

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From: Environmental Health **To:** Development Control

Our Ref: CONS/23/02005 **Your Ref:** APP/22/00439

EH Case Officer Extn: 44 6677 **Date:** 28 June 2024

DC Case Officer: Ms Arleta Miszewska

DC Case Officer Extn: 0996

Application Number: APP/22/00439

Site Address: Land adjacent to, The South Downs College, College Road,
Purbrook, Waterlooville, PO7 8AA

Proposed Development: Redevelopment of southern section of site to provide 102 dwellings comprising 56 No. 2, 3 & 4 bed houses and 46 No. 1 & 2 bed flats with associated parking, landscaping, waste and cycle storage. New roundabout access from College Road.

RECONSULTATION REQUEST for revised plans and/or documents received

Observations / Comments:

I have reviewed the application supporting documentation for this site, alongside the related APP/22/00576 development. In terms of transportation & air quality, I share the same difficulty that the Highways authorities do in considering these developments separately. In terms of impact, APP/22/0439, APP/22/00576 & APP/23/000488, together with the local highways led 'future vision' for College Road & the HSDC travel to learn (travel plan) strategy, comprise an naturally integrated comprehensive development scheme that is best considered together.

For convenience, I'll make use of the same headings as in the 23/00488 response.

Hydrock Air Quality Assessment HSDC-HYD-XX-ZZ-2001-P03 (March '22) (the 'AQA'), General

The report assesses baseline air quality to be acceptable relative to statutory objectives and limits, and the development quantum to be too small to warrant a detailed quantitative assessment of air quality impacts, as the estimated vehicular trip rate is expected to be <450 on an AADT basis.

The report indicates that this assessment of traffic impact was derived on the basis of a 'very robust' assessment. It is unclear how this judgement is made as the report does not expand upon this statement, and the transport assessment is based upon (reduced transport demand) affordable housing tenure that is inconsistent with the accommodation schedules submitted. Whilst I would disagree that the robustness of that rather opaquely-derived AADT figure has been demonstrated, I would interpret the screening value to refer to a material change on a functional road link, rather than as total transport demand for a given road – and on this basis I would agree that a detailed assessment for either human health or ecological impact from this development (in isolation) is unlikely to yield anything other than adverse impacts of 'negligible' significance (against statutory criteria).

This is perhaps especially so when considering net change in travel demand against the 'travel to learn' strategy, which is noted to credibly demonstrate reductions in peak demand, and to provide ambitious long-term measures to both encourage & maintain transport mode shift which suits the planned quantum of parking on the HSDC campus.

No attempt is made to quantitatively assess the combined impact of the above-referenced initiatives. Given the scale of this development relative to the adjacent Campdown proposal, I would not expect such a comprehensive assessment to be justified for the smaller scheme.

Sections below will also refer to the Hydrock AQA.

Air Quality – development as receptor

The Hydrock AQA dismisses any significant exposure on the basis of the baseline assessment. The site is well over 200m from the A3(M), so cannot be regarded as source adjacent. Whilst the baseline assessment exceeds health-based standards, these are non-statutory, and the new exposure represented by these new dwellings is within typical exposures for this region of the Borough & no new precedents for exposure are at risk of being set. Dismissal of significant new exposure is agreed.

Air Quality – development as source

As noted above – the Hydrock AQA screens-out the development from needing a quantified assessment based upon either its overall transport demand, or upon the arrangement of the new access junction. The justification for the latter relies on some of the points that the Highway Authority cite in their objection to the junction arrangement originally proposed.

The amended junction arrangement will not include a signalised turn, will retain right turn stacking lanes, and will utilise uncontrolled crossings. In this way, the negotiated amendments similarly do not justify quantification of air quality impacts.

The greatest risk of significant air quality impacts arising locally to this development will be under the 'integrated scheme' scenario – i.e. Campdown + Southdowns College Housing Proposal + HSDC car park + 'Future Vision' alterations to College Road. Together, these proposals will serve to increase the volume of traffic carried by the Northern section of College Road by >3100 vehicles (AADT basis >75%) at the same time as narrowing the carriageway and removing stacking spaces for right-turning vehicles, such that turning vehicles provide an obstruction to the free flow of traffic.

It is important to distinguish the individual effects of a development from the aggregate foreseeable effects – in this case, the interruption to the flow of (the increased volumes of) traffic is likely to arise from the Highways-Led element of the overall scheme ('future vision'), to be undertaken at some future, unspecified date. Given that overall traffic volumes will remain below typically accepted 'busy road' thresholds, it is unlikely that any statutory objectives or limits will be at risk of being breached. Similarly, given the policy drivers for the 'future vision' works, it is likely on balance that the scheme will serve to mitigate its own impact through encouraging regional trips to shift from vehicular modes of travel to sustainable & active modes – particularly important due to the destination site represented by the College, and due to the significant uplift in origin sites represented by the local quantum of residential property.

Accordingly, no objections arise. Dust and building emissions are covered under separate headings, below.

Air Quality – Sustainable Travel & Parking

It is understood that the Highway Authority is negotiating suitable s278 works which will improve facilities for sustainable and active travel modes. I note that discussions are ongoing to ensure that access works will not prejudice delivery of the future vision works, that the applicant has contributed drawings for an outline scheme of pedestrian/cycle facility improvements on College Road, and has agreed in principle to the making of a proportionate s106 contribution toward these works. Integration of the development internal layout with adjacent development, facilities, and bridleways is also being sought.

Beyond this, I note that the access works require amendments to the internal road layout, and the location of parking facilities within the development. The implications of this, taken together with those of parking considerations are sufficiently material that the quantum of development is regarded by the Highways Authority as remaining fluid – being sufficient to justify a holding objection pending resolution.

In respect of parking,

- The Transport Assessment (TA) explains parking provision, but contains inconsistencies at 5.32. The Tenure given in accommodation schedule doesn't match that given at 5.1 of the TA, and I note that the SPD doesn't distinguish affordable housing from private, other than allowable discount for affordable rent
- The Highway Authority appears to accept the applicant's stated aim to deliver 100% affordable units. However, the planning statement states 30% affordable quantum, split across rental and different ownership models. This is material to Parking SPD, and as a result, the overall quantum of development, its layout, and the delivery of EV charging facilities. Tenure also affects the transport demand underlying the Highways and Air Quality assessments.
- Depending on the allocation model used (currently uncertain) – SPD parking space requirement could be anywhere between 187 & 246 in total, with 172 achieved. The shortfall of 15-78 largely in visitor allocation, but not necessarily wholly. Annotation to drawing 20.001.101 implies allocated spaces, and it would appear at least Plot 17 & 18 are very unlikely to represent unallocated spaces.
- The question in policy terms is whether or not the aggregate package of sustainable travel measures is sufficient to justify a <SPD parking space provision without risk of adverse effects such as those raised by the Highways Authority.

I note that PPUD has not sought to interpret the parking quantum against SPD (but has indicated that it should be assessed), and that the layout & quantum remain fluid for highway and landscapes purposes. Given this, **Development Management would be justified in seeking a stronger (or at least, clearer-) justification for the applicant's reliance on affordable tenure to minimise overall parking quantum.**

Both the quantum and layout of parking is relevant to sustainable travel insofar as provision of charging facilities for vehicles capable of zero(tailpipe)-emission travel for local journeys (e.g. EV's & PHEV's). Following adoption of Controlled Document S, we might regard EV charging provision as no longer being a material planning matter, however;

- The March '22 Housing delivery position statement seeks that one EV charge point should be provided for each dwelling with 'private offstreet parking', without distinguishing 'on plot'/'within curtilage' from 'allocated private'.

- Whilst Doc S makes no distinction between dwelling tenures, the examples (e.g. diagram 1.1, Doc S) do make distinctions between the relative positions of parking spaces – particularly where separated from the served dwelling by a public highway or any other land that is not under the material control of the dwelling served.
- Parking quantum and layout/arrangement may therefore directly impact the minimum delivery of EV chargers under the Building Regulations, and might create conflict with the policy aim embodied within the housing delivery position statement.

Given the above, **EV charge-point provision might justifiably be regarded as remaining a material planning matter, and Development Management might wish to seek confirmation of the overall quantum to be provided, and their distribution / allocation to specific units.**

Air Quality – Other sustainability features

I would acknowledge that the emerging policy E23 of the withdrawn submission draft LP2036 might presently be regarded to carry little, if any, weight at this time. However, owing to the strong support for its provisions within the current iteration of the NPPF the policy survives with just minor consequential amendments in the revised local plan as policy 41. From this point, it will carry some minimal weight as an emerging policy, but one which is expected to gain weight as the draft local plan progresses toward resubmission.

The AQA makes an attempt at addressing the emissions offsetting requirements of E23/41, but the provisions are weak, likely non-binding, and in any event, refer to other policy or regulatory requirements. The intention of the Air Quality policy was to enhance the effect of other policies, not simply to provide an additional justification for basic sustainability and transport requirements that already have strong policy support.

I have undertaken a keyword search of the respective Design & Access and Planning statements, and note that sustainable design measures are only mentioned in general terms; principally in terms of policy requirements without providing a design response. No specific sustainability features or combustion minimisation measures are referenced. Section 5.14 of the Planning statement claims the scheme to be fully compliant with local policy, however it does not reference Decision-Making principle 5 i) of the housing delivery position statement 2021. (Dwelling Emission Rate reduction)

Whilst the local Air Quality policy basis remains fairly weak for the time being, **there exists policy support within the adopted NPPF '23 which would reinforce a requirement for a design response under the interim housing delivery policy (DMP 5 i)) which would contribute to the mitigation of dwelling emissions.**

The advice given on the Campdown development under this heading is equally applicable to this development – albeit that the design response should be proportionate.

Air Quality – Dust

The construction phase impact assessment is broadly agreed. Subject to the effective implementation of the mitigation measures outlined in Appendix 2 of the Hydrock AQA, I would agree that the dust impact can be expected to be 'not-significant'

The 'CEMP' condition proposed by Portsmouth Water (25/07/2023) would provide an opportunity to include the amenity and pollution mitigations that would be sought by Environmental Health, however at present the condition is very specifically targeted. I would suggest the following consolidation;

Construction Environmental Management Plan (CEMP)

"No development shall commence until a construction environmental management plan (CEMP) has been submitted to and approved in writing by the Planning Authority, detailing all pollution mitigation measures to be adopted during the construction phase. This should include measures to minimise noise and dust emissions alongside measures for the management of overland runoff, storage of hazardous materials, chemical and hydrocarbons on site and the provision of temporary drainage that is designed to ensure that water resources are not put at risk from leaks or spillage.

Reason- *Noise & fugitive emissions from the site during construction could have an adverse impact upon local amenity and/or construction activity could pose a significant threat to groundwater and therefore the local public water supply source. This condition is imposed having due regard to policies DM10 & CS15 (Havant Borough Local Plan (Core Strategy) 2011)"*

Apologies if the wording is a little clunky – I've tried to keep it as brief as possible. I would anticipate Portsmouth Water being consulted on the discharge of this condition as requested, and I would advise that the applicant incorporate the dust emission control measures detailed in Appendix B of the Hydrock AQA.

Air Quality – Overall

The question against planning policy (NPPF 2023 180 e) & to a lesser extent, the emerging local plan) is *'are the proposals to offset emissions (to air) sufficient to mitigate &/or offset the likely magnitude of development-related harms?'* The overall quantum of development is small, but it will impose a slight adverse impact upon local air quality which could be mitigated/offset through improved adherence to other environmental and sustainability relevant policies.

No objections to the principle of development arise.

Contamination

Educational facilities are commonly associated with contaminants, typically in the form of asbestos (arising on site from construction and demolition activity), and from heating systems – particularly those that are oil fired.

I note that the FRA includes logs from 3 no. trial holes used for soakage testing, and that around 300mm made ground has been placed under the carpark surface. The made soils contain materials from construction and demolition activity, and may therefore not be suitable for retention in private garden areas.

I note that Portsmouth Water has proposed a contamination condition, and in particular I note that the wording has problems which will adversely impact flexibility for the applicant and the efficacy and effect of the condition – notably, it is questionable as to whether the condition requires remediation of inappropriate soils, and it certainly doesn't require that the success of remedial measures be demonstrated. I would suggest the substitution of the wording suggested by Portsmouth Water with the following standard conditions;

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 & to groundwater.
- 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 any Remediation Strategy required under (2) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.

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

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from- or adversely affected by-, unacceptable levels of contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 189-191 of the National Planning Policy Framework 2023. Contamination may be present at the site as a result of both prior construction & demolition activities at the site, and from uses ancillary to current land uses that could pose a risk to future occupants. The site lies within the Source Protection Zone 1c for an essential water supply source, and the presence of contaminants could pose a risk to the aquifer where preferential pathways are created by construction activity (e.g. piling)”

Verification (Standard) [2]

*Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with **condition [X]** 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: To ensure that the development does not contribute to, and is not put at unacceptable risk from- or adversely affected by-, unacceptable levels of contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 189-191 of the National Planning Policy Framework 2023. Contamination may be present at the site as a result of both prior construction & demolition activities at the site, and from uses ancillary to current land uses that could pose a risk to future occupants. The site lies within the Source Protection Zone 1c for an essential water supply source, and the presence of contaminants could pose a risk to the aquifer where preferential pathways are created by construction activity (e.g. piling)”

As there are no historic potentially contaminating landuses, I’ve omitted any requirement for an environmental desk study. I am not too concerned about the risk to the aquifer, I am principally concerned about potable supplies to the proposed dwellings (risk from hydrocarbons) and to private rear gardens (from asbestos containing materials in made soils). It is expected to be fairly routine, and that a fairly shallow investigation would be suitable for these purposes. It is

only the experience of prior educational sites which leads me to include a proactive condition in favour of a mandated watching brief.

UXO

An Explosive Ordnance Desk Top Study for an adjacent site has identified moderate risk that unexploded ordnance (UXO) might be present. Unlike that site, this site has previously been developed, which tends to reduce the risk of UXO presence, particularly of small munitions. That study did identify evidence of bomb strikes, raising the possibility of unexploded bombs (UXB). Where development history has only included shallow works, there remains a risk that UXB could have remained undisturbed and undiscovered.

The risks are considered lower on this site than at the adjacent Campdown site, and it is considered that an objection to the principle of development could not be sustained purely on grounds of UXO/UXB risk.

If the Council considers it necessary to ensure greater protection than that which could be achieved by addressing this issue under the contamination conditions (above) or which would be provided under construction site Health & Safety regulation, I would suggest the following condition wording, formulated as a compliance condition;

[Optional Condition] Mitigation of UXO & UXB Risk

"If, during development, any suspected historic ordnance (small munitions [UXO], or bombs, [UXB]) is found to be present; no further development shall be undertaken until the object has been assessed by an appropriately qualified person, appropriate actions have been taken to remove or make safe the object, and the Local Planning Authority notified.

All groundworks contractors shall be informed of the elevated UXO/UXB risk, and shall maintain appropriate vigilance & caution in respect of anthropogenic inclusions encountered during all relevant below-ground construction activities (e.g. excavations for foundations, installation of buried services & SUDS)"

Reason: *Site specific investigation in the vicinity has confirmed a medium/high UXO/UXB risk status in the area, and an item of UXO has been identified during preliminary work at that nearby site. The purpose of this condition is to ensure that the potential associated risk to both groundwork personnel & future residents is appropriately managed, having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2014]*

SuDS & Pollution Control

No material comments.

Mr. Jonathan Driver
Environmental Control Officer