

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/18/02562	Your Ref:	APP/18/01226
EH Case Officer Extn:	44 6677	Date:	16 January 2019
DC Case Officer:	David Eaves		
DC Case Officer Extn:	44 6549		
Application Number:	APP/18/01226		
Site Address:	Stantons Yard, Larchwood Avenue, Havant, PO9 3QN		
Proposed Development:	Construction of an 81bed, four-storey hotel (Class C1), associated car-parking, landscaping and ancillary works. I attach a copy of the above application that has been received under the Town and Country Planning Acts. Any views you should wish to make should be returned to me no later than 08/01/2019.		

Observations / Comments:

I have reviewed the particulars of the proposed development, alongside the Transport Assessment, Interim Travel Plan, Drainage Strategy and Geo-Environmental Site Investigation.

I would like to make brief comments as follows:

Design & Access Statement, SuDS (Pollution)

It is understood that infiltration drainage is not feasible at the site, and that drainage provision is to be to public sewer via a storage provision sufficient to attenuate a 1 in 100 year +30% climate change allowance), with discharge rate limited to 2.3 l/s (as specified by SWS).

I agree that surface water collection for the highest risk areas of the site via a permeable paving solution will provide sufficient pollution attenuation from parking areas, and that filter drains will be used to minimise the transmission of suspended solids from soils to the drainage system.

Given that the surface water sewer appears to communicate directly with a statutory main river, I would recommend that potentially polluting sheet roofing materials be avoided (i.e. zinc, copper, or lead).

Transport Assessment (Air Quality)

Data presented in the transport assessment indicates an average daily trip rate of around 260 journeys (arrivals + departures). The report dismisses the peak flow estimates as being qualitatively trivial, and I would tend to agree by extension that the traffic associated with this development is unlikely to be material to local air quality at any specific location, due in large part

to it's general separation from relevant receptors (closest is at 35m), and ready access to the local strategic road network.

Interim Travel Plan (Air Quality)

I would have to broadly agree the conclusions at 4.5.1 that the site should be regarded as being accessible by sustainable modes of transport. I have not identified any specific public realm improvements which would substantially improve the local environment in support of sustainable and active modes of travel which should have been considered by the report.

I would also agree with 5.3.1 that an above SPD parking quantum is appropriate for the site - it is adjacent to the local strategic road network, and substantially proximal to the national trunk road network - so reliance on motor vehicles to access the site is considered likely irrespective of it's accessibility by sustainable means. The local context of the site would not readily accommodate overspill parking, particularly given the trip turnover rate expected with the existing A3/A5 uses, and the lack of parking restrictions on Larchwood Ave.

The inclusion of a proposal to provide a 'cost-free emergency lift home' (Table 7.3) to support lift-sharing is supported as a proactive and innovative provision. It is noted however that the remainder of provisions for car-share promotion are relatively narrow in scope - referring largely to ad-hoc local schemes arranged by the TPC. I would recommend that the strategy promote national schemes from the outset (e.g. liftshare.com, with >3K Hampshire journeys currently registered).

Other comments are briefly summarised below:

- Table 7.5 refers to employment of local staff. Unclear how this will work alongside equal opportunities legislation, more detail would be helpful.
- Table 10.1 implies targets based upon TRICS data which includes guests - consequentially inflating the 'multiple occupancy car journey' modal share.
- 10.2.2 indicates that this travel plan is intended to apply to employees only. Considered in this context, lift share targets are weak, and could reasonably be substantially more ambitious.
- Table 10.1 implies that 'Other' is an undesirable category - I would recommend that undesirable modes to be disfavoured, and desirable modes to be favoured (e.g. e-bike, hover-board, non-walking/cycling active travel modes, moped or electric motorcycle) are separated from undesirable other (e.g. taxi)
- Table 10.1 is arguably 'out of date' relative to vehicle technology, and it would perhaps be relevant to distinguish between trips by 'conventionally fuelled motor-car' and those taken by means of LEV / ULEV or alternatively fuelled vehicles. The travel plan is about emissions, as well as mitigating the physical pressure on the local highway network.

The travel plan is a living document, and by definition this document is an 'interim' plan, with opportunity for revision. The above comments are intended for the benefit of the applicant, in the interests of maximising the benefits that can be realised from it's implementation.

Contamination

Receptors Considered;

The conceptual model is based upon the closest controlled water being located 80m West of the site. This corresponds to a short 'daylighted' section of a drainage watercourse, which appears likely to run beneath the site within a culvert (to join SWS Asset no. 685633 [Node ID SU69076550]) approximately 300m to the East.

The potential presence of this feature could in principle affect the site conceptual model (from which the risk assessment derives), and similarly the foundation design chosen. The line is not listed as representing a recognised part of the river network, but as both the daylighted section (80m West) and the SWS asset are located broadly coincident with the line of a former watercourse shown on OS maps dated 1957, it is more likely to be classified as an ordinary watercourse than it is a 'private drain' or 'private sewer'. It is believed likely that the culvert will be present at a depth shallower than 4.0m below existing ground level, and appears that it communicates with the main river network at 2 separate outfalls to the Hermitage Stream.

Work at the site may (therefore) require the consent of the LLFA under the Land Drainage Act. This would be a separate consent to the planning permission sought, and the need for it should be determined by the applicant. I would also recommend that the applicant seek to verify the likely presence (and or location-) of such a culvert on site. If found to be present, foundations (and / or installation of other services, particularly drainage) should be designed to maintain a reasonable easement around the culvert in order to prevent damage, and unnecessary creation of preferential migration of contaminants at the site to the controlled water (on-site).

Other than in respect of controlled waters as described above; I would agree that the site represents a relatively low exposure risk, and that commercial generic screening values should apply to the site.

Identified Contamination;

Hydrocarbon impact is recorded across the site. There is no clear bulk source or plume, and concentrations recorded do not appear to be consistent with a point release (single sample population). Multiple sources are likely, given the apparent mis-match between Aliphatic & Aromatic splits, and the depths of occurrence (or visual / olfactory evidence of presence). It would appear likely that these sources originate from within the site curtilage, and not from adjacent land - though it should be noted that logs are not presented for CBR01 & 02, and that TP01 & 02 are of relatively limited depth.

The maximum recorded TPH concentration is around 10g/kg (1% w/w) at DS01 (0.15m BEGL), not corresponding with similarly elevated water results, and appearing to represent a surface spillage with a very shallow impact. The maximum dissolved phase TPH is 660 ug/l (BH1), not corresponding to any visual / olfactory evidence of contamination or any specific elevated soils results. TPH result for this water sample was not speciated, so it is entirely unclear whether this is within theoretical solubility ranges (or not), or whether the compounds represented are present a moderate or low risk (to controlled waters). Conceptually, the result is anomalous, and inconsistent with the results from nearby trial holes (and may be indicative of a local hot-spot).

Largely, TPH results represent heavier (lower risk) fractions, and PAH / BTEX compounds are notably absent. Metals appear to be either largely within limits of what may be considered to be background concentrations or to be relatively stable (non-leachable).

Ground gas;

The report concludes that gas protection is necessary. Calculated screening values would suggest that protection is unnecessary, and it appears that this recommendation is based upon the CO₂ levels exceeding 5% level normally associated with 'negligible risk' CS1 sites. Maximum positive gas flow is 0.3L/hr, indicating a low to negligible generation potential. The maximum negative flow was a little over -67 L/hr, with maximum steady state flows at 0.1/-4.4 L/hr respectively. Negative flows appear likely to be related to groundwater movement in cohesive soils.

Both CH₄ & H₂S are notably below the limit of detection, and elevated CO₂ & depleted O₂ (<6%) are as likely to be related to biological degradation & chemical oxidation of hydrocarbons in soils as it is any deliberately placed putrescible material. Gas protection may be a sensible precaution, but the characteristics of the site could be argued to justify treatment as a CS1 site. It may not (therefore) be necessary for the Council to seek surety on the level of gas protection achieved.

It is notable that the gas results presented are missing characters from column headers, and so it is not entirely clear to what parameters "(X)2S", "C(X)" or "V(X)C" (measured with ppm units) refer to (as above, "(X)2s" is assumed to represent hydrogen sulphide, H₂S). This could be conceptually relevant, as "V(X)C" results are >LOD, and if representing total VOC's (which would be consistent with the history of the site), could be indicative that compounds capable of causing harm to freshwater ecologies being present at the site. VOC's were not sampled within soils, and could help explain the incidence of hydrocarbon odours at locations with a general absence of elevated light-fraction hydrocarbons.

Contamination (conclusions & recommendations);

Arguably, an indicative presence of dissolved phase VOC, the possibility of an undiscovered bulk soil source of VOC being present, and the likely presence of a culverted watercourse beneath the site collectively represent the most significant conceptual pollutant linkage. For this reason, it would be worth seeking clarification from the authors on correct headers for tabulated information presented in Appendix H.

Other than this, I would tend to agree the conclusions of the report - namely that contamination is present (in places with rather high maximum concentrations), but not coherently so and not so as to represent any substantial risk to human health under the proposed commercial exposure scenario. The 300mm clean cover for managed soft landscaping areas is agreed to be sufficient to mitigate the marginal incidental exposure risk posed by contaminants in soils, and the general absence of <C12 hydrocarbons, BTEX & PAH would lead me to agree that penetration of water pipes by harmful levels of hydrocarbons is not particularly likely. In line with the paragraph above (however), this may be subject to clarification on water results in respect of VOC's., which include substances capable of causing harm at very low concentrations, and which are similarly capable of penetrating standard MDPE water supply pipework.

The report also recommends that an appropriate 'hotspot protocol' be implemented to address discoveries of previously unidentified contamination. Given the presence of stained soils, hydrocarbon odours, and TPH concentrations of 1% or more in places - it is unclear how groundwork personnel are expected to distinguish between the identified collection of disparate small scale, low-mobility & relatively low risk deposits described, and any 'potentially more significant' source. I am amenable to the logic for reliance on a discovery strategy (given the low exposure risks and the general lack of the more harmful hydrocarbon compounds - culverted watercourse & trace dissolved phase VOC notwithstanding); and would agree in principle with the Agency view that this could be formalised by a specific condition, and need not be encompassed within a wider contamination condition..

I would recommend however that clarity is sought on the nature & content of the discovery strategy - either pre-decision (to avoid the need for a pre-commencement condition), or secured by condition under alternative wording to Condition 1 as proposed by the Environment Agency (see below).

I would also recommend that an informative be placed upon the decision notice to flag the risk of presence of a culverted watercourse beneath the site, and the risk that this may be damaged (and pathways created) as a direct result of construction activity associated with development of the site.

Condition 1 (Alternative to EA proposed Condition 1: Contamination Discovery Strategy; Where Proposed)

"Prior to the commencement of development approved by this planning permission, the 'contamination discovery strategy' proposed within Delta-Simons Report No. 18-0609.01 (21/06/2018) section 10.3 (iii) shall be submitted to and approved by the Local Planning Authority. The strategy shall outline;

- 1) Precautionary risk mitigation measures to be adopted during groundworks, including procedures for identification of contamination-impacted soils requiring assessment.*
- 2) Procedures for assessment of contamination impacted soils identified under (1), including the management of materials undergoing testing &/or treatment, and*
- 3) Provisions for reporting assessment activity, notifying the Local Planning Authority of any relevant discoveries, agreeing remedial actions & standards, and evidencing works undertaken.*

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

- A statement confirming that no suspected contamination was identified during development, OR;*
- Documentation in accordance with iii) above; demonstrating that remediation / risk mitigation objectives have been met.*

Reason: *Having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014] and the National Planning Policy Framework,; to ensure that risks to site workers, neighbours, future occupants of the site & controlled waters are minimised"*

Informative 1:

"Spatial resources indicate that a culverted ordinary watercourse is likely to be present at the site at a depth of approximately 4.0m below existing ground level at the east of the site, falling from the West. It is unclear from available records whether the culvert is likely to follow the 1957 course along the northern boundary of the site, or whether it's course was straightened when it was culverted between 1969 & 1979. Excavations which might affect this watercourse may require the consent of the Lead Local Flood Authority under section 23 of the Land Drainage Act 1991. Any damage to this watercourse not amounting to an obstruction may create migration pathways for contaminants present within soils at the site, and could materially alter the contamination risk assessment. Excavations for drainage, foundations and services should be undertaken in such a manner as to minimise the risk of material damage to the culvert. In accordance with the NPPF 2018 paragraph 179 the liability for contamination impacts, including to this watercourse, is likely to rest with the developer beyond disposal of the completed development site"

Mr. Jonathan Driver
Environmental Control Officer