

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/17/02044	Your Ref:	APP/17/00938
EH Case Officer Extn:	44 6677	Date:	27 October 2017
DC Case Officer:	Steve Weaver		
DC Case Officer Extn:	44 6512		
Application Number:	APP/17/00938		
Site Address:	Unit 1, Station Approach, North Street, Emsworth, PO10 7PW		
Proposed Development:	Prior approval for change of use from class B1(a) office use to C3 residential use for 4No. flats subject to prior approval covering flooding, highways, transport issues, contamination and impact of noise from commercial premises.		

Observations / Comments:

I have reviewed the application documents. The inclusion of a noise impact assessment is noted - Acoustics is not my area of expertise, so I have not reviewed this document. Laurent has been allocated this case for review, and will make comment in respect of the noise assessment under separate cover.

Other than the addition of the noise report, the application documents do not appear to be materially different from those put forward for pre-planning advice, and I note that the applicant has not responded to the pre-application advice in respect of undertaking a physical contamination assessment to confirm suitability of the land for this development.

My comments on the GEN/17/00037 case therefore remain valid; and I consider that prior approval would be required for the proposed development on grounds of contamination risk, and I would only be able to support the consent if subject to robust conditions relating to the assessment- (and if necessary, mitigation-) of contamination risks. The rationale for this conclusion is outlined in my 07/02/2017 response to the .../00037 consultation.

Suggested conditions overleaf.

Contamination (Standard – omitting EDS) [1]

Prior to the commencement of development hereby approved (other than any site clearance partial demolition and consequential works for the purpose of ensuring structural stability), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken by competent persons, and the findings presented as a written report.

The assessment may comprise separate reports as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

- 1) Site investigation appropriate to both the previous & approved use of the site, to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to future occupants.*
- 2) The results of an appropriate risk assessment based upon (1), and where unacceptable risks are identified, a Remediation Strategy that includes;*
 - appropriately considered remedial objectives,*
 - an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;*
 - clearly defined proposals for mitigation of the identified risks.*
- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the Remediation Strategy (2) are complete, to include consideration of contingency action.*

All elements shall be adhered to unless agreed in writing by the Local Planning Authority

Reason: *Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], Contamination may be present at the site as a result of previous land uses (&/or activities) that could pose a risk to future residential occupants.*

Verification (Standard) [2]

*Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with **condition [1]** shall be submitted to and approved in writing by the Local Planning Authority.*

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met. Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a “long-term monitoring and maintenance plan”).

The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: *Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014], Contamination may be present at the site as a result of both previous land uses (&/or activities) that could pose a risk to future site occupiers.*

Mr. Jonathan Driver
Environmental Control Officer