

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/18/00313	Your Ref:	APP/16/01237
EH Case Officer Extn:	44 6677	Date:	13 March 2018
DC Case Officer:	Ms Ballam		
DC Case Officer Extn:			
Application Number:	APP/16/01237		
Site Address:	Mill Rythe Holiday Village 16 Havant Road, Hayling Island, PO11 0PB		
Proposed Development:	Demolition of 6,111 square metres of redundant chalets and facilities buildings, use of land for the siting of 203 holiday caravans including 5 caravans for use as staff accommodation, refurbishment of retained single and two storey holiday chalets to form 87 units of holiday accommodation, retain managers bungalow, sales area for 5 caravans, refurbishment of remainder of central facilities building, CCTV cameras, provision of new pedestrian concourse with terraces, splash and dry play areas, multi-games court, adventure golf course and outdoor theatre and new landscaping. Retaining existing pitch and putt golf course to the east of the site. (Approved 5.5.17). Request to discharge condition No. 15 (17.8.17). Request to Discharge Condition No.s 5, 6, 7, 9, 10, 11, 12, 13, 14 and 15 (19.10.2017). A request has been made to discharge the following condition(s) on the above application: Condition 7: (Details of external lighting) Condition 12: (Contamination Assessment) Condition 13: (Verification of Works to Reduce Contamination Risk)		

Observations / Comments:

I have reviewed the supporting information to this application insofar as it relates to the contamination conditions (12 & 13). One of my colleagues will also be reviewing this application and comment under separate cover with respect to condition 7. It is not entirely clear whether this consultation represents a fresh application to discharge conditions, or is a re-consultation on the 19/10/2017 application to which Environmental Health made a substantive response on 20/11/2017. I am working on the assumption that this consultation relates to the same application, seeking any additional comment arising from a review of the revised Ashdown Site Investigation Ltd. Report No. R17-12377/ds.

It is acknowledged that the revised Preliminary Ground Contamination Risk Assessment Report includes substantive changes, including a detailed proposed scope of investigation, which I will address below. This notwithstanding, my prior advice with respect to the discharge of conditions remains largely unchanged - i.e. it is inappropriate to discharge c.13 at this time, and it is only appropriate to discharge c.12 a) in the absence of the results from the proposed intrusive

investigation. This is not a reflection on the quality of the report submitted, rather it is simply a function of the condition requirements.

I note that despite the comprehensive scheme of intrusive works proposed within the report, further intrusive works are proposed to follow demolition. This corresponds with a (relative) paucity of proposed sample locations central to the site, where structures are to be demolished, and where additional investigation is likely to be envisaged. I note that c.12 has a "prior to commencement" clause that does not specifically exclude demolition, but that an "unless otherwise agreed by the LPA" clause is included. On the basis of the proposed scope of intrusive works, and subject to comments below relating to specific features of the sampling strategy; I would be comfortable for the applicant to be permitted to proceed with demolition to ground level, and removal of surface hardstandings in order to facilitate the undertaking of a comprehensive investigation to proceed in a single phase (should this be preferred by the applicant).

I acknowledge that this approach may not be in the applicant's interests, and there is an argument to be made for undertaking further investigation as an additional phase of works following consideration of the results from phase 2, obtained prior to demolition. For these reasons, I would be content with an approach of multiple phases of investigation, should this suit the applicant.

Scope of Intrusive Investigations (10.1)

It is noted that the ASI_R17-12377/ds/rev.1.0 report proposes a comprehensive sampling strategy comprising stratified / distributed & targeted sampling.

(10.1) Trial Pits:

Over 100 hand dug trial pits are proposed, up to a depth of 0.3m below existing ground level (BEGL). The purpose of these is to assess the presence of any made ground soils from historic demolition and development. It is suggested that only made ground soils will be tested, for a standard suite, and only where visual / olfactory evidence dictates, a broader suite will be specified as necessary.

I have no problem with the principle of tailoring the sample suite to site conditions observed 'on the ground', and I can similarly appreciate why the sample depth has been limited to 0.3m BEGL, as a product of both the exposure profile of site end-users and the sheer scale of the area which the investigation aims to cover.

However, I would highlight the risk that (in the event that soil conditions across the majority of the site have the appearance of topsoil, and do not obviously comprise made ground), the investigation may result in a substantial number of untested trial pits, thereby being heavily reliant upon visual / olfactory evidence. Hypothetically, where made ground (containing harmful contaminants) is present but covered by marginally more than 300mm topsoil, it will neither be visually inspected, nor chemically tested / subject to asbestos screening. Natural soil mixing by the action of roots, invertebrates, and other mechanical disturbance could nevertheless bring contaminants from the made ground to the topsoil layer, without affecting it's appearance. In this way, there would be potential exposure to contaminants, without necessarily direct exposure to made ground.

I have a concern (therefore) that the proposal to sample only made ground from the hand-dug trial pits will fail to adequately characterise the site, and I would strongly recommend that the (otherwise relatively comprehensive) distribution of trail pits include an element of 'general' (random) chemical testing of topsoil, irrespective of the presence of made ground. This will be particularly informative with respect to the distribution and concentration of Pb, as well as Asbestos fibres (neither of which will be exclusively coincident with made ground, and will

be present in general soils). If screening values and risk assessment principles are sensibly applied, such a strategy should not represent a risk of steering the assessment toward inappropriate conclusions.

As regards the distribution of what is a substantial number of proposed trial holes, I note the balance of locations is around 72 for the chalet / caravan / central complex area, and 35 located on the open land where no specific development is proposed.

The level of usage of open land in the eastern portion of the site is not entirely clear, in that I am not aware whether visitors might be expected to spend a significant proportion of time in this area of the site (or not). Asbestos & Pb risks associated with general topsoil might be expected to be greatest within the previously developed part of the site (around former/existing chalets), and this might also be expected to be where the exposure of visitors to soils might be greatest. It could be appropriate to adjust sampling density by reducing sampling in areas of the site where exposure might be expected to be lower, and increasing it in areas where contaminants might be expected to be more prevalent. Ultimately, this depends upon the use of the eastern portion of the site by visitors - it may be entirely appropriate to maintain the level of sampling effort described.

As is noted in the introductory section above, there is an area central to the site where demolition and replacement of existing structures is proposed, where no trial holes have been placed within the sampling strategy. For the reasons given in the paragraph above, I do regard this as an area where sampling is necessary. I appreciate the reasons why this area might have been omitted from the scope presented, and am comfortable with a flexible approach to the obtaining of empirical data from this area. I would not support this area remaining uninvestigated however.

(10.1) Targeted Sampling (Bonfires / Stockpiles):

It is difficult to determine the scale of construction & demolition waste stockpiles from the site walkover photographs, or indeed from the site plan whether the linear feature adjacent to the access track on the Eastern portion of the site comprises a contiguous deposit. It strikes me that the stockpiles appear in the photographs to be relatively consistent in nature, and that the sample allocation is (therefore) generous. As a guide, I would accept one sample per 50cu.m (approx) as being adequate for characterisation of material - if an individual stockpile is estimated as <75cu.m for example, one representative sample might be sufficient. It might similarly be appropriate for this specific purpose to analyse a composite sample.

I would also caution the taking of samples specifically from every area where there is evidence of burning - there is a risk that against the stratified sampling, this level of targeting might over-represent the risk from elevated PAH. In terms of exposure risks to site users, we are interested in the impact of burning (which may be campfires, or waste disposal, or both) in terms of its impact on the land over a reasonable averaging area, and not necessarily with the level of contamination within the ashy deposit left at the specific site of a small bonfire.

In general, I would not object to a scaling back of sampling of stockpiles, provided that characterisation of the material remains adequate. I would similarly support a broadening of the 'bonfire area' sampling to 'topsoils at and in the vicinity of...', as being representative of the impact of this activity. As above, tailoring sampling effort to conditions 'on the ground' is acceptable, and it is expected that the ASI personnel undertaking sampling will exercise their professional judgement in this respect.

(10.1) Boreholes:

A total of 25 boreholes are proposed, targeted to the vicinity of identified sources of bulk storage of mobile contaminants. The allocation and distribution is considered to be comprehensive, arguably generous, and certainly likely to identify any significant sources of contamination that exist within soils associated with the identified sources.

No mention is made of sampling groundwater however, and in terms of characterising risks to the environment, I would recommend that some groundwater samples are scheduled.

Given;

- i) the location & elevation of the site,
- ii) the bulk storage & piped transfer of liquid fuels,
- iii) the comparatively high human health screening criteria for hydrocarbons & PAH under the selected scenario,
- iv) the sensitivity & protection status of the local marine environment

...it is anticipated that the water table will be encountered, and that controlled waters / ecological receptors will prove to be the relevant risk driver for contamination associated with the kerosene and petroleum sources.

This might also apply to any TCE/PCE/VC contamination the might be identified in association with the laundry.

For these reasons, I would recommend that groundwater is not only inspected for visual and olfactory evidence of contamination, but that some samples are also scheduled for chemical analysis. In addition, it might well be appropriate to complete at least one borehole in the vicinity of each potential source as a well, to enable repeat sampling if results indicate that this might be necessary.

Given the generous allocation of trial holes, it may be appropriate to scale back the allocation if this facilitates the collection of the best possible quality data from the holes advanced.

(10.1) Environmental Sampling:

In general, I support the collection of samples directly from the site of environmental receptors, though I regard direct samples as a useful tool for developing an accurate conceptual site model, and not as a substitute for consideration of fate & transport of identified contaminants.

If I were to make any further comment / recommendation in this respect, it would be that several EQS (especially for metals) apply to concentrations within sediments within watercourses. Given the status of the fishing lake as being of 'principle importance', it might be appropriate to direct this type of sampling effort here at first round, and adjust sampling effort (media &/or locations) according to the initial results

Assessment Criteria (10.2)

It is acknowledged that the test site specific target levels (SSTL) returned values which ASI considered to be insufficiently conservative when considered against standard exposure scenarios (S4UL POSres_i).

The reasons given for selection of the generic values are acknowledged but I note that the test SSTL returned a lower screening value for B(a)P, indicating that adoption of S4UL POSres_i values for screening may understate the risks to end users. Screening values are just that, and I make no objection to the adoption of POSres_i values as an initial indicator.

As guidance to the applicant however, and as indicated above, I would anticipate that the risk driver for fuel contamination is likely to be ecological, to which the proposed GAC do not apply. I would also caution that any substantially elevated results (even below the proposed screening) might be considered actionable if they are within an area of the site where the POSresi exposure scenario criteria could be argued not to apply.

In this way, whilst reference to POSresi values is agreed, these values are not accepted as an 'absolute' threshold between 'acceptable' and 'unacceptable' risks. In the event that significant contamination impact is identified, I would expect the subsequent risk assessment to consider averaging areas and exposure scenarios specifically, and not to rely upon the generic criteria..

Asbestos Survey (Appendix J)

I note that the Asbestos survey confirms that the material was extensively used in chalets, but that no crocidolite is noted in association with heating equipment and plant houses. Proposals are to mark / manage where there is no need to disturb, and to remove the materials as part of soft strip where demolition or refurbishment requirements demand.

Asbestos within buildings is not regarded as a contaminant - it is a potential contaminant until it is released to soils. Intrusive works are proposed to follow demolition - there is potential value in this to confirm efficacy of asbestos controls during removal, but the process is so regulated as for it to be reasonable to expect that asbestos removal works as being unlikely to contribute further to the asbestos fibre / fragment loading in soils.

As indicated above, I would be comfortable with the applicant determining the appropriate timing of investigate within the central portion of the site, to suit the development schedule.

Conclusions

In general, the site investigation has comprehensive scope, more than adequate to address identified issues. Some trimming / tailoring possible, and some additional elements are highly recommended.

I am comfortable to agree commencement insofar as demolition of above ground structures and hardsurfacing in order to facilitate the investigation.

In so far as the elements of the relevant conditions that can be formally discharged, these are limited to 12 a) only. I object to the discharge of 12 b)-12 d) & 13, on the basis that the applicant has not yet made a relevant submission (it is not the appropriate time to discharge)

Mr. Jonathan Driver
Environmental Control Officer