

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/19/01775	Your Ref:	APP/18/01090
EH Case Officer Extn:	44 6677	Date:	16 September 2019
DC Case Officer:	Gill Glover		
DC Case Officer Extn:	6534		
Application Number:	APP/18/01090		
Site Address:	Northney Farm, St Peters Road, Hayling Island, PO11 0RX		
Proposed Development:	Change of use of agricultural building to a dwellinghouse (class C3) and for associated operational development subject to prior approval (Approved 14.12.2018). Request to discharge conditions 2, 3, 6, 7, 8 & 9 (21.06.2019). RECONSULTATION [c.2 & c.3]		

Observations / Comments:

I have reviewed the Apple Environmental Ltd. Phase 2 Site investigation Ref CL/2796/NF, which concludes that there are areas of the site which are considered to be unacceptably affected by contamination.

Given the low tVOC results indicated by in-situ screening (using PID) and the speciated TPH results, I am minded to agree that the contaminants of concern are only likely to be of concern via direct-contact, and inhalation / ingestion of dust. This would mean that presence within the footprint of the building is not of particular concern due to the limited opportunity for exposure.

Exceedances of screening criteria have been identified within areas proposed for use as private garden areas for the following substances; Lead, Asbestos, and Poly-Aromatic Hydrocarbon congeners B(a)A, B(b)F, B(a)P and D(a,h)A. Both Zinc & Copper area also elevated, but not at levels that are of particular concern. Petroleum hydrocarbons are elevated across different samples, appearing to represent disparate sources comprising (probably) diesel fuels and lubricants. Two samples consist entirely of aromatic compounds, which is not typical of a fuel-derived source.

I have made some basic statistical calculations using the submitted results, and note that outliers exist all datasets where exceedances have been identified, and all outliers exist within the 'East Garden' area. The 95th percentile intervals calculated support the case for focusing remedial efforts as outlined within Figure 4. For example, the calculated 'true population mean' for Lead in this area is over 400% the screening value, indicating that we may be confident that there is an unacceptable exposure risk in this area. This approach to mitigation may therefore be agreed.

The remediation strategy is essentially one of source removal and soil replacement. This has the advantage of certainty & ease for the applicant, but is not necessarily the most sustainable solution. Apple Environmental suggest further delineation sampling, which I would agree could

reduce the volume of material to be removed / replaced. This may or may not suit the applicant.

I would be able to agree either strategy on the basis of the results submitted.

Conclusions

The conclusions of the report are broadly agreed. As regards the conditions which the applicant is seeking to discharge; the report clearly demonstrates that mitigation is necessary, and the mitigation works have not been undertaken - in this way, *it is not appropriate to discharge condition 3 at this stage* (it will not be appropriate until the works have been completed, and a validation report / statement submitted).

It may be appropriate to discharge condition 2 in full, assuming that the applicant has read, and understood the recommendations of the Apple Environmental Ltd. Report, and intends to undertake the work. Given the conditions applied for, it is not entirely clear that this is the case - and so I would suggest that it would be beneficial to seek clarification from the applicant on the remedial proposal, being either;

- a) proceed to source removal, -600mm or to natural strata, whichever is the lesser, and replacement with proven-clean topsoil following formation level sampling to confirm acceptable quality, or;
- b) delineation sampling to reduce mitigation area/volume, or show outliers to be representative of highly localised deposits (only) and not representative of any general deposit. Implement asbestos risk reduction work, and retain the majority of material on site.

If the applicant's preferred option is b), then we cannot discharge condition 2 at this stage, as we are still engaged in 'information gathering', and the remediation strategy (c.2(2)) and verification plan (c.2(3)) will be uncertain until the results have been assessed.

If a), then I am comfortable for the Council to approve the remediation strategy and the outline verification plan (implicit from narrative paragraphs), and discharge c.2 in full. The Council will then expect the proposals outlined in section 8.2 to be implemented, as determining the application on this basis makes the proposals in the CL/2796/NF enforceable as planning matters.

Mr. Jonathan Driver
Environmental Control Officer