

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

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

Our Ref: CONS/24/00093 **Your Ref:** APP/20/00251

EH Case Officer Extn: 44 6677 **Date:** 03 April 2024

DC Case Officer: Ikrame Essalih

DC Case Officer Extn: N/A

Application Number: APP/20/00251

Site Address: North Street Arcade, 1-3 North Street Arcade, Havant

Proposed Development: (AMENDED PROPOSAL) Construction of 29 No. one and two bedroom apartments in a part 2 and a half / part 4 storey extension fronting onto Prince George Street together with the provision of infill flexible use (Classes A1/A2/A3) town centre commercial units to North Street frontage following the demolition of existing 1 and 2 storey retail development to rear. (Approved 31.03.2021). Request to discharge condition No/s 4, 5, 6 and 8 (27.05.2021). Request to discharge condition No. 14 (24.06.2021). **Reconsultation on Request to discharge c.14 [Contamination] (08/01/2024)**

Observations / Comments:

I have reviewed the submitted Soils Ltd. letter report ref 19380/ADD/LR (07/01/2022), which outlines the results of additional targeted investigative works to provide an empirical basis upon which to address comments made by Environmental Health under (our ref) CONS/21/02420, 04/08/2021.

This document refers to 3 prior assessments/investigations, not all of which have been submitted in support of planning applications for this development. Listed below for clarity.

- **Soils Limited Ref: 18184/PIR Dated February 2020** – Not on file. This report is understood to be an environmental desk study, not specifically required by condition 14.
- **Soils Limited Ref: 19380/MIR Dated June 2021** – On file. This document comprises the main investigation & contamination assessment report that was the subject of the CONS/21/02420 comments
- **Soils Limited Ref: 19537/MIR Dated August 2021** – Not on file.
- **Soils Limited Ref: 19380/ADD/LR Dated January 2022** – On file. Subject of these comments (CONS/24/00093)

It would ordinarily be necessary to read the reports together, and so the reason for partial submissions remains a little unclear, as is the subject of the August '21 document, given that it is not referred to by title and is not discussed specifically within the January '22 report.

Given that the June & August '21 documents are close in date and is not listed with the same stem document number, it is assumed not to be a revision, and probably to comprise a

geotechnical assessment that is only tangentially relevant to the contamination assessment. Its absence is not considered to represent an impediment to the determination of this application.

19380/ADD/LR (Jan '22)

This report details the installation of 5 no trail holes in a broadly linear transect between the assumed potential source (oil storage & use), and the assumed sensitive receptor (river culvert).

It is understood that the oil-fired boilers are situated adjacent to the site boundary, and are to remain in use. The purpose of the investigation was to assess the impact of this use to the development, and was not to definitively characterise the extent of contamination associated with the feature.

Given the purpose and constraints, the scope of works & limited sampling suite is agreed to be appropriate to the objectives.

Oily material was identified within two of the trial holes closest to the boilerhouse, with laboratory samples confirming the visual/olfactory indications of contamination within natural soils below made soils, at a depth broadly consistent with water seepages.

Screening for total volatiles (tVOC) has identified elevated values which are greatest closest to the boilerhouse, and which broadly decline along the transect. Soil samples have identified low concentrations of Toluene corresponding to the greatest tVOC results – while it comprises a very small proportion of heating fuels, it is a constituent and is consistent with the assumed source. Similarly, the %contributions of aliphatic & aromatic compounds in soils is broadly consistent with heating oils.

I have compared tVOC readings to available health standards as a benzene equivalent, and it is notable that the concentrations identified fall below the air quality limit value, and broadly equate to the long term exposure limit. Given the soil results, it is reasonable to assume that the tVOC values do not predominantly comprise Benzene, and greater margins of safety exist with other compounds (such as Toluene). It is considered that the source of elevated volatiles has been adequately demonstrated, and that it is not necessary to implement any specific vapour protection into ground-floor residential accommodation (assuming observance of the proposed watching brief).

It is a shame that a groundwater sample was not collected, as this would have been informative as to the likely scale of the contaminant source. The report is reliant upon a lack of visual/olfactory evidence from the latest investigation, and upon eluate results from a waste acceptance (WAC) sample from the June 2021 19380/MIR report to conclude that risk to the receptor is negligible (or that the pathway is not active).

I note that the WAC eluate result was derived from a subsample which recorded an <LOD for total mineral oils in the solid matrix, but also that a subsample from the same trial hole & sample depth did record 115mg/kg for total Hydrocarbons. The former does not provide strong support for the inference being made, but the latter does indicate the local variability, and lends confidence.

Conclusions & Recommendations

The conclusions of the report are accepted. A source of contamination has been identified which exists largely outside the development boundary, and consequently has not been fully characterised. Given the spacing of trial holes, and evidence of attenuation in the soil results,

the risk of gross- (and so significant-) contamination being present within the development boundary is agreed to be low. The report does however propose a simple contamination watching brief based upon visual / olfactory identification of materials unsuitable for the site.

This is agreed to be appropriate as the sole risk mitigation measure for this development. For the purposes of the planning conditions, this proposal is taken to comprise the 'remediation strategy' in accordance with c.14(2), amounting to the implementation of the 'contamination discovery strategy outlined at 5.9 of the 19380/MIR report. The 'remedial' objective would be to 'removal of any oily soils, including soils displaying a significant solvent, oil, or organic odour'.

The verification plan c.14(3) is implicit, and is taken to also comprise the steps outlined in 5.9 of 19380/MIR.

It is appropriate to address the verification (or confirmation of no actions required-) under condition 15.

Accordingly, discharge of all parts of c.14 is supported.

Mr. Jonathan Driver
Environmental Control Officer