

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/21/02526	Your Ref:	APP/21/00200
EH Case Officer Extn:	44 6677	Date:	28 July 2021
DC Case Officer:	David Eaves		
DC Case Officer Extn:	44 6549		
Application Number:	APP/21/00200		
Site Address:	32 New Lane, Havant, PO9 2NG		
Proposed Development:	Demolition of existing buildings and redevelopment of site comprising erection of distribution warehouse (class B8) with ancillary offices and related facilities, vehicle storage deck, new access, landscaping and associated infrastructure. RECONSULTATION REQUEST for revised plans and/or documents received		

Observations / Comments:

These additional comments follow recent discussions with the Highways Authority (HA) to clarify the agreed net change in traffic that is considered likely to result from the development, alongside the basis of calculation of that estimate. Establishing a reasonable estimate of transport net change allows a qualitative assessment of the acceptability of the existing Delta Simons Air Quality Assessment (Ref: 20-1275.01 iss.2), and the extent to which wider inferences may be drawn from it's conclusions.

Net-Change in Development Land Transport Demand

Transport demand net-change is a function of two factors – i) existing transport demand that is associated with the existing consent & the physical commercial floorspace at the previously developed land, and ii) the likely gross transport demand associated with the proposed development; net change being the difference between the two.

The HA had principally challenged net-change figures on the basis of the former, namely the transport demand of the development land in it's current state. It is understood that the bulk of discussions between the applicant have focussed upon this element, rather than the gross demand associated with the proposals.

Two alternative net-change scenario's were originally presented (Vectos Transport Statement, Feb 2021), representing a 'previous maximum usage' scenario, and an 'existing site usage' scenario. Both estimates are based upon the respective floorspace area consented for different commercial landuse classes at the site (at different points in time), and TRICS database estimates of trip rates on a 'per sq.m' basis for each commercial use class.

It is not believed that the reasonableness of the TRICS trip rates is in dispute (e.g. the selection or exclusion of surveys from the aggregate rates), but is understood that the HA raised concerns over the representativeness of the 'existing site usage' scenario, given that commercial activity at the site has been in a 'wound down' state for a number of years at the development land (i.e., where existing trip rates were expected to fall below TRICS estimates). Recent survey data was obtained by the applicant (post-dating the lifting of covid restrictions, at a time where the HA

accepts that traffic conditions have returned 'to normal levels'). This data is understood to support the view that 'existing site usage' scenario is broadly reasonable, and further, that in the absence of the current proposals gaining consent, there exists a reasonable prospect of traffic demand meeting or exceeding the 'existing site usage' scenario values within the scope of the extant consent.

I am not aware that the HA has raised any significant challenge to the 'Gross Development Trip Generation with Van Parking' estimates (Table 5.1 from the Feb '21 Vectos assessment); these being generated from survey-derived trip-generation data supplied by the intended operator (Appendix F). It is assumed at this stage that these (Table 5.1) values are accepted by the HA.

This provides clarity on the origin & value of the reasonable estimate of AADT trip generation associated with the existing consent that the HA agree is acceptable to discount from the estimate of gross transport demand.

In the interests of clarity, it is understood that the HA has accepted the existing site trip generation figures presented in Table 5.5 (from the Feb '21 Vectos assessment) to be a reasonable estimate (1950 AADT existing), and so has also accepted the AADT net change figure based upon Table 5.5 & Table 5.1, amounting to +466 AADT.

Gross Proposed Development Trip Generation – Impact on Net Estimate

Whilst the HA has not raised any significant challenge to the figures given in Table 5.1, or Appendix F (to my knowledge), I am aware that Havant Civic Society has challenged these figures. Having reviewed those objections, I consider that some of the concerns raised would appear to have merit.

I have previously referred to the 'fluidity' in trip generation estimates (by way of example, as demonstrated substantially differing net change estimates within the respective transport & air quality assessments). As the estimates of 'gross' demand form the 'other side' of the calculation of net-change (and given the concerns raised by others), these do warrant consideration being given to their representativeness.

Firstly, it must be said that the survey-derived estimates provided by the intended operator (the bespoke traffic data) account for additional traffic in the peak hours, when compared to TRICS estimates taken from surveys at the most similar available commercial operations. This is likely to be a factor in the HA agreeing the figures to be 'robust' (more conservative than alternative methods). The applicant does refer to HA agreement of the robustness of the bespoke data.

It is not clear from the comparisons presented that the uplift seen in bespoke data over TRICS estimates would be proportionate at peak hours when considered at a daily resolution – this is probably derivable from the submissions by calculation, but I have not investigated the time required to do so.

Comments provided previously (APP/21/00200, CONS/21/01300, 27/04/2021, pg.5) question the apparently significant redundant capacity within the proposed scheme, relative to the assessment of operational need (transport demand) given, noting that *'it appears unlikely that the estimates represent [either] target capacity, or maximum capacity.'* (see referenced comments for rationale). Other consultees have also pointed to this inconsistency, alongside the persisting opacity in the process for derivation of the presented bespoke traffic data from the constituent surveys and the apparent likelihood that it does not represent the proposed operational model for the proposed development. In the case of the latter, I am referring to the absence of any trips associated with the midnight shift changeover, where the car park management plan notes that the *'...highest number of employees on site would be during the night shift...'* and the bespoke data only accounts for HGV movements during this period. Notably, this would appear contrary to point 10 of the Vectos *Daily Trip Generation Note* Ref: 205452/N10, which states that the survey sites have an equivalent operational model to the proposed development. The inconsistency between the presented operational description and

the diurnal trip distribution remains unexplained.

I have previously referred to the fluidity in estimates, which derive from the above factors (amongst others). The values presented in Table 5.1 from the Feb '21 Vectos assessment are regarded to be a 'middle estimate' of gross demand, for which there are several reasons to expect in practice represent to a 'low middle-estimate'.

In the absence of staffing figures or other operational details, it is helpful to provide a crude estimate of 'saturation operational intensity' as an upper limit to the transport demand under consideration, based upon the quantum of capacity sought by these proposals. Assuming 100% utilisation of the van storage deck capacity for driver personal car / van changeover, and one delivery round/day; and 3 no. shifts/day of sufficient size that each utilises 100% of the staff parking capacity sought, and HGV deliveries as proposed; the upper limit of gross demand would be in the region of 4792 AADT, resulting in a net change of +2842 AADT against accepted values (representing more than 600% of the 'low middle-estimate').

If sustainable at the site, the 'saturation transport demand' would have the potential to be hugely significant in both highway capacity & air quality terms. However, the risk that activity of this level of intensity may arise (in a sustained & sustainable way-) is considered to be negligible. I refer to this scenario only as an illustration of the upper limit of short-term peak demand.

It is understood that the figures presented in Table 5.1 / Appendix F (Vectos Feb '21) aim to capture demand on the 'average day'. In this way, seasonality in the intensity of activity is 'smoothed out', and the figures will not represent usage on peak days. On this basis, in considering the apparent redundancies in quantum of capacity sought it is considered reasonable to assume;

- That the ~42% 'spare' capacity on the van storage deck (for LDV delivery rounds) is required to accommodate both operational outages for maintenance, and substantial seasonal peaks that might be expected to be associated with retail deliveries (e.g. Christmas retailing conditions).
- That storage deck capacity utilisation may approximate saturation for such short-term trading peaks (probably <21 days/annum), and similarly that utilisation may be substantially lower than the indicated 'average day' during 'low season' trading.
- That a degree of parking space redundancy is required in the quantum of warehouse staff parking, to accommodate shift changeover (staff arriving before end of the prior shift)
- That the three operational (warehouse) shifts do not necessarily require a workforce of equal size, and that shifts may require additional staff to account for seasonal shifts in operational intensity.
- That the quantum of warehouse staff parking needs to be capable of accommodating the changeover of the most labour-intensive shift, at peak periods (where there may be additional seasonal staff), and;
- That staff parking space utilisation may fall significantly below saturation at certain times of day and at certain periods during the year.

I have undertaken some calculations (derived from development particulars and values given the various Vectos reports) in order to derive a representative 'high middle-estimate' of average gross trip generation, for comparison to the low-middle- & saturation- estimates.

I have generated a figure of 2653 AADT, which would represent a net uplift of +703 AADT. I believe this to represent a reasonable illustration of the range of likely real-world impact of the development, and it is interesting to note that the Air Quality assessment has accounted for an net change in AADT which approximates to a middle value between the (Vectos-derived) low- and (EH calculated) high- estimates. Figures presented below for clarity;

- Conceptual 'saturation transport demand' (calculated by EH) = 4792/day (Gross) [+2842 Net]
- 'high middle-estimate' (calculated by EH) = 2653/day (Gross) [+703 Net]
- Delta Simons Air Quality Assessment = 2549/day (Gross) [+599 Net]
- 'low-middle-estimate' (Vectos Feb'21) = 2414/day (Gross) [+466 Net]

The conceptual saturation demand estimate is rejected as an AADT scenario for the reasons given above. Given the issues highlighted with the bespoke traffic data, the low-middle-estimate is considered to slightly under-represent likely gross AADT demand. The basis for the Delta Simons estimate is unclear. I will use the 'high middle-estimate' as the basis for qualitative consideration of air quality impacts.

Qualitative Assessment of likely Air Quality Impacts

The difference between the 'high middle-estimate' and the demand used in the Delta Simons Air Quality assessment is +104 AADT, or +17.36%. Accounting for the effect of this additional traffic for receptors calculated within the air quality assessment does not result in any material change to the conclusions.

I have previously highlighted that the most air-quality-sensitive receptor likely to be affected by traffic associated with the proposed development was not included within the scope of the report.

I note that the traffic distribution model is not in dispute. This means that 56-59% gross development traffic will be routing via Park Road South, and up to 15% could benefit from utilising local road network 'rat runs'. Assuming a broadly similar routing model applies to the existing site, the corresponding net-change equates to +395 & +105 AADT respectively. Of these, it is noted that around 20% might be expected to be zero-emission vehicles (at this development, given the specific proposals), contributing principally to particulate pollution, but negligibly to Nitrogen Oxides (NO_x & NO₂). Emissions factors apply to conventionally fuelled vehicles.

In terms of NO₂ (the pollutant of concern for the receptor identified), the effective uplift (of conventionally emitting vehicles) might be expected to be +316 AADT. Rough calculations based upon both the results of the Delta Simons report & local monitoring data indicate that the likely impact at Cardinal House would be classified as 'slight, adverse', with a predicted environmental concentration (PEC) of approximately 86% of the NAQS objective at the receptor. In other words, the development may be expected to adversely impact local air quality at this sensitive receptor, but that the development can be sustainably accommodated without breach of any air quality standards, and without causing a deterioration in local air quality of unacceptable magnitude.

Applying the same logic to receptors located on the viable rat runs, the +104 AADT is considered to be extremely unlikely to create a significant adverse impact, in air quality terms.

In consideration of the above, an objection on air quality grounds cannot reasonably be sustained, and on this basis I withdraw my holding objection.

Preventing use of rat-runs by delivery vehicles

Following discussions with the development management service, it is understood that the use of conditions restricting development operational traffic to certain routes on the wider road network may be considered to be both reasonable & proportionate in this case principally due to the support of the applicant, and to the visibility of operational traffic (liveried vehicles) which serves to make the demonstration of a breach of condition feasible. It is understood it is proposed to secure these controls via the Full Operational Management Plan (OMP), required by a planning condition.

In respect of the content of the framework OMP, I would also highlight the transposition of previously noted distribution anomalies contained within Table 4.1, namely the implicit expectation that 28% of development traffic would route via Old Copse Road / Lavant Drive / Leigh Road . Notably, this provision / error fails to preclude use of advantageous rat runs sought by allocating 100% traffic via either Bartons Rd. or Crossland Drv.

It would be simpler if the OMP were to contain explicit prohibitions or limits on certain routes – this would remove ambiguity and simplify enforcement. Similarly, given that the enforceability of this planning control is dependent upon the visibility of relevant traffic, it would be very helpful if the plan committed the operator to maintaining an identifiable / consistent vehicle livery on a minimum proportion of it's fleet. It is expected that these issues could be deferred to the conditions discharge stage.

As regards the means of securing these controls, comments from the HA indicate that for it's recommendation to approve the proposed development it is reliant on the associated condition having the following effects:

- Any change in operation by the initial proposed occupier (that would be contrary to the approved plan) will require a variation of the OMP,
- Any subsequent operator would be bound by the approved OMP, and;
- Any subsequent change in operation by a subsequent operator would require a variation of the approved OMP.

These expectations appear to derive from text at section 3.5 (stipulating terms in respect of generation) and 4.4 (stipulating terms in respect of trip distribution). It is not clear to me that a future occupant could be bound by these clauses.

Given that the condition wording proposed by the HA omits any requirement to adhere to the plan in perpetuity, it is similarly unclear that the initial operator would be bound by these clauses – the condition only requires that the OMP be submitted and agreed. The same issue arises with the conditions proposed by the HA seeking to secure the Car Park Management Plan and the Delivery Servicing Management Plan.

I would suggest alternative wording which tightens up controls as envisaged by the HA, in order for the condition to have the envisaged effects;

Suggested amendment to HA proposed Condition [1] (Operational Management Plan)

Prior to the occupation of any relevant part of the permitted development, a Full Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

The plan shall be based upon the principles outlined within the Vectos Ltd. Framework Management Plan document dated July 2021, be implemented as approved, and be observed throughout the period that the lawfulness of activity at the development land relies upon this Planning Permission.

No significant deviation from the provisions of the approved plan shall be permitted, including a change of operator-, without the express written consent of the Local Planning Authority.

Reason: *To ensure any future occupier abides by the assumptions within the Transport Assessments agreed at planning.*

A similar tightening of controls may be appropriate for HA proposed conditions [2] & [3] (numbers in square brackets referring to the order of bullet points on page 10 of 11 to HA comments to APP/21/00200, Ref: 6-3-13-212, dated 23/07/2021).

Mr. Jonathan Driver
Environmental Control Officer