

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

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

Our Ref: CONS/21/00696 **Your Ref:** APP/20/00276

EH Case Officer Extn: 44 6677 **Date:** 19 May 2021

DC Case Officer: Tina Pickup

DC Case Officer Extn: 44 6461

Application Number: APP/20/00276

Site Address: Garage blocks, Willowdene Close, Havant, PO9

Proposed Development: Proposed change of use, conversion and extensions, including first floor addition to block B, of existing garage blocks to create 2No. three bedroom detached dwellings with associated car parking, bin and bike storage, reconfiguration of existing vehicular access, new gate and new fencing and boundary treatments. (19.06.22).
Request to Discharge Conditions 3,4,8,10 & 11 (11.02.21)

Observations / Comments:

Comments here will relate to condition numbers 8, 10 & 11.

c.8 – Contamination assessment, risk assessment and remedial / risk mitigation plan

The Soils Limited Combined Ground Investigation Report Ref: 18189/CIR (Jan 2021) does not include any additional chemical sampling data further to that which was included within the 18189/MIR (March 2020) document, to which condition 8 specifically refers. By definition, the report cannot be said to have met the requirements of c.8 1); namely *'intrusive site investigation to complement [the 181898/MIR report]'*. Restating the results of the previous investigation cannot be said to complement the prior investigation – the purpose of the condition was to address the knowledge gaps previously identified, and the report does not achieve this.

The report conclusions appear to be predicated on an assumption that all hard-standing is to be retained in place as an effective barrier between future residents and the made soils, essentially dismissing any significant risks or the need for any risk mitigation works on this basis. Section 13.6.1 however recommends *'future precautionary testing and analysis [be] undertaken during any works intending to breach the site hard standing'*, based upon the likelihood of the made soils containing asbestos fibres / fragments of asbestos containing materials (ACM), oils and polyaromatics noted to be likely to be leaching from macadam clasts, representing a potentially unacceptable risk in the event of the hardstanding barrier being removed.

The recommendations of the report are inconsistent in this regard. Given the actual form of development (specifically the need to create garden areas on land currently covered within concrete hardstanding-) the recommendations at 13.6.1 are considered to override the overall conclusions (which assume the hardstanding will remain in place).

Similar inconsistencies exist with the discussion around imported soils – the report indicates that no imports are required, however it also concludes that there is no topsoil at the site, which taken together implies that the applicant plans to plant private amenity garden areas & soft landscaping areas with directly on made soils. These soils have not been demonstrated to be chemically unsuitable, but irrespective, the logs would suggest that they contain frequent anthropogenic inclusions that may make the soils unsuitable from a pure ‘amenity’ perspective.

I would consider that the overall conclusion of the report should be taken to be in line with the text at 13.6.1, i.e. that *‘further chemical testing and human health risk assessment’ is required*. In this respect, I can agree the conclusion of the report, and *on that basis, I cannot recommend that any part of condition 8 be discharged at this time*.

As previously advised, a further phase of investigation is considered to be necessary. This investigation should target made soils at depths of between 0.15m & 1.0m below current ground levels, and should aim to characterise the chemical quality of these made soils. Ideally, intrusive investigations would be by means of machine or hand excavated trial pits, and sufficient samples would be undertaken to support a statistical consideration of concentrations within deposits or units of similar character, and/or within spatial areas that may be considered to represent a discrete ‘relevant averaging area’.

c.10 – Piling risk assessment

The submission states that piling is not necessary to support the consented dwellings. Under this scenario condition 10 functions as a compliance condition that does not require discharge.

I would highlight that the geo-environmental report indicates that piling would have been the engineers preferred solution, but that the geotechnical data collected to date has not been sufficient to support a detailed design. Proposals are a little opaque, but my assumption is that a draft scheme which excludes piling may be subject to change, and given the preference for piling, the presence of contaminants at reasonably significant concentrations, the notes on local hydrogeology and that c.10 does not require LPA approval unless piling is to be undertaken; *my recommendation would be to refuse to discharge the condition & to retain it's effect in the event that the detailed foundation design stage necessitates a piled solution*.

c.11 – SuDS

A principal reason for this condition was to prevent a new influence on the migration of contaminants that might be present within soils. Whilst I would acknowledge that the plans are lacking some detail, and are difficult to interpret – I can agree the indicated drainage principle of ‘disposal to extant public surface water sewers at a controlled rate’. From a contamination perspective, the purpose would be to avoid a point-discharge of large volumes of rainwater at depth (e.g. via a soakaway serving the roofs of either or both consented dwellings).

On this basis, I would raise no objection to the discharge of condition 11 subject to the scheme being acceptable to the local sewage undertaker (i.e. ‘implementable’ under the principle stated above)

Mr. Jonathan Driver
Environmental Control Officer

