

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/20/02943	Your Ref:	APP/20/00761
EH Case Officer Extn:	44 6677	Date:	06 October 2020
DC Case Officer:	Lewis Oliver		
DC Case Officer Extn:	44 6263		
Application Number:	APP/20/00761		
Site Address:	Land on the east side of Helmsley House, Bartons Road, Havant		
Proposed Development:	Erection of a 64 bed older persons care home (Use Class C2) together with construction of new access road, car/cycle parking, drainage works, hard/soft landscaping and other associated infrastructure.		

Observations / Comments:

I have reviewed the application supporting documentation insofar as it relates (directly or indirectly) to Land Contamination Risk, Pollution, and Air Quality.

Comments here will be limited to these areas; I am reliant upon my colleagues with an amenity / nuisance focus to make a substantive response in relation to noise & light pollution, and related issues.

Principle of development

I note that the development represents a not insignificant intensification of development relative to the draft allocation. I appreciate that the 7.6 argues that the proposal represents a 'far more efficient' development of allocation site H25, however I would suggest that the low density allocation was likely specified for good reason, and that the development should demonstrate its overriding value against the principles of sustainable development.

I would acknowledge that the applicant has given consideration to sustainability, but the supporting documentation does leave several aspects 'open'. Some features would not necessarily be secured without either being made subject to condition, or wording amendments being sought. I will make reference to these features the sections below.

Land Contamination Risk

Reference is made within the application supporting documents to a phase 1 'land contamination desk study', as well as 'ground investigations'; though no report has been submitted in support of the application as far as I have been able to ascertain.

Based upon the desk based information available to the Council, I would tend to agree the apparent conclusion (stated at 7.34 of the planning statement '... *no risk to future site users from land contamination such that the site is suitable for its intended purpose in accordance with the requirements of Policy DM10 of the Core Strategy or draft Policy E24 of the emerging Local Plan 2036.*'). However, I do note that the Flood Risk assessment includes logged trial pits as part of the soakaway testing and that these indicate an unexpectedly consistent deposit of 4-500mm of

made ground across the site (below topsoils, and lying within a depth profile relevant to human contamination exposure).

In the absence of any chemical characterisation of that made soils, and acknowledging both the qualitative soil descriptions given & the recorded site history; I would agree the risk management strategy suggested at 5.23 of the planning statement. No objection is raised on grounds of contamination risk, subject to the following condition being applied to any consent given:

Condition 1 - Contamination (Duty to Report & Manage Unexpected Contamination)

"Reasonable vigilance for the presence of contamination and soil hazards shall be maintained during all groundwork. In the event that any suspected contamination is encountered during groundwork (*obviously contaminated / stained or discoloured soil / groundwater, or any buried waste materials not assuredly comprising non-harmful construction materials); works in affected areas of the site shall cease until the Local Planning Authority has been notified of the discovery and a scheme to deal with the risks associated with the suspected contamination has been submitted to- and approved in writing by- the Local Planning Authority.*

The scheme may take a proportionate approach to the degree of formality adopted and may comprise separate results / reports / statements as appropriate, but unless specifically excluded by agreement shall include;

- 1) Investigation in the vicinity of the suspect material, sufficient to characterise it's nature, likely extent & mobility,*
- 2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;*
- 3) Where potentially unacceptable risks are identified by 2), a Remediation / Risk Management Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability*

All investigation, assessments & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the findings presented in a written format. The scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

- A) A written statement confirming that no suspected contamination was identified during development, OR;*
- B) Documentation in accordance with 1)-3) above; together with a Verification Report (where appropriate) demonstrating that remediation objectives have been met.*

Reason: *Made Ground of unknown origin is present across the site which has not been adequately characterised. There is a risk that the made soils may be variable in nature, and could include material which poses a risk to future occupiers of the site. 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."*

Sustainable Urban Drainage (SuDS, Water Pollution)

The development comprises an essentially low-pollution-risk landuse. I have reviewed the drainage scheme and note that it is reliant upon the permeable surface collection from the internal access carriageway runoff and parking area to deliver the required level of pollutant interception and attenuation.

I note that table 7.6 identifies rainwater harvesting as a potential design feature, subject to cost benefit assessment. Given the substantial cellular storage, and the occupation pattern of the proposed building, this site would be considered very suitable for a harvesting system (and costs could be partially offset by reductions in sizing of cellular storage). Whilst falling outside the remit of Environmental Health to require – I would encourage the applicant to implement a harvesting scheme to boost the sustainability credentials of the scheme.

Otherwise, I have not identified any obvious issues with- or omissions from- the proposed surface water scheme, and I therefore confirm that Environmental Health raises no objections on grounds of water pollution risk.

Air Quality (Development as Receptor)

Bartons Road is a busy locally strategic road where significant traffic growth is expected under the allocations provided within the LP2036.

Kerbside exceedances of air pollution objectives might be expected at Bartons Road, however the development is substantially set back from the kerbside and significant dispersion may be expected. I have no concerns about the exposure of future occupants to locally poor air quality.

Air Quality (Development as source; Direct impact, and Offsetting of development-related emissions)

I note that the transport assessment estimates an overall site masterplan transport demand of around 222 AADT, with the C2 care development representing approximately 60% of this (largely in staff transport and visitor trips). I would agree that the impact of this in direct emissions terms is unlikely to be material at any specific pollution-sensitive receptor.

I respect of features of the development which are relevant to emerging policy E23 (air quality), it is acknowledged that the development specifically proposes a proportionate solar PV provision and green roof feature, and further proposes EV charging infrastructure, use of air source heat pumps &/or a small CHP plant to provide space heating & local generation.

All these features are relevant to the offsetting of the development-related emissions, and are supported in the context of policy E23. Listing the design documents and layout drawings should be sufficient to secure the PV & Green Roofing as these appear to amount to a firm proposal, with additional measures to be determined to meet the 19% LZC & BREEAM policy requirements.

The sustainability credentials of- (and emission levels associated with-) the building heat source appears to be subject to the BREEAM assessment, and may be difficult to specifically secure.

Similarly, I note that proposals relating to electric vehicle charging points are inconsistent, with the planning statement omitting consideration in it's treatment of IN3 (where IN3 J covers this aspect); whereas both 6.19 & 7.29 imply that the 10% parking space provision represents a firm proposal. It may be that this aspect is similarly reliant upon the BREEAM assessment, and in this there is also some inconsistency in references to whether 'good' or 'excellent' standards are being targeted. Given this ambiguity, it is unlikely to be sufficient simply to approve the pre-assessment, and it may be necessary to secure the required standard by condition.

In air quality (offsetting) terms, E23 requires features 'proportionate to the scale and nature of the development', and given the context of the development and the current policy environment I would concede that the PV proposal, green roof and landscaping are proportional to the scale of the development for these purposes.

Other policy considerations may apply to the less certain features referenced above which are probably wholly subject to the BREEAM assessment – unless secured by condition, the impetus for delivery may be lost post-determination.

On the assumption that positive determination will adequately secure the emissions offsetting provisions referenced at 6.19, 7.23 & 7.33 of the planning statement, Environmental Health raises no objections to the scheme design on the basis of any air quality specific policy grounds.

Mr. Jonathan Driver
Environmental Control Officer