

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/22/00118	Your Ref:	APP/21/01207
EH Case Officer Extn:	6677	Date:	29 July 2022
DC Case Officer:	Ms Lesley Wells		
DC Case Officer Extn:	4 223		
Application Number:	APP/21/01207		
Site Address:	Land adjacent to, Cooperative Society, 13 Middle Park Way, Havant		
Proposed Development:	Demolition of 8 no. garages and erection of a 2-storey building to provide 4 no. 1 bed flats		

Observations / Comments:

I appreciate that these comments are significantly outside the consultation period, however it is understood that a decision has not yet been issued. That being the case, I have reviewed the application supporting documents, and note that the scheme is a resubmission of consented expired APP/18/00313 consent. It seems that Environmental Health was not on the initial consultation list for that consent, and that noise comments were sought by the case officer directly from an EHO. As a result, no contamination, air quality comments were offered previously, and so I would like to take the opportunity to briefly address these policy areas.

Air Quality (General)

I have no concerns over the existing air quality, and so no objections arise to the introduction of new (air quality sensitive) residential receptors.

The quantum of development does not amount to major development, and so draft policy E23 would suggest that it would be disproportionate to seek the offsetting of dwelling / transport emissions (under adopted NPPF provisions). However, related policy would not be disproportionate to apply, and so it is appropriate to comment on certain specific aspects of the scheme.

With respect to cycle parking, I note that the internal storage to Flat 1 in particular is cramped, height restricted, and difficult to access. Internal storage is not ideal, especially for 1 bedroom flats where space for domestic storage is likely to be limited (i.e. where there will be conflict between the need for general storage and cycle storage). I note the substantial width of the currently unpaved area, due to be block paved – within this being sufficient to accommodate an external cycle store to serve the 4 units. This would result in more generous storage in the refuse area, and within the proposed units, and might also discourage parking close to the corner of the access road, which might hamper HGV movements.

Making sustainable & active travel choices as easy and convenient as possible would be supported by NPPF para's 92 c), 93 b), 104 c), 110 a) & b), 130 f), and would support the air quality objective of encouraging emissions-free modes of travel.

The proposed use of block paving would also seem to be a missed opportunity to improve the landscaping of the locality – some air quality & thermal benefit may be derived from even a modest scheme of planting, with cumulative improvements within a locality contributing to demonstrable overall improvements. NPPF para. 131 relates.

Contaminated Land

Domestic garages have been found to be typically associated with localised contamination. The use of these units for commercial storage, together with their age (being in place for at least 65 years), raises the risk of localised contamination being present.

Photograph 10 of the design & access statement illustrates this assessment, showing the site to be in untidy condition, with open bulk liquid, oil, and powdered products containers shown on the unpaved area adjacent to the access road.

The proposals are recognised to be of low risk type, omitting any significant private soft-landscaped areas, and being of a size, type & setting that is unlikely to attract families with infants. The principle contaminants of concern for such a development would be volatile organics; solvents & fuels.

Whilst the quantum of development could be argued to be sufficient to justify a proactive investigation of the site (post demolition), I am satisfied that the contaminants capable of being significant to this development are of a type that are unlikely to be significant for long-term residential exposure unless concentrations exceed that which would allow their presence to be readily identified by visual & olfactory means. Given this, I would recommend that the developers responsibilities under NPPF para. 184 be formalised as a compliance condition;

Condition 1 [Contamination Watching Brief – Tailored]

“Reasonable vigilance for the presence of contamination and soil hazards shall be maintained during all groundwork. In the event that any suspected contamination is encountered (e.g. obviously stained soils, oils, fuels, any unusual sweet or solvent-like odours, or similarly discoloured / odorous groundwater within excavations); works in affected areas of the site shall cease until the Local Planning Authority has been notified of the discovery and a scheme to deal with the risks associated with the suspected contamination has been submitted to- and approved in writing by- the Local Planning Authority.

The scheme may take a proportionate approach to the degree of formality adopted and may comprise separate results / reports / statements as appropriate, but unless specifically excluded by agreement shall include;

- 1) Investigation in the vicinity of the suspect material, sufficient to characterise it's nature, likely extent & mobility,*
- 2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;*
- 3) Where potentially unacceptable risks are identified by 2), a Remediation / Risk Management Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability*

All investigation, assessments & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the findings presented in a written format. The scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

- A) A written statement confirming that no suspected contamination was identified during development, OR;*
- B) Documentation in accordance with 1) & 2) above; together with a Verification Report (where appropriate) which demonstrates that the agreed remediation objectives (3)) have been met.*

Reason: *The previous use of this site poses a risk that discrete deposits of contaminating material / contaminated soils may be present at the site which could pose a risk to future occupiers of the site or to the local water environment. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 183 & 184 of the National Planning Policy Framework 2022."*

Jonathan Driver
Environmental Control Officer