

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/18/01583	Your Ref:	APP/18/00724
EH Case Officer Extn:	44 6677	Date:	20 August 2018
DC Case Officer:	Daphney Haywood		
DC Case Officer Extn:	44 6513		
Application Number:	APP/18/00724		
Site Address:	8 and Land Behind, Sinah Lane, Hayling Island		
Proposed Development:	Erection of 195 No. dwellings, associated open space, pumping station, sub-station and formation of new vehicular access off Sinah Lane. Change of use of land from agricultural to a Wader and Brent Geese Refuge Area		

Observations / Comments:

I have reviewed the documents submitted in support of this application. I have also reviewed the pre-application case relating to the DCF process (to which Environmental Health was not invited to contribute), as well as a selection of representations made by objectors in order to gain an impression of the perceived harms associated with the development. I would in particular like to make comments on the Contamination Assessment, Transport Assessment / Travel Plan / Air Quality assessment, but I will also touch on elements of the scheme relevant to air quality / sustainability, pollution and public health (SuDS / Drainage).

It is noted that the scheme could be regarded as 'premature' relative to the adoption of the local plan 2036, but it is equally acknowledged that the NPPF is specific on this not presenting a barrier to approval, and that the applicant has sought to address both emerging local plan policy priorities, and to plug gaps in strategic assessments required to inform the local plan process.

It is however considered to be relevant that the proposals seek approval for a quantum which is +120% the draft allocation, and that it includes greenfield land outside the boundary of the draft allocation. This is interpreted as it being implicit that the LPA views the scale &/or density of development to be undesirable in policy terms relative to the character & sensitivity of the area. It is considered material to the interpretation of adopted local policy relative to this development.

Contamination

The Wilson Bailey Geotechnical & Environmental 'Desk Study & Ground Investigation letter Report' J16123/DB/c03 is favourable in its findings. No significantly elevated concentrations of contaminant of concern are noted, and no visual / olfactory evidence of contamination highlighted. Taken at face value, the report is sufficient to dismiss all contamination concerns, and to support a recommendation for omission of all contamination conditions from any consent granted in respect of this application.

Whilst this is the case - it must also be acknowledged that the purpose of the assessment was not to investigate the highest risk area of the site, and as a result, the 'at face value conclusion' is

supported by very little empirical data in the areas where there is the greatest probability of elevated concentrations of contaminants being present.

The letter report omits PID screening data, gas monitoring data, and groundwater levels data for periods stated to have been monitored. Whilst it may well be that this data is available, and represents similarly favourable results - the omission of the data from the appendices confidence in the report (where the converse is also true - inclusion would bolster confidence in conclusions). It is recommended that the following be obtained / confirmed within the life-span of this application;

- Results of Chemical Sampling of Groundwater from Boreholes completed with standpipes (BH 2, 6, 9, 11 & 14) - assumed sampled on the basis of the following statement *"...elevated concentrations of a wide range of potential soil contaminants have not been detected within the selected representative soil and groundwater samples recovered from the site."*
- Results of PID screening of soil samples (headspace)
- Results of Soil Gas monitoring - assumed undertaken on the basis of the following statement *"...Limited soil gas monitoring carried out to date has not indicated..."*
- Results of winter water level monitoring undertaken during 2016/17
- Confirmation that drilling date for boreholes numbered BH1 - BH9 is a typographical error. If not, the report should explain the mis-match between the drill date and the analysis date.

For clarity, the site is considered to be relatively low risk. The above referenced information would serve to increase confidence in the report relative to the principle off-site risk - namely the former Hayling Billy Line terminus. It is thought that the line was used to transport coal and gas works waste - some residues carrying the colloquial nickname 'blue-billy' - which might not be unrelated to the name for the line. A localised impact at the development site is not necessarily likely at the site (sidings and handling areas were generally on the eastern side of the site), but is not inconceivable. The samples from BH2 are sufficient to indicate a surface soil impact (e.g. from accumulated wind-blown dusts etc. associated with the Billy Terminus, but are not informative of the presence or absence of any migrating plume of contamination (e.g. of coal tar, or distillates originating from gas works and handled at the site). Water samples would lend confidence in a conclusion that such an impact is absent.

Assuming that the above available information can be obtained, I would have no adverse comments to make on contamination grounds, and would propose no conditions.

Drainage / SuDS

It is noted that the proposed SuDS system includes a substantial attenuation pond, bioretention and swale conveyance - features which are more than adequate to address the urban pollution associated with housing. I have no pollution concerns.

I do note that the area is low lying, requiring both foul and surface water systems be pumped. It is noted that the pumping station is to be constructed to adoptable standards, and offered for adoption - what is not clear is whether Southern Water has taken an 'in principle' decision on whether the infrastructure is to be adopted.

Issues with private pumping stations have arisen on recent housing developments, representing a significant and additional cost to the management company (ultimately the homeowners) to replace failing equipment. The Council has enforcement powers for private sewers under the Public Health Act, however as a general principle sewerage disposal is regarded an essential public service which should appropriately reside with the statutory undertaker wherever possible. Private systems carrying a 'single point-of-failure' risk are regarded as being more likely to trigger regulatory effort of the authority, and this would not be necessary if the system could be adopted. The reasons for the 2011 Private Sewerage Transfer Regulations remain valid, and for these same reasons, it is preferable for sewers to be adopted wherever possible.

I note that the design of the surface water collection upstream of the pumping station is conventional in nature, with all 'SuDS' features existing downstream. I am unclear on whether this is sufficient to overcome the usual refusal from Southern Water to adopt systems with SuDS elements (due to their complexity, and increased risks of poor reliability).

In either case, it should be established in the clearest possible terms where management responsibilities lie in respect of the conventional drainage infrastructure, the pumping station, and the SuDS features. If remaining private, robust and binding provisions should be made for maintenance and management. Ideally, the detailed design, and maintenance provisions should be secured by condition for Council approval prior to occupant, and should include a programme of preventative maintenance for 'natural' features (Ditches, Swales, Basin, flow control etc. which addresses the potential conflict between their ecological / amenity value and as their function as drainage infrastructure. It is assumed that the commitment to build the pumping station to adoptable standards ensures a pumping station that includes redundancy to provide continuous service in the event of pump failure or planned maintenance downtime.

Air Quality

i) Assessment of development impact (Direct)

The WYG Air Quality Assessment report is based upon traffic flow figures whose provenance is a little unclear. It appears that the development traffic is TRICS generation rate estimate (agreed with highways for the traffic impact assessment) adjusted from 12 hr > average day (AADT), and for season, and then projected to the opening year (2023). The routing model is driven by the 2011 travel to work (census) data, and whilst this does not capture leisure, retail, educational or social trips - it is likely to account for the prevalent trip type affecting the strategic local network, and in this way, ignoring local trips could be argued to be a conservative (and therefore more robust) approach.

There are some logical anomalies apparent within the table 4.1, but I have not identified any likely to materially influence a marginal result. The values presented are inline with expectations (based upon local survey data, DfT estimates, and local knowledge of trends over time)

Similarly, I note that the extensive range of receptors modelled appears to have omitted the most emissions sensitive receptor in a number of cases - but as above, I have not identified any instance whereby the omission would be likely to be material with respect to a threshold criteria for health. As such, I do not require any assessment be re-run, and the results can be accepted as being broadly representative.

The DMRB modelling is not corrected to a local monitoring point, and no assessment of performance against a local monitoring point is presented - for this reason it is unclear whether the presented results are likely to over- or under- estimate concentrations, and the proportional magnitude of impact.

Generally speaking however, a directly associated adverse air pollution impact would be expected where the development is likely to result in a +10% flow on a 'busy road link' (generally taken to be a link carrying >10K vehicles as AADT. With reference to table 4.1, it is apparent that either the road link has 'emissions capacity' (i.e. carry's <10K AADT), or is sufficiently busy that the estimate of total development traffic represents <10% of the link flow. In this sense, a direct adverse impact of a magnitude likely to be considered 'significant' would not be anticipated.

Any adverse impact is likely to arise from either a contribution to increasing emissions associated with development-led traffic growth, or arising from a junction capacity problem which causes a disproportionate impact on existing highway flows (resulting in queuing, congestion, or any other deviation of driver behaviour from 'free flowing traffic conditions', e.g. aggressive gap

seeking behaviour). A combination of these two factors is considered to be the most plausible adverse impact.

Air quality models in general are-, and the DMRB method in particular, is- poor at accounting for these 'driving style' emissions. Local monitoring suggest that driving style factors are far more important for local emissions 'hot spots' than is either overall traffic volume (when flowing freely), or even slow moving stop-start congested flows. In this sense, I do not dispute the favourable conclusions of the air quality assessment, but would equally not consider the assessment to be sufficient to dismiss further consideration of air quality impacts.

ii) Traffic & Transport Assessment (Accessibility & Mitigation)

In general, I would agree that the site to be reasonably accessible - access to bus services is available within a convenient walking distance, as are local services at West Town. The site benefits from it's proximity to the Hayling Billy Trail, which is considered to represent an asset to the development, supporting the selection of sustainable / active travel choices - particularly for those working in- or accessing onward public & rail transport at- Havant town centre. The direct accesses to this route underscore the likelihood of increased usage, and therefore erosion - and for this reason the proposed contribution for surfacing improvements is considered to be both justified and necessary.

I also note that Hampshire County Council is undertaking a project seeking to improve bus service 31, and that increase in frequency and improved information / waiting facilities are being explored. A contribution to these improvements is considered to be an appropriate, and sufficiently relevant / targeted measure which will serve to improve connectivity of Hayling Island more generally. Taken together, these measures are agreed to improve the sustainable travel offering, and facilitate modal shift away from modes with greater 'per person-kilometre' emissions rates.

Travel to school is a significant driver for AM peak traffic, often for short- local journeys which are within walkable or cyclable distance, and which (as a single purpose trip) involve vehicle use at suboptimal engine temperatures (thus higher emissions) perhaps throughout the entire journey. In this sense, I am disappointed to see that the prospect of a better positioned pedestrian crossing on the 'walk-to-school' route has been dismissed. I do acknowledge however that the presence of dropped kerb driveway accesses are likely to form a constraint to the 'on desire-line' crossing (within Right Turn Taper), and that the position North of Station Road (whilst likely to reduce the route length by around 50m) does necessitate crossing the junction at Mt Mary's road in order to access the footway on it's Southern Side.

I will leave it to highways consultees to comment on the technical merits of pursuing a new crossing. I note that Hampshire County Council has also highlighted opportunities for improving this route, and may have specific improvements in mind. From an air quality perspective however, I would firmly support any initiative aimed at encouraging or facilitating travel to school by sustainable and active modes of transport. Even marginal gains in either safety or convenience could make a significant difference in the mode chosen for travel-to-school journeys - influencing both trips originating from the development, and encouraging modal shift for existing trips.

iii) Traffic & Transport Assessment (Junction Capacity & Mitigation)

I have reviewed the junction capacity assessments presented in the PB Transport Assessment 041.0031/TA/2 report. Development traffic distribution is expressed proportionately, and in contrast to the AADT figures presented in the AQ assessment, appears coherent.

The assessment results are broadly as expected, identifying no specific capacity issues at the 'local' junctions, or at the key nodal junction of the A3023 Havant Rod / A3023 Manor Road / Church Road. From an Air Quality perspective, the operation of junctions approaching or in

exceedance of their design capacity is particularly important as it is an indicator of increasing frequency of peak period congestion (where approaching capacity) or of frequent congestion (where exceeding capacity). When a junction becomes congested, there is turning movement conflict causing queuing traffic, and more aggressive driver behaviour is encouraged (gap seeking / exploitation) - these factors can lead to substantially elevated emissions which are entirely disproportionate to the number of additional vehicles. Air Quality models are not particularly accurate in accounting for these factors, tending to significantly underestimate the magnitude of impact.

The study identifies one such location - at the junction of West Street and Havant Road. The junction model appropriately accounts for the visibility splay, but would anecdotally appear likely to underestimate the southbound delay associated with southbound traffic waiting to make a right turn to West Lane. The report identifies that junction operation under a baseline (BL) + committed (C) development is just under the 85% capacity threshold, and that the addition of proposed development traffic tips the balance to 93%. Somewhat confusingly, Havant Rd. is referred to as Eastbound (EB) & Westbound(WB). For these purposes, It is assumed that EB is analogous to Southbound (SB), not least as the assessment shows a zero Queue rate for EB, assumed due to NB traffic either having an unencumbered LHT from Havant Rd. to West Ln, or having right-of-way NB.

With the restricted visibility to the South (when making a RHT from Havant Rd. to West Lane), and the volume of traffic utilising Havant Road (>19K AADT), aggressive gap exploitation is expected for this manoeuvre. I would also expect peak conditions queue lengths in a SB direction to exceed those indicated in Table 21 (<1 predicted). Relevant receptors are located very close to this junction (#78 & 80 Havant Road), and so a traffic flow impact here could result in a significant air quality impact at these locations which I would not expect to be accurately represented by the DMRB assessment.

I also note that the % impact assessment at the Langstone Road arm of the A27 makes some odd assumptions, which in some cases I would regard as erroneous (e.g. development contribution to PM peak traffic accounting only for 75% of departures - contrary to the known 'tidal' flow character, and AM peak assumptions). Applying a more realistic development traffic contribution notably returns a development impact against baseline of just of 5% in the AM peak, and just over 6% in the PM peak - both above the threshold selected for 'modest impact'.

The PB report appears to dismiss the West Lane / Havant Road effect as being an extant issue arising from 'natural' traffic growth (not attributable to the proposed development). I note however that the Infrastructure statement makes provision for a contribution to be provided to support the local authority driven programme of works to mitigate traffic pressure on this strategic route.

The rationale for not proposing a specific improvement ahead of a strategic assessment & development of an integrated scheme of infrastructure enhancements is accepted. In light of the degree of development impact on the Langstone Road Arm (the region of arguably the poorest air quality in the Borough), and the proximity of receptors to the affected junction at West Lane - I would simply recommend that the contribution sought is commensurate with the impacts identified (which as noted above, are likely to exceed those presented in the 041.0031/TA/2 & A100655 reports).

Whilst I note that the transport assessment refers solely to NPPF policy - which sets a benchmark of 'severe' - it is considered that this benchmark is relevant to the principle of development in terms of whether it should be refused, and does not set a *de-facto* minimum standard for mitigation of 'sub-severe'. Local policy also has effect, and can be exercised to justify a level of contribution which serves a reasonable prospect of securing improvements required to achieve a 'no detriment' condition (e.g. CS20,2).

iv) Sustainability & Design

The 2018 revised NPPF strengthens planning requirements for environmental matters, with the previous provision on Air Quality that local policies to aim to "*sustain compliance with and contribute towards EU limit values or national objectives for pollutants*" expanding to include planning '*decisions*'.

There are also enhanced and expanded provisions on both sustainability and transport, imposing a requirement to support the 'transition to a local carbon economy', and for 'changing transport technology' be recognised at the earliest stages of both plan making and development design. It is also explicitly recognised that even small scale projects make a valuable overall contribution. In the specific context of the provision, referring to carbon reduction targets - but as a concept equally applicable to air quality, and fully compatible with the emerging national strategies for more effectively managing poor air quality (where a strategy of achieving incremental improvements is widely advocated).

Against this policy context, it strikes me as relevant that the applicant is proposing a development which represents a +20% quantum relative to the draft allocation for the site in the emerging local plan (H31), and which proposes development of greenfield land not currently considered suitable for development (or not currently considered necessary to meet the objectively assessed housing need).

For this reason, I would regard the proposed density - and moreover, the increased density over that which the Council considers is required in this area - as requiring robust sustainability credentials in order to justify departure from the emerging allocation.

Sustainability elements relevant to air quality local to the site would include supporting infrastructure for electric vehicle / plug-in-hybrid vehicles; any space/water-heating or household appliances which are 'zero-emission at point of use' (i.e. electrical, where these replace a combustion appliance), the provision of on site renewables (direct solar, PV, or heat pump) or any technology which reduces the need for combustion or reduces combustion emissions - e.g. ultra-low NOx boilers, ventilation with heat recovery, or high quality design which makes efficient provision for solar gain for both heating and the avoidance of over-heating (minimising the need to cool). Many of these measures could also indirectly reduce offsite emissions, and thus contribute to incremental improvements in air quality more widely. All measures are supported variously by both revised NPPF policies, and by existing local policies.

I note that the unit plans / elevations include the text "*Solar Panels Type, Size, and Orientation to be agreed. Plot specific*", which suggests that the applicant recognises this need. There is however no specific reference to a local LZC provision in any of the planning or design statements. I would support the site-wide provision of PV solar as a very positive feature on air quality grounds, and as a measure providing support of future adoption of EV transport which is very well placed to exploit local clean energy generation.

The applicants intentions should be clarified in respect of design features contributing to an strong overall sustainability offering in line with CS15, various other local policies, and a raft of NPPF requirements. This is considered to be particularly important for development on Hayling Island which is so opposed by local residents on sustainability grounds.

Mr. Jonathan Driver
Environmental Control Officer