

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/22/00431	Your Ref:	APP/21/00605
EH Case Officer Extn:	44 6677	Date:	13 December 2022
DC Case Officer:	Jeff Sadler		
DC Case Officer Extn:			
Application Number:	APP/21/00605		
Site Address:	Land at Forty Acre Farm, Havant Road, Havant		
Proposed Development:	Re-plan part of the residential area of the site to facilitate an additional 34 new homes within the development area to create a total 147 dwellings, inclusive of the additional 34 units. (23.12.21). Request to discharge conditions 3,10,11,20 & 22 (26.01.22)		

Observations / Comments:

I have reviewed documents relating to c.3, c.10 & c.22, insofar as c.3 & c.22 relate to either air quality or pollution of watercourses.

Condition 3

I note that the latest available comments from the landscape architect require amendments. From my perspective, it would appear that the April 2018 Landscape Management Plan adequately addresses the specific requirements of Condition 3 v) (manner of treatment of watercourses, ditches & banks), I have no material comments to make.

Condition 10

The applicant has not submitted any documentation pursuant to this condition which post-dates the documents referenced within the condition text. As such I cannot recommend discharge of condition 10 at this time.

I have appended some comments made in respect of c.12 of the original consent APP/18/00450, for which the submission was similarly deficient. Condition 10 to APP/21/00605 is equivalent to APP/18/00450 c.12 (validation/verification), with it's requirements defined by the same documents. As such, the (our ref) CONS/21/02523 Aug '21 comments apply directly to this application.

Condition 22

I note that the submitted documents don't confirm the specification of the charging unit that it is intended to install, but it is implicit that it will be either a 3.7 or 7.2kW unit (the latter being the maximum that may be supported on a single-phase supply).

Neither Local nor National policy specifies a minimum capacity, and so it is probably

reasonable to regard this as a 'design quality' matter falling within the ambit of marketing/product differentiation – whilst the 7.2kW unit's would be more competent (capable of significantly shorter charge-cycles), a 3.7kW unit will be suitable to support trickle & top-up charging that will be sufficient for the majority of occupants.

As condition wording requires 'full details' of the charging points the submission may *technically* fall slightly short of the requirements of c.22, but from my perspective the important thing is the provision (to support uptake of low- & zero- emission vehicles) so I don't consider an objection to be justified.

Mr. Jonathan Driver
Environmental Control Officer

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Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/21/02523	Your Ref:	APP/18/00450
EH Case Officer Extn:	44 6677	Date:	10 August 2021
DC Case Officer:	Paige Harvey		
DC Case Officer Extn:			
Application Number:	APP/18/00450		
Site Address:	Land at Forty Acre Farm, Havant Road, Havant		
Proposed Development:	A request has been made to discharge the following condition(s) on the above application: c.12 (Verification of risk mitigation works as may be required by c.11)		

Erection of 320 dwellings (including a 30% provision of affordable homes), 66 bed care home, provision of public open space, habitat mitigation zone, allotments, closure of existing access and creation of 2 new access points and associated infrastructure following demolition of existing buildings (approved 17.1.2020). Request to discharge condition nos 3, 4, 5, 6, 7, 8, 10, 11, 15, 16, 21 and 23 (Recd 23.1.2020). Request to discharge condition No. 29 (received 3.9.2020). Request to discharge condition No/s 12, 14, 25 and 28 (received 16.06.2021).

Observations / Comments:

As regards the application to discharge c.11, I would highlight the following text from the J16120/db/c08 report:

"Once the buildings and areas of hardstanding are no longer occupied and access becomes available, it is proposed to carry out an additional phase of ground investigation in this area, including holes drilled through the building floor slabs to facilitate inspection and recovery of soil samples for contamination testing of the near surface soils"

This paragraph essentially proposes the spatially limited, proportionate site investigation that was envisaged at the time the condition was sought (note c.11 reason: "Contamination may be present within *brownfield* areas of the site..." - it was not intended to apply to the greenfield land where there was no history of potentially contaminating landuse)

It was also noted that the J16120 site plan included two unlabelled boreholes (for which there are no logs), alongside 5 additional boreholes denoted 'GWM' - assumed to be groundwater monitoring wells - for which the report also omits any logs or sample results. This omission was not necessarily regarded to be a significant concern – but it was nevertheless *recommended (for completeness and in the interests of transparency) that these investigation features be included in the approved documentation.*

Given the proposal included in the text highlighted above, and the reason for seeking the contamination condition at the outset;- it was recommended that a *spatially defined partial discharge of c.11 be granted, to permit commencement of development across the majority of the site - but to retain the impetus to confirm that no significant contamination is present within that brownfield area of the site.*

Given this prior advice, both c.11 & c.12 remain in force within the area enclosed by the map annotation given on the exclusion plan, and both c.11 & c.12 require discharge *in this area*. The applicant has not provided any new information pursuant to the proposed additional site investigation, and so it has not been possible to undertake a proportionate risk assessment for the exclusion area, nor to determine whether remedial or risk mitigation actions may be necessary, or how those ought to be verified. As we have no approved verification plan under c.11 for this area, it is not possible to discharge c.12 (for this area).

With respect to the wider site; it should also be noted that the contaminated land review and discussion document (J16120/db/c08) comprises the 'risk mitigation strategy' and 'verification plan' approved under c.11. Discharge of c.11 for areas of the site falling outside the exclusion area was recommended on the basis that the works described within the document would be implemented and evidenced within a verification report (secured by c.12).

It follows that the discharge of c.12 requires a submission which demonstrates that those actions have been satisfactorily completed. The relevant actions includes the execution of the earthworks strategy and implementation of the materials management plan, as the .../c08 document describes the verification sampling rates and standards to be applied (to ensure suitability of imported material, to ensure that the site would not be determinable as contaminated land upon completion of the development).

The appropriate time to apply for discharge of c.12 would therefore be upon completion of the earthworks strategy (where no further imported soils are required, and all quality assurance sampling is completed).

Conclusions & Recommendations

For the reasons given above, I would *object* to the discharge of either c.11 or c.12 for the area highlighted on the [unreferenced / non-dated] exclusion plan, on the basis that the applicant has not undertaken the works proposed within the approved verification plan J16120/db/c08.

I would similarly *object* to the discharge of c.12 for the wider site (the area falling outside the boundary indicated on the submitted exclusion plan), on the basis that the applicant has not evidenced the completion of all relevant works covered by the earthworks strategy and materials management plan, and it is not clear that those works have been completed.

Mr. Jonathan Driver
Environmental Control Officer