). Compliance condition A15 remains in place to secure the duty to report and manage, and the standard of reporting to date would lend confidence in this process operating effectively. For these reasons, I would probably advise that the approach outlined at ii) is appropriate.

Given the above, and the prior advice given under APP/21/01267 (our ref CONS/22/0978) dated 22/11/2022, I can recommend that condition A14 be discharged in full, in respect of the redline area for Plot 5 (building plots 500, 501 & 502).

Jonathan Driver
Environmental Control Officer