

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/20/03157	Your Ref:	APP/20/00853
EH Case Officer Extn:	44 6677	Date:	29 October 2020
DC Case Officer:	Daphney Haywood		
DC Case Officer Extn:	44 6513		
Application Number:	APP/20/00853		
Site Address:	13-15 Park Parade, Havant, PO9 5AA		
Proposed Development:	Erection of 2No. new build 2-bedroom flats on land to rear of 13-15 Park Parade. (Resubmission)		

Observations / Comments:

It is not clear whether the applicant has reviewed comments made against prior applications – GEN cases may not be publicly available for review. Comments here are largely drawn from GEN/18/01207 & APP/20/00362, and do not deviate significantly, other than to note that the application description (2 x 2 bed...) appears to no longer apply. I have reproduced the salient points here for completeness, additional comment highlighted in **bold**.

Contamination

I note that section 6 of the application form indicates that the applicant is not aware of any possible contamination issues and does not regard the development to be 'particularly' vulnerable to contamination.

I might agree that the development is not 'particularly sensitive' within the residential use class, but contamination could potentially be relevant nevertheless. It is acknowledged in particular that;

- The terrace areas are to be provided at first floor level & above
- All amenity space surrounding the proposed building at ground floor level will be hard-landscaped, comprising shared access, bin & cycle storage only (not private space) **[*]**
- One unit only will be located at ground floor level, and
- That the applicant proposes an off-site manufactured building installed using a 'no-dig' system.
- *** - the reason for shortening of the ground floor unit is unclear, and this creates an additional covered amenity area. Comments here assume that this is likely to be hard-surfaced / utility area, given it's size & degree of shading.**

The above factors all represent reduced contamination sensitivity relative to a traditional housing with soft-landscaped private gardens.

In terms of contamination sources, there is a former petrol retail garage 8m to the South, and a former Steam Laundry and at no. 7 Park Parade which the planning archive appears to confirm as operating as a Dry Cleaners from around 1963 with an oil-fired boiler and associated Gasoil storage. Both uses are potential sources of fuel-range hydrocarbons, and the dry-cleaning use is (in addition) a potential source of chlorinated hydrocarbons (cleaning solvents).

The Laundry is within 15m of relevant parts of the proposed development, and the closest garage tank is present within 15m. The main fuel tank farm (again, from around 1961) within 20m. Tanks of this age are likely to be of steel construction, and area prone to internal corrosion. The status of the tanks is unknown.

The local geology is made-ground over sand - so permeable and permissive of contaminant migration. Chlorinated solvents associated with the laundry represent the greatest risk, and risk relevant to this development is likely to be closely linked to the depth to groundwater (within the general seasonal range).

It is considered that residential development within 25m of credible sources such as these should be required to demonstrate either;

- That soil quality is suitable, and does not place occupants of the proposed development are not placed at unacceptable risk of harm, or;
- That the construction detailing is likely to mean that future occupants would not be placed at any unacceptable risk, if we assume a significant contamination source.

The submitted detail does not include certain relevant particulars of the construction – e.g. how support for the structure is to be provided, whether it will be founded on a solid raft, or have a suspended floor, how any clear void beneath the dwelling will be ventilated, and whether there is opportunity with the envisaged construction method to provide a hydrocarbon-vapour resistant barrier.

Realistically, the only exposure pathways material to this scheme are likely to be;

- a) indoor inhalation of vapours from contaminants transported to the site from off-site sources (e.g. by groundwater movements & volatisation), and
- b) penetration of potable water supply pipes by dissolved-, free-, or vapour- phase hydrocarbons (fuel range, and chlorinated/volatile, or poly-aromatic from made soils); and ingestion of supplied water.

It is not expected that the applicant / developer be made responsible for cleaning up contamination originating from an off-site source. It is appropriate however for the applicant to ensure that the development (and it's future occupants) is not placed at unacceptable risk as a result of contamination which originates from an off-site source, but materially affects the site.

It is considered likely that breaking any pollutant linkages that might be proven to be active is likely to be relatively simple / inexpensive using construction-implemented measures. For this reason, I would consider it unlikely that requiring a proportionate intrusive site investigation & appropriate mitigation of identified risks as a condition of consent would prejudice delivery of the scheme.

Recommended wording is suggested below. For the benefit of the applicant, I would anticipate that a limited window-sampling exercise comprising 2-3 sample locations would be sufficient. Seeking to identify the depth to groundwater would be helpful, as would groundwater sampling, and in-situ PID screening of sample cores (providing a generic measure of 'total volatiles'). It is not considered necessary to undertake an environmental desk study to support the scope of works.

Contamination (Standard – omitting EDS) [1]

Prior to the commencement of development hereby approved (other than any site clearance partial demolition and consequential works for the purpose of ensuring structural stability), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken by competent persons, and the findings presented as a written report.

The assessment may comprise separate reports as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

- 1) Site investigation appropriate to both the previous & approved use of the site, to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to future occupants.*
- 2) The results of an appropriate risk assessment based upon (1), and where unacceptable risks are identified, a Remediation Strategy that includes;*
 - appropriately considered remedial objectives,*
 - an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;*
 - clearly defined proposals for mitigation of the identified risks.*
- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out any Remediation Strategy required under (2) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.*

All elements shall be adhered to unless agreed in writing by the Local Planning Authority

Reason: Contamination may be present at the site as a result nearby adjacent land uses that could pose a risk to future occupants of the dwellings. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework."

Verification Reporting (Bespoke) [2]

*Prior to the occupation of the permitted development, any verification report required under **[Condition 1]** shall be submitted to and approved in writing by the Local Planning Authority. The report must;*

- i) adequately demonstrate that works outlined in the scheme of contamination remediation or risk mitigation have been implemented,*
- ii) that the scheme is likely to achieve it's design criteria and will provide the expected degree of protection to the dwelling and it's future occupants, and*
- iii) provide EITHER a written statement confirming that no suspected contamination was identified during development, OR summary of actions taken under the contamination watching brief & discovery strategy demonstrating that the risk from suspected contaminated material has been appropriately managed.*

Reason: Contamination may be present at the site as a result nearby adjacent land uses that could pose a risk to future occupants of the dwellings. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework."

Air Quality

I have no concerns in respect of the development as a new 'air quality sensitive' receptor. I would also note that the quantum of development falls below that which would be 'captured' by emerging Air Quality policy E23.

I note that other consultees have highlighted the <SPD vehicular parking provision. Given the accessibility of the development by active and sustainable modes of transport, and the available range of local amenities – I would raise no objection to the level of unallocated vehicular parking proposed.

I welcome the generous cycle parking provision **(based upon 6 no covered spaces referred to in the planning statement submitted under APP/20/00362)**, alongside it's location at the ground floor level, affording convenience of use. **Comments of Hampshire Constabulary are noted, and I would support the recommendation for provision of secure storage, again in the interests of making cycling a convenient, cost effective & low risk transport choice.**

Taken together, these features are considered to be positive measures which encourage active travel (and so minimise private vehicle use, and as a result, minimise local transport emissions growth).

Sustainability / SuDS

I would highlight Policy CS15, which states that '*priority should be given to incorporating Sustainable Urban Drainage Systems to manage surface water drainage*'. Urban centres are typically poor in relation to runoff rates, and developments such as this present an opportunity to provide efficient and low maintenance rainwater harvesting solution which delivers a financial benefit to future occupants, and achieves a net reduction in downstream flooding risk.

Given the construction method, there would appear to be the potential opportunity to locate harvesting infrastructure within the development footprint (parking & access), to serve one or both dwellings, as potential yield allows.

Conclusions

Raise no objections, subject to conditions proposed above.

Mr. Jonathan Driver
Environmental Control Officer