

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

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

Our Ref: CONS/20/00845 **Your Ref:** APP/20/00251

EH Case Officer Extn: 44 6677 **Date:** 22 April 2020

DC Case Officer: Lewis Oliver

DC Case Officer Extn: 44 6263

Application Number: APP/20/00251

Site Address: North Street Arcade, 1-3 North Street Arcade, Havant

Proposed Development: Construction of 30 No. one and two-bedroom apartments in a part 2 and a half / part 4 storey extension fronting onto Prince George Street together with the provision of infill flexible use (Classes A1/A2/A3) town centre commercial units to North Street frontage following the demolition of existing 1 and 2 storey retail development to rear

Observations / Comments:

I have reviewed the supporting documentation to this application, alongside the comments of key consultees. I will provide some comment on the subjects of Ground Contamination, Drainage scheme / pollution risk, and aspects of the development which are relevant to Air Quality.

I note that Mark Moss has provided substantive comment & recommendations in respect of noise, light, and amenity issues associated with construction. There is no need to provide any additional comment on these subjects, though I will touch on piling method within the context of contamination.

Drainage Arrangements, Pollution

I note that it is proposed to discharge surfacewater direct via an existing headwall direct to the Lavant channel. The LLFA is also noted to have agreed scheme details & calculations in principle at the pre-app stage, and I see that the EA has raised no objection.

On this basis, I've not reviewed the FRA / Drainage Scheme in detail. It is assumed that others have appropriately considered flood risks. The site is considered to be a relatively low pollution risk, in particular, as there is negligible provision for vehicles.

The predominant pollution risk is via an accidental misconnection associated with an A3 use (e.g. of wastewater to surfacewater system), or blockage of wastewater system (e.g. due to accumulation of grease) and surcharge to surface water collection systems. Reliance is placed upon the building control process to minimise these risks. I would reiterate the EA's recommendation for the applicant to have regard to PPG 1 given the proximity and direct connection to a statutory main river. Otherwise, I have no specific comments to make.

Ground Contamination & Related Risks

I note that the EA concludes that the contamination risks at the site are 'low', and that a negligible impact on the Source Protection Zone (SPZ1) is likely.

I would be less confident than the Agency in concluding a 'probable low contamination risk, This is for a number of reasons; but principally due to the length of development history associated with this site (being part of the historic town), the apparent presence of a significant combustion feature associated with the site, and the proximity & form of the culverted statutory main river – a feature to which the development will have an direct connection with the potential to act as a preferential migration pathway.

In the event that a Contamination source is present at the site, I would probably agree a low risk to the SPZ1 (located approx. 170m to the Southwest, but associated with strata directly underlying the site). The depth of clay strata beneath the site is anticipated to be 10-15m, and I would expect the principal (Chalk) aquifer to be artesian at this point (groundwater under positive hydraulic pressure which is likely to resist vertical migration of contaminants whether migrating by gravity or diffusive pathways).

At 4 storeys, and with the relatively limited thickness of superficial Head, I do not expect that piles would be required to terminate within the chalk. Given that the development is north (up-gradient) of the spring-line and that transit times may be extremely rapid – I would recommend that piling be designed / specified to terminate within the London Clay, ideally with a reasonable margin of safety relative to the minimum recorded depth to chalk (e.g. from a site geotechnical survey). This will minimise the risk of short-term turbidity at the abstraction, and of the risk of creating a preferential migration pathway creation for contaminants. Rotary CFA or SFA piling methods would be recommended for minimising both environmental risk and noise / amenity issues – but driven piles may not be unacceptable where installation depths observe a good margin of safety relative to the chalk horizon.

In terms of potential contamination sources, it is known that the site was developed before 1867, and may have had a usage history stretching several hundred years prior to that. Other historic sites in Havant centre have identified locally significant contamination, associated with local waste disposal (midden). This site is thought to have been in commercial use for a significant period, and the associated risk probably low, but unclear and warranting consideration.

The site was recently redeveloped sometime between 1959 & 1962 under HWU4305 & 11912/[X] consents. Drawings show the extant chimneys to be associated with a boiler house, housing at least 2 no. boilers, probably installed in a 'heating chamber' below ground. A 'tank room' is shown directly above at 4th floor level – probably referring to a gravity water header tank – probably not fuel. Annotation on a decision notice plan indicates that at least one boiler fuel tank is associated with the boiler house, again, probably installed below ground level in the heating chamber. Volume & type of fuel stored is unknown, and the configuration / layout is not shown. It is similarly not known whether the tanks remain in place, or whether the system has subsequently been replaced with a mains-gas fired installation.

It remains however that there is evidence for fuel storage & handling at the site over a considerable period from around 1960.

I note from the submitted plans that the boilerhouse & flues are to be retained – so direct investigation may be hampered. I also note however that new residential accommodation is to be constructed adjacent (Apt. 3, and to a leer extent, Apt.2), and these properties may be at risk from fuel vapours if a significant volume of fuel-contaminated soils is present at or around this feature.

One drawing within the 11912/[X] archive shows the river culvert to be of masonry construction which is probably more vulnerable to hydraulic continuity with shallow groundwater than might a pre-cast concrete pipe system. Existing drains adjacent to the heating chamber communicate with the culvert, representing a risk of preferential migration of (fuel) contaminants along the exterior annulus of the drain.

Given the construction date - and being aware that Amosite-containing cladding panels have been used in the pedestrian undercroft, I would also consider it to be reasonably likely that asbestos will be present within soils (associated with the 1960 construction). Given the particulars of the scheme that is subject to application, Asbestos in soils would principally pose a risk to construction staff and neighbours affected by dust during the construction phase. It may however also impact the disposal options available for waste soils from the site, and so will be a material consideration for waste classification. This risk should also be appropriately considered as part of any fieldwork.

For the above reasons, I would recommend a limited intrusive investigation, ideally aiming (in addition to characterising soil conditions-) to strike & sample shallow / perched groundwater which would be expected to be associated with Head deposits. This is predominantly in response to the controlled waters risk – in terms of human health, the development itself is relatively ‘low risk’ (limited soft landscaping, and no private garden spaces) and the site risks could be cost-effectively mitigated through routine construction measures.

Given what is known about the site, I would consider that an Environmental Desk Study could be omitted – sufficient is known to design an appropriate Site Investigation, and empirical data is necessary to quantify or dismiss the risk. It may still be helpful to undertake detailed desk-based research, particularly in respect of the history of the site. While the applicant may wish to pursue this to streamline the intrusive investigation, I don't feel it necessary to make this step a strict requirement. Suggested condition wording below:

Contamination (Standard – omitting EDS) [1]

Prior to the commencement of development hereby approved (other than any site clearance, demolition of above ground structures, and consequential works for the purpose of ensuring structural stability of adjacent buildings to be retained), an assessment of the nature and extent of contamination at the site 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 & controlled waters.*
- 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 of both previous & current land uses (&/or activities) that could pose a risk both to future occupants of ground floor residential units and to the culverted river channel. Contaminants may also be present which pose a risk to construction personnel. This condition 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 (Standard) [2]

Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with **condition [1]** shall be submitted to and approved in writing by the Local Planning Authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan and must demonstrate that site remediation criteria have been met. Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a "long-term monitoring and maintenance plan").

The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: Contamination may be present at the site as a result of both previous & current land uses (&/or activities) that could pose a risk both to future occupants of ground floor residential units and to the culverted river channel. Contaminants may also be present which pose a risk to construction personnel. This condition 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 – Development as receptor

Air Quality at the development site is expected to be within the objective limits, with reference to Council monitoring data from the town centre area, and the PFSH modelling data, pollutant concentrations probably being at around 60% of limit values on an annual basis.

I have no material concerns, and do not anticipate any new unacceptable exposures to be created through implementation of the scheme.

Mitigation of development impacts – sustainability, transport & parking (Air Quality)

I have read the design & access-, planning- and transport- statements alongside some documents from the APP/18/00530. I am mindful that the site already benefits from an extant consent, and that a significant amount of pre-application consultation has been undertaken prior to the 18/00530 consent being granted.

I also note that some consultees have made comments which apparently contradict those made under preceding applications. While it would appear the Environmental Health was not consulted during the pre-application process, or under the 18/00530 application, I would acknowledge the need for consistency, and consider that these comments are necessarily constrained by matters previously agreed in principle by the LPA and its consultees (whether implicitly or formally).

With respect to parking arrangements for private motor cars, I would agree the conclusion of the Transport Statement that the development is positioned at a highly sustainable location where *it would be reasonable to support a zero-parking allocation for both the commercial and residential uses on air quality grounds*. I consider that the existing pedestrian and cycle facilities are adequate to facilitate active travel choices, and that proximity to public transport hubs is such that bus & train transportation options are very viable.

I have no adverse comments to make with respect to the porosity of the development, and don't believe that the infilling of the undercroft will substantially detriment access by active modes of travel.

It is understood that the service access lay-by is unchanged from the 00530 scheme, and I would agree that it is inappropriate to revisit this aspect. I have no adverse comment to make in this respect.

Cycle parking appears to be broadly adequate for the proposed residential scheme – over providing on short-stay positions, with 6 residential visitor spaces positioned to adequately serve customer access to the new commercial units. Residential long-stay provision appears to be one space short of SPD requirements, but this is not considered to be a significant issue.

The most obvious omission is any long-stay provision for staff of the proposed commercial units – recommendations for this purpose are included within the SPD, and the need for such spaces has not been addressed in any of the design or assessment documents. Whilst I accept that public transport and walking are very viable travel-to-work options for staff, the lack of long-stay spaces may discourage cycling, particularly as cycle security can be a more prominent issue in areas close to train stations. *Ideally, an SPD compliant provision should be made for staff of the proposed commercial units.*

In terms of other features, I note that the planning and design documents do not make significant reference to emerging policy under the LP2036, and that no specific response has been made in respect of policy E23 a), or related sustainability / design policies. It is considered that the implicit vegetated boundary to Prince Georges Street represents a marginal improvement to the extant site in terms of local filtration and absorption of pollutants.

I note the landscapes consultee requires a fully formed landscaping scheme with planting schedules and boundary treatment plans – where planting is proposed (particularly hedging), selecting native species with an Urban Tree Air Quality index Score (UTAQS) rating of 'medium' is considered ideal for this position (e.g. Alnus, Ilex or Corylus spp.).

There are relatively few opportunities for significant mitigation of emissions associated with the new accommodation – with reference to the height & orientation of the buildings and the roof construction arrangements, the development is not particularly well suited to implementation of LHC heating or energy generation technologies. Opportunities for green walls and other planting at height is similarly limited. Potentially viable air quality relevant design options might include;

- Provision of secure drop-boxes with delivery confirmation codes to facilitate unattended delivery of mail-order items &/or small online grocery orders for each residential unit (to minimise repeat visits by LDV's travelling via the congested & constrained town centre roads)
- Wastewater heat recovery installed on shower wastewater, or on a run serving both kitchen & bathroom wastewater (not soil). The purpose of this is to reduce heat input required to heat domestic hot water to a useful temperature – and so directly reducing domestic emissions in the long-term. This works particularly well for combi-boiler systems).
- Specification of low or ultra-low NOx Boilers to provide space & water heating
- Specification of electrical cooking appliances, reducing local combustion emissions & improving indoor air quality.
- Specification of heat-recovery ventilation (to reduce domestic space heating demand, and so domestic emissions in the long-term).

The above is included as advice to the applicant on marketable features which will materially improve or preserve local air quality at and in the vicinity of the development, whilst also reducing the 'running costs' of occupancy. Whilst policy E23 exists only as 'pre-submission' status, it is not

appropriate to seek to secure any specific measure by condition – they are however features which would serve the aspirations implicit in section 8.0 of the Design & Access statement, which otherwise is somewhat unambitious in the specific features mentioned.

I am mindful of the particulars of the extant consent, and so I won't make a formal recommendation. It is a planning decision as to whether there is sufficient case to interpret extant adopted policies and NPPF provisions in such a way that an enhancement could be sought.

It is acknowledged that the development seeks to exploit the highly 'accessible and sustainable location, where lifestyle is not dependent upon use of the car', and that this is fully compatible with several policies which serve air quality objectives. With the caveat that the cycle parking provision should ideally be brought into line with SPD, and whilst there remains room to improve the sustainability credentials of the scheme; the development is broadly supported on air quality grounds as a result of its approach to sustainable transport, development density & co-location of dwellings and commercial property.

Mr. Jonathan Driver
Environmental Control Officer