

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/19/00823	Your Ref:	APP/14/00863
EH Case Officer Extn:	44 6677	Date:	29 May 2019
DC Case Officer:	Gill Glover		
DC Case Officer Extn:			
Application Number:	APP/14/00863		
Site Address:	Land adjacent to Eastleigh Cottages, Bartons Road, Havant		
Proposed Development:	Demolition of existing buildings and erection of 55 dwellings; comprising 6No. 2 bed flats; 9 No. 2 bed houses; 33No. 3 bed houses; 6No. 4 bed houses and 1No. 5 bed house; together with access, landscaping, car parking and open space. Felling of trees covered by TPO 1328. Joint application with Havant Borough Council and East Hampshire District Council, Havant Borough Council is the Lead Authority.		

Condition 26 (Verification of Implementation of Remediation Method Statement)

Observations / Comments:

I have reviewed the Geo-Environmental Verification letter report ref GE15735/GR01/190321, submitted in support of a formal application for discharge of condition number 26, which restricts occupation until related submissions have been approved by the LPA.

Principle of sign-off in relation to c.26

The scope of the letter report comprises the balance of plots from those subject to GE15735/GR01/170515 (concerning plots 7-12 & 19-23). That report was submitted in the absence of a formal application to discharge, and it is assumed that the current application is for a complete discharge of c.26 on the basis of verification both of the above referenced verification reports.

Verification Report GE15735/GR01/170515 - Plots 7-12 & 19-23

Environmental Health assessed the verification report, and provided comments under CONS/16/01423 (28/06/2017), indicating that the level of detail fell below that which was expected from the proposals contained within the Remediation Method Statement (RMS) & Materials Management Plan (MMP).

Verification Report GE15735/GR01/190321 - Plots 01-06, 13-18 & 24-37

Note, no mitigation was required for plots 38-55, as they existed on a 'Greenfield' area of the site. These plots were subject to watching brief only

The report follows the same format as the 2017 report, and for the same reasons falls short of the standard of evidence which the Council could reasonably expect based upon the proposals of the remediation method statement and materials management plan.

Both of these documents refer to the recording of materials movements, the RMS at 4.2 ("*...[the RMS requires] the recording of materials movement within the site from the source to point of deposition and should be verified independently of the Contractor...*") and the MMP at s.23. The MMP providing example tracking forms at Appendix E, and indicates that Materials Placement is to be recorded on an annotated site plan, and that excavation & material loads inspection records will be kept. This section of the MMP also explicitly states that transfers of materials between stockpiles internal to the site is to be kept, alongside records of materials placement. Records were required to be kept for a minimum period of 2 years, which notably expired around two weeks ago, based upon the date of Geo-Environmental verification visit.

It is unclear why these records have not been either provided, or referenced.

The RMS verification plan (section 9) also refers to providing evidence of consultation with Portsmouth Water to confirm it's potable supply pipework specification (and demonstrate that this specification was complied with) given the retention of PAH impacted made soils beneath carriageway's.

In the absence of either the above, or 'as placed' representative samples of topsoil quality, there is heavy reliance on the declarations given within the report. In places this is appropriate (e.g. on the discovery of contamination impacted soils in areas of the site where prior investigation indicates none should be anticipated), but given the standard of evidence outlined in the MMP (as being necessary), it does not seem appropriate to accept a declaration - especially where it is not clear that Geo Environmental Services Ltd. were commissioned to oversee the MMP (it appears that this responsibility lay with PJ Brown).

Based upon the information provided, it is assumed that;

- No surplus soils of any quality were removed from the site for disposal
- No soils (sub-soils or topsoils) were required to be imported to meet the levels requirements.
- All placed soils were site-won, inclusive of clay subsoils and topsoil
- Levels discrepancies between the 2015 site investigation and the 2016 revised risk assessment (physical sampling) resulted from an initial 'topsoil harvesting' site strip prior to the construction baseline levels 'cut'

There is relatively little chemical sampling information that can confidently be considered to be representative of topsoils from the undisturbed site. Generally, technical descriptions of soils do not denote topsoil from made ground - both typically comprise a description of the matrix and anthropogenic or natural inclusions (e.g. brick & ash, or roots etc.). It is also worth noting that s5.3 of the Nov 2015 phase 2 Investigation report proposed to treat topsoil in the vicinity of WS5 as made soils (for stockpiling, and later placement beneath carriageways) due to the identification of two separate weathered / friable fragments of chrysotile and amosite asbestos containing products. Records show that further finds were identified during the stripping of hardstandings from this area, and that soils were removed and stockpiled for appropriate placement, however there has been no subsequent confirmation of the destination. That topsoils in the vicinity of WS5 were to be treated as made ground highlights the risk of topsoil & made ground stockpiles being confused, and inappropriately re-used on site.

The absence of the MMP evidence therefore necessitates a great deal of trust being placed in non-specialist contractors correctly identifying material and maintaining its segregation to prevent

it's accidental placement as topsoil (over the geotextile / geogrid separation layers, or over exposed natural soils).

It is acknowledged that for the plots photographed, the achieved cover depth appears to have broadly met the target thickness, and that barriers are in place where required. These barriers are in good condition & of appropriate material. Placed soils on the whole appear to be largely clean (free of staining & inclusions), however those pictured at Plates 10, 11 & 13 appear to show anthropogenic inclusions. Inclusions generally comprise fragments of construction & demolition waste, but also polystyrene, possible plastics, and in the case of plate 13 - potentially made soils).

I would not be comfortable in recommending discharge c.26 on the strength of the submitted verification information. In order to support discharge I would recommend that either;

- The materials management records which should have been kept, are sought. Both PJ Brown and Linden should have held copies, and copies may be available as the stated document retention schedule is a 'minimum', and is only expired a few weeks ago, or (e.g. if culled, or otherwise not available);
- That some plot sampling of topsoil & subsoil quality is sought to verify that soils are appropriate for the placement location. Given that we are concerned with average quality of near-surface soils within plot boundaries, spatially composite samples may be acceptable for this purpose provided that each is limited to strata & plot (i.e. either from topsoil or sub-soil [not both] and each sample is of material obtained from a single plot). A sample density of <1 sample per plot (i.e. a random representative sample of plots) is also likely to be acceptable in the first instance (if this identifies concentrations of concern, additional sampling might be appropriate).

c.25 - Unexpected Contamination

The verification reports contain a positive declaration that no unanticipated contamination, or contamination impacted soils were identified during groundworks. It is not possible to verify a negative result, so it is both necessary & routine to rely upon an assumed diligence in observance of the discovery strategy.

The applicant has not applied to discharge c.25 to the best of my knowledge, but it would be appropriate to discharge it on the basis of the submitted declarations.

Best Regards,

Mr. Jonathan Driver
Environmental Control Officer