

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

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

Our Ref: CONS/24/01926 **Your Ref:** APP/22/00172

EH Case Officer Extn: 44 6677 **Date:** 01 November 2024

DC Case Officer: Ms Bethany Crowther

DC Case Officer Extn:

Application Number: APP/22/00172

Site Address: Langstone Technology Park, 2B Langstone Road, Havant,
PO9 1SA

Proposed Development: Outline Planning Application for Phased demolition of existing buildings and the erection of new flexible use employment floorspace (Use Classes E(g)(i)-(iii)/B2/B8) and ancillary uses (Use Classes E(b), E(d) and E(f)); and associated works. All matters reserved except Access.(22.12.23). Request to discharge conditions 5, 6, 8, 10, 12, 24, 25, 26, 28, 29, 32, 33 and 36 (Rcvd 02.01.24). Request to discharge conditions 5, 10, 12, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 45 (Received 29.03.24)

Observations / Comments:

Development Management has consulted Environmental Health specifically on the information submitted in support of the application to condition no's 24 [CEMP], 27 [Foul Drainage Strategy], 30 [Ground Contamination Investigation], 34 [Sustainable Features], 36 [Lighting], 45 [External / Audible Plant].

It is understood that Comments have been offered by Environmental Health under separate cover in respect of c.36 & c.45. Comments relating to c.24 appear to have been made previously in respect of Phase 1 only.

c.24 – Construction Environmental Management Plan (CEMP)

It is noted that the reason for the condition is primarily to protect ecological receptors. I have reviewed the submitted Phlorum Ltd. Masterplan Phase 2 CEMP Ref: 12747v3 26/03/2024, and note that it is broadly similar to that approved in respect of phase 1. It includes appropriate updates to reflect the phase 2 construction activity, and in particular I note the exceptions for operations requiring continuous work, or prioritisation of highways impacts over the avoidance of disturbance through limiting working hours. It is acceptable for such exceptions to be agreed informally with the Environmental Health / HBC as the Local Planning Authority, as proposed.

No objections to the discharge of condition 24 arise.

c. 27 – Foul Drainage.

No objections to the discharge of condition 27 arise.

c.30 – Ground Contamination

I have reviewed the Applied Geology Report on Ground Investigation at Langstone Technology Park – Phase 2 (ref AG3544-23-AR52 iss1, 20/02/2024, which comprises an updated Environmental Desk Study, and a combined geotechnical & geoenvironmental intrusive investigation & assessment.

The report identifies some contaminants associated with very shallow soils directly underlying the existing asphalt surface, some elevated concentrations of soil gasses & vapour (total undifferentiated volatiles), and some elevated dissolved metals within groundwater.

The report compares chemical test results to generic screening values, dismissing any material risks on the basis of this comparison. No attempt has been made to consider how these results might modify the conceptual model (CSM) as it applies to the wider site, across development-phase boundaries.

Whilst I would have preferred a more significant focus upon the broader site source-pathway-receptor model, for example through a targeting of mid-depth made soils and in particular, an enhanced coverage of groundwater sampling & monitoring; the results presented would appear to be favourable. Some previously identified risks are confirmed (e.g. dissolved metals), but others are not (e.g. dissolved-phase hydrocarbons).

A revision of the wider outline area CSM would appear to be potentially warranted, however the programme design for the phase 2 area was probably not sufficient to provide a robust empirical basis upon which to make that revision. I would still consider it necessary to undertake additional assessment in the vicinity of the known contamination around the (Clancy trial hole) WS2, or to focus upon the groundwater transport pathway – in particular continuity with the nearby watercourse, and contaminant distribution in groundwater. It is now expected that this assessment is likely to dismiss the need for further remedial work, but I do consider that additional supporting evidence is necessary to formally draw this conclusion.

Arguments presented to explain the elevated shallow results are accepted, and I do agree that the phase 2 area investigation/assessment has not identified any evidence of a likely gross contamination source within the red-line area.

I am mindful of the proposal for non-negligible land-raising for flood protection purposes, and the need for this material to be suitable for use in the context of nearby controlled waters receptors, pursuant to local policy DM10 & NPPF para 189 b). I am however reluctant to make this a requirement as a remedial objective, because in the absence of any requirement for other remedial or risk mitigation measures, the importation of fill is not in & of itself a remedial measure – it is a construction activity (the land raising will not involve re-location of material from within the site, where some material may not be suitable, necessitating surety that only suitable material is used, etc.).

In policy terms, we are bound by NPPF 194, and must assume that the respective Trading Standards and Waste Regulation regimes will operate effectively alongside the Watching Brief that applies to the phase 2 area under the approved outline area Remedial Strategy.

On this basis, discharge of all parts of c.30 insofar as it relates to the area identified on the Phasing Plan Condition 5 Drawing (no. 11629-PL-006revA Jan 24) as development Phase 2.

c.34 – Sustainable Features

Given the current status of the emerging local plan policy, in particular the Air Quality policy – detailed comments are not offered in respect of c.34. I defer to the comments of the Climate Change Coordinator, who I understand is satisfied with the level of provision. The measures

proposed will contribute to mitigation of air quality relevant emissions, and are supported in principle.

No objections to the discharge of condition 34 arise.

Mr. Jonathan Driver
Environmental Control Officer