

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/19/02732	Your Ref:	APP/18/00596
EH Case Officer Extn:	44 6677	Date:	14 January 2020
DC Case Officer:	Miss S Haigh		
DC Case Officer Extn:			
Application Number:	APP/18/00596		
Site Address:	Deer View Lodge, Copse Lane, Hayling Island, PO11 0QB		
Proposed Development:	Prior notification for change of use from class B1(a) office use to C3 residential use subject to prior approval covering flooding, highways and transport issues and contamination.(29.08.18). Request to discharge conditions 2 and 3 (18.12.19).		

Observations / Comments:

I have reviewed the Apple Environmental Ltd. Environmental Desk Study & Preliminary Risk Assessment Ref CL/2746/DV, and note that it concurs with the assessment of Environmental Health presented in comments provided at the time of the original application (see CONS/18/01240, 04/07/2018).

The recommendations of the CL/2746/DV report are for a limited (preliminary) intrusive investigation, along the lines of that recommended in the informative given in the above referenced consultation comments.

I would highlight that the conditions requested, and presumably applied to the consent do not actually require submission of an environmental desk study, as Environmental Health was satisfied that sufficient desk-based information was already available to determine the need and basic scope of an intrusive investigation. It was anticipated that the applicant would proceed directly to a physical site investigation.

I would agree the conclusions of the CL/2746/DV report, however as no Environmental Desk study was required under either of the conditions subject to this application, the report does not meet any of the specific requirements. In this way, it represents a submission of a 'proposed scope of investigation for approval-in-principle' as a preliminary investigative phase only - the report acknowledges that further work may be necessary depending on the results of the proposed investigation.

The recommendation under this specific application must necessarily be for both condition 2 & 3 to remain in force, in full, at this time. It will be a planning decision whether to determine the application and refuse consent, or whether to encourage the applicant to suspend or withdraw the application so as not to lose the fees. I am comfortable with the latter if this is the preferred approach.

Proposed scope of investigation

- The site walkover and desk-based research has identified all of the principle sources and pathways of exposure which are of concern
- The suite of determinands suggested by the preliminary conceptual site model (CSM) is acceptable - taken to comprise at a minimum CLEA Metals, Arsenic, TPH screen (preferably speciated / banded TPH-CWG), PAH16, and PID screening with Direct Methane (CH₄) quantification.
- It is intended to leave the concrete slab within the building in-tact, and it is proposed to compensate for the lack of characterisation of soils underlying the building using vapour / soil gas screening equipment, targeting service penetrations and slab edges (possible preferential pathways for entry to the building). I do not object to this approach *per se*, however it may be helpful to discuss the merits of this approach here for consideration of the applicant / the applicant's consultants, in order to avoid unnecessary delays with discharge of these conditions. See below.
- Limitation of investigation depth to approximately 1m below existing ground levels (initially) is agreed. It will be expected that the investigation will seek to characterise the general nature of made soils where present to the maximum depth of the trial hole - and deepening of the holes beyond the target depth may be appropriate to prove the extent of fill.
- Collection of samples from two depth 'zones' (1-200mm, and 500-600mm) initially is agreed to be most appropriate to the most plausible exposure scenarios. As above, it is expected that the investigation will seek to characterise the general made soils, and where distinct horizons are evident it may be appropriate to collect samples from deeper soils. It is expected that contractors undertaking the work will exercise professional judgement in this respect.
- The spatial positioning of the trial holes is acceptable for a general assessment, though it is noted that just one position targets the storage land to the north of the building. This level of sampling will only permit statistical assessment of the site as a whole, and will not allow inferences to be made in respect of risk for particular areas of the site. It is recommended that trial holes comprise hand or machine excavated pits, to allow good access for visual inspection of soils and accurate logging / documentation of general soil character over a reasonable footprint (e.g. >0.75 sqm plan, as opposed to <0.02sqm plan achievable by windowless sampling techniques)
- The 'informal' discovery strategy is reasonable insofar as proposed. I would however highlight that para 179 makes the developer's liability clear in respect of liability for soil contamination, and would similarly highlight the comments contained within CONS/18/01240, 04/07/2018 on the increased vulnerability of small sites to meeting the description of contaminated land. I am content to rely upon the an informal strategy given the nature and scale of the project.

Further observations / recommendations

- If groundwater is encountered, a water sample should be taken and analysed using methods which include pre-filtration (or collection should be undertaken using low-flow techniques from standing water that has been left undisturbed at least overnight). For groundwater, we would predominantly be interested in concentrations of volatiles/hydrocarbons (groundwater as transport), unless encountered at depths <0.5m.
- I would highlight that an assumption that a single elevated (soils) result necessarily represents an isolated contamination 'hot-spot', will not be accepted unless this is supported by site-won information. The implication of significantly elevated results will be construed broadly, and may lead to a natural conclusion that further data collection is

necessary. It is perfectly acceptable to take an iterative approach to site investigation (as proposed), this comment is more for managing the expectations of the applicant (i.e. to highlight that the intrusive phase will inform the need, or otherwise-, for further assessment or remedial work)

- The proposal to screen internally for vapours and soil gas (in favour of advancing a trail hole internally to the building) is tentatively accepted, though it is an inferior investigative technique. The slab is unlikely to be completely impermeable / uncompromised, and there is no particular reason to avoid breaching it for investigative purposes - this may be planned in any event for service installation. PID screening may be significantly affected by the degree of ventilation applied to the building prior to & during investigation, and similarly the ambient temperature, atmospheric pressure, and level of space-heating applied to the building prior to & during sampling. Ideally, worst case conditions should be targeted, as when in occupation, thermal effects & are likely to serve to draw more vapour / gaseous phase contaminants into the dwelling, and controlled ventilation is likely to reduce dilution - I would expect site screening under-represent occupation-phase concentrations (all things being equal with respect to slab permeability at the entry point, etc.), and as a result, elevated results should be treated with an appropriate degree of caution.

I do not need to see a revised scope of investigation prior to the undertaking of works - the works proposed will prove informative as to the degree of risk associated with the site. The comments provide guidance on how the results will be interpreted, as much as anything. If the applicant / their consultant wishes to enhance the scope of initial investigation, this will simply increase the degree of confidence that may be placed upon the results, and in the conclusions drawn from those results.

I trust that the above notes are helpful to the applicant. I am happy to be contacted directly to discuss, if needed.

Mr. Jonathan Driver
Environmental Control Officer