

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/21/03763	Your Ref:	APP/21/01071
EH Case Officer Extn:	44 6677	Date:	03 May 2022
DC Case Officer:	Ms J Mansi		
DC Case Officer Extn:	4236		
Application Number:	APP/21/01071		
Site Address:	Development Site at Old Manor Farm, 15 Lower Road, Havant		
Proposed Development:	Outline planning application for up to 43 dwellings, with access from Lower Road and associated landscaping, open space and allotments, and all other matters reserved		

Observations / Comments:

Policy Context, General

The current status of Havant Borough Council's submission Local Plan 2036/7 is noted, as is the applicants' arguments as to the relative applicability of the Adopted Local Plan (2010) & Allocations Plan (2014). The planning statements makes clear that the development is reliant upon the presumption in favour of sustainable development under the NPPF para. 11.

Whilst I note the strong terms used within para. 11 d) (*'granting permission unless the impacts of the development would significantly or demonstrably outweigh the benefits'*), I would point out that these terms are qualified by the caveat *'when assessed against the policies in this Framework taken as a whole'* – i.e. the key question is not only whether the principle of development is unacceptable due to *'significant and demonstrable harms'* but also whether the form of the development proposals, when taken as whole, accord sufficiently with a wholistic interpretation of the policy requirements of the NPPF.

I note that the submitted planning statement (at 7.95, 7.99 & 7.104) aims to provide a steer as the relative weight that should be allocated to the three respective limbs of the sustainable development (NPPF para. 8). Whilst the intention may be to refer to the weight of points made in respect of each limb, rather than the inherent weight given to each limb, the latter is the implicit meaning. I would challenge the implicit principle and highlight that the fundamental weight to be given to the three pillars is intended to be equal as a starting point, and may be tilted toward *any* of the pillars depending on local circumstances (a view expressed by the Environmental Audit Committee, and reinforced by senior Ministers during discussions about the NPPF definition).

Given the scale of development proposed, I have not appended a full commentary on the applicability of the principles of the withdrawn draft air quality policy (E23), though text is available if needed. It suffices to highlight that the text of policy E23 represents the councils view of how the requirements of NPPF paragraphs 93 b), 105, 119, 130 a) & f), 174 e) 185 & 186 should be met (with respect to air quality and the health impacts of relevant emissions to air-). As a result, the text of E23 still serves as an appropriate guide to- and reference to it's requirements is an appropriate shorthand for- the application of above-referenced adopted NPPF policies, and so will be referred to in the interests of conciseness.

Air Quality – Offsetting of emissions

E23 recognises that all new residential development represents additional emissions to an area – locally to the development land as a result of within-dwelling-curtilage combustion (cooking, space & water heating, ad-hoc solid fuel & waste burning), and non-locally through emissions associated with powered transport emissions & peaking electricity supply (within borough) or primary electricity generation demand (wider region). E23 a. aims for all major developments to make a proportionate offset of these associated new emissions, irrespective of either the baseline local air quality or the significance of any magnitude of increase in air pollution at any specific location, and in doing so to contribute to the general emissions reduction targets (referred to within the planning practice guidance, and as required by NPPF policy).

The intent of policy E23 was that emissions offsetting should be additional to the minimum requirements of related policies – i.e. that a wholistic & joined up approach should be taken to the meeting of co-dependent environmental policies, but that ‘direct double counting’ should be avoided.

This approach is compatible with the Bargate Homes Mission Statement quoted at 2.1.1 of the residential travel plan (*‘to be better...to focus on the right thing... to have a purpose beyond profit’*) and the approach referred to within the Design & Access Statement (*‘site wide strategies that embrace sustainable lifestyles such as walking, cycling, greening the public realm’; ‘mitigate the effects of climate change’; ‘our approach to sustainable energy production, mitigating and adapting to climate change is reflected in individual plots and homes through energy use and other technologies’*).

Whilst I note the intention to ‘take account of future changes to the Building Regulations and Future Homes Standards when these are implemented’, references to HBC’s housing delivery statement principle 5 i) (local targets for carbon emissions, -19% DER) are limited, and the development principles in this regard are referred to in contradictory terms (i.e. ‘just meet building regs as and when required’ and ‘acknowledge the local requirement, and seek to meet it’). It should be noted that many of the options for meeting principle 5 i) would directly contribute to reductions in local dwelling emissions of other pollutants, which is why they are relevant to Air Quality.

No objections arise to the principle of development, but I would encourage the applicant to place both environmental and social sustainability at the heart of the design philosophy, and to recognise both that these matters are inter-related & co-dependent, and that environmentally responsible design has the potential for a corresponding positive impact on development value (yield). I would recommend that the reserved matters application make clear how:-

- the scheme will meet delivery statement principle 5 i) is to be met, and
- the development design responds to the need to proportionately mitigate other new development emissions (Nitrogen Oxides and Particulates in particular, NO_x, NO₂, PM_{2.5} & PM₁₀).

It may be helpful to suggest some development enhancements which could contribute to these objective to maintain local air quality, e.g.;

- Selecting species for landscaping that have an ‘urban tree air quality score’ rating of ‘high’ or ‘medium’ (see Woodland Trust ‘Urban Air Quality’ Apr.2012, or <http://www.es.lancs.ac.uk/people/cnh/UrbanTreesBrochure.pdf>)
- implementing small-scale / low-cost site-wide domestic unit specification enhancements which target reductions in domestic combustion; e.g. wastewater heat recovery (WWHR), upgrade from gas cooking appliances to efficient electrical models (such as induction hobs), substitute traditional gas secondary space-heating appliances with electric.

- where costing does not permit site-wide enhancements (or where preferred), targeted upgrading of affordable units to achieve environmental and social co-benefits from reduced emissions and reduced running costs (increased affordability of occupation) – e.g. WWHR, heat recovery ventilation (MVHR), or supplementing domestic heating/hot water with a direct-solar installation.
- upgrading of a limited number of the private residential units to ‘exemplar’ sustainability standards – including low or zero carbon technologies which target reductions in domestic combustion &/or grid energy consumption; e.g. direct solar water heating, heat recovery (ventilation MVHR, wastewater WWHR), Heat pump heating appliance (ASHP), electric vehicle charging point, electrical cooking appliances, direct solar, solar PV, or solar PV with domestic battery storage (etc.)

Air Quality – Development as source, impact on local air quality at existing receptors

Policy E23 recognises that developments of fewer than 150 dwellings are unlikely to generate sufficient traffic as to cause a significant deterioration of existing air quality, when considered against the current binding targets (albeit that these are presently under review, and likely to be tightened). There is no basis to require an assessment of the impact of the development upon air quality exposures, as the impact is not expected to be significant to the degree that specific mitigation is required. No objections arise.

Air Quality – Development as receptor, exposure of future occupants to existing sources of air pollution (Adopted policy DM18, withdrawn draft policy E22)

The outline development is sufficiently set back from the principle existing sources of air pollution, that exceedances of current binding air quality targets is unlikely. No objections arise.

Air Quality – Sustainable & Active Travel, Access, Residential Travel Plan, Parking

The i-Transport LLP residential travel plan (-013B, Feb '22) contains some best practice provisions, and contains headline mode shift targets that are in line with common practice. I have no substantive comments to make and can support acceptance of the framework plan.

The achievement of targets for shifting the proportion of trips made by private motor car to sustainable and active modes of travel is dependent upon travel by those modes being both safe & convenient. Whilst it is recognised that the outline nature of this scheme means that it is not possible to demonstrate how the requirements of the parking SPD are to be met, and I do not object to these matters being addressed at the reserved matter stage. However, the current proposals include securing the means of access, and in this respect, the development has not capitalised on the proximity of the Northwest boundary to the off-road cycle facilities at the Rusty Cutter roundabout.

The omission of a pedestrian / cycle access at this boundary adds more than 400m to journeys to destinations to the West via the A2030, or to the employment areas at Southmoor Lane or in Portsmouth via NCN22. This could be a key ‘hard’ measure that would serve to support sustainable travel options for these proposals, as well as for 50 dwellings to the East, approved at appeal. I would recommend that the feasibility of providing an access at this location be explored – either as a specifically reserved matter, or prior to determination of these proposals where the principle would be established as a consequence of approval.

As an observation, I note that the development proposals do not account for the 20% SPD visitor parking requirement. Whilst I would support a <SPD provision on grounds of encouraging alternative modes of travel (and so the related transport emissions-), it is not clear that a nil provision would be acceptable. Having reviewed a selection of public representations, it is clear

that overspill parking would be perceived to be a significant issue by local residents. For clarity, overspill parking issues (and any related impact on existing traffic on lower road) are considered to be parking & highway issues, and are not likely to material to the air quality impact of the development (due to low traffic base flows on the access route).

Sustainable Urban Drainage - SuDS

The draft drainage strategy indicates that the preferred destination for surface water disposal is one that represents a high risk (it is proposed to discharge waste surface water direct to the principal aquifer). Generally speaking (however), residential development represents a low pollutant source risk, and I note that the design concept includes 'stream streets', an unlined attenuation basin, and '*...additional pollution control and silt removal ...provided by an up-flow Filter chamber [up-flow of disposal boreholes]*'. Subject to detailed design, these design principles ought to provide adequate intrinsic (passive) pollution control, and to provide reasonable natural surveillance for significant inputs of pollutants (e.g. oil or fuel from minor traffic collisions, or irresponsible disposal of liquid household consumer products). No in principle objections arise, though the particulars of the detailed design should be secured at the reserved matters stage.

Ground Contamination

The Geo-Environmental desk-based assessment concludes that there are no known risks associated with the site, other than as associated with ad-hoc activities undertaken ancillary to agricultural use of the land. To address this uncertainty, the assessment recommends a precautionary Phase 2 Intrusive Geo-Environmental Site Investigation, to run alongside the Geo-Technical assessment, and to include environmental tests.

I would agree that this is good practice, and the conclusion is supported. I would anticipate that the Phase 2 assessment will include procedures to cover the low (but non-negligible) risk associated with unexploded ordnance and unexpected contamination – e.g. via a watching brief. Where this is not included within scope of the report (or any associated Construction Environmental Management Plan), Environmental Health may seek to impose some limited requirements by means of a compliance condition, which may have a 'prior to occupation' clause. No objections arise.

Mr. Jonathan Driver
Environmental Control Officer