

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/21/01452	Your Ref:	APP/21/00189
EH Case Officer Extn:	44 6677	Date:	15 June 2021
DC Case Officer:	Ms Lesley Wells		
DC Case Officer Extn:	4223		
Application Number:	APP/21/00189		
Site Address:	Broadmarsh Playing Field, Harts Farm Way, Havant, PO9		
Proposed Development:	Outline application for the development of new employment units to provide up to 29,000 sq m (gross internal area) for flexible use across use classes E (light industrial), B2 and B8 with ancillary offices, car parking, service yards, drainage works, landscaping and associated works to prepare the site for development. All matters are reserved except the primary means of access to the site.		
	RECONSULTATION REQUEST - additional information received - Air Quality Technical Note		

Observations / Comments:

Vectos Response to Highways England, and to Hampshire Highways

Following a review of both Vectos responses, I would conclude that the air quality assessment is likely to have been completed based upon an emissions 'worst case', and that any outstanding concerns of the respective highways authorities are not likely to be material to the consideration of air quality.

I do not consider that the traffic models selected differ sufficiently from other transport model scenario's so as to require the air quality assessment be revisited.

Delta-Simons 'Response to Havant Borough Council Comments' 19-2099.03

The Delta-Simons air quality technical note aimed to address specific comments and concerns raised by Environmental Health, summarised below;

- 1) *Development scenario's*: the scenario used for the Air Quality assessment was similar to-, but didn't directly correspond to- the transport assessment 'B2 development scenario'. The Air Quality assessment did not consider the B8 development scenario. It is unclear that 'emissions' & 'highways impact' worst cases are aligned. With reference to some specific concerns of the highways authorities, there remains some uncertainty in the transport demand associated with the development, and this casts doubt on the robustness of the Air Quality assessment.
- 2) *Ecological Impact*: the Air Quality assessment indicated that the development will have a material net-negative impact at a SSSI where the applicable air quality standard is expected to be already exceeded (at the year of opening). Emerging local policy E23 seeks a greater standard of protection than industry guidance. A proportionate design

response to the requirements of E23 a. & c. is expected at reserved matters stage, accounting for the increasing weight that may be attached to this policy as the LP2026 progresses towards adoption / acceptance by the SoS.

- 3) *Report typographical errors, or required clarification of figures:* Table G6 appears to contradict a statement made at paragraph 5.3.27, which in turn underpins the overall conclusion of the report. If table G6 figures are correct, it would appear that a significant Air Quality impact is likely.

Response to Comment 1

Delta-Simons has undertaken an assessment of the B8 development scenario, following consultation with the project transport consultant (PTC). The PTC has confirmed that the Transport Assessment Table 5.1 presents 'total vehicles' & 'HGV's' not 'PCU + HDV' & 'HGV'. Figures quoted in my prior response therefore double-count the HGV's.

The B8 scenario assessment confirms a marginal decrease in development contributions under a B8 scenario as a result of the aggregate change in transport demand, distribution, and fleet composition. Predicted Environmental Concentrations at key receptors reflect this result, and the conclusions are unchanged from those provided in the Air Quality Assessment previously reviewed.

It is accepted that the original assessment included a reasonable estimate of the emissions worst case. I raise no objections on this basis, and have no further material comment to make in respect of the scenarios considered.

Response to Comment 2

Delta-Simons confirms that E23 was not considered explicitly because of its status as 'emerging policy' (not formally adopted).

In terms of a proportionate response, the technical note considers that the operational phase emissions offsetting would be achieved through the Workplace Travel Plan, which it is noted should be read in conjunction with the Air Quality report. Delta-Simons considers that this should be accepted as a proportionate response to policy E23.

I would highlight that NPPF para. 48 a) allows for increasing weight to be allocated to the provisions of emerging policy as it progresses toward being accepted by the SoS. I am not aware of any outstanding objections to the policy provisions, and as the policy aims to closely align & refine the provisions of the NPPF, I cannot see that it would be justifiable to diminish the weight given to this policy under 48 b) or c).

I would also highlight that policy E23 does not aim to duplicate the requirements of other policy – it aims to complement those policies as part of a coherent suite of environmental policy. The policy aims to secure a proportionate response that is additional to the requirements of related policy – i.e. provisions may be identical to those required by other policy, but should go above & beyond the minimum requirements of that policy in order to satisfy the requirements of E23 in addition.

As indicated in my prior response, this is not a reason for an in-principle objection – the aim is to secure a quality development, not to prevent development. It is appropriate to defer the response to the reserved matters stage (where the weight that may be given to the relevant policy may differ to that which may be applied now), my aim with these comments is to signpost the policy, and how the applicant might demonstrate that the development is consistent with its requirements. No objections on this basis.

Response to Comment 3

The technical note acknowledges that the figures quoted in table G6 were erroneous. Correct

figures from the original assessment have been presented, alongside new figures generated from the modelling of the B8 scenario (undertaken in response to Comment 1, above).

The B8 scenario (deposition) figures are compatible with the updated B2 scenario figures, broadly proportionate to the atmospheric estimates (response to Comment 1), and are accepted.

The resultant conclusion that the impact of the development is not significant is accepted insofar as the screening benchmark applied. Comments above (Response to Comment 2) remain applicable – i.e. that the assessment shows that the development will contribute net emissions to a sensitive receptor that is expected to exceed a relevant environmental quality standard (EQS) in the year of opening.

This does not necessarily need to be directly mitigated, however this context should inform the 'proportionality' of the response to policy E23 a. & c. Uncertainty is resolved, no objections are raised on this basis.

Readie Construction Environmental Method Statement (CEMS)

Section 1 of the CEMS outlines the requirements that should be covered by the statement; the first 8 points of which were duplicated from the condition recommended in my prior comments. There is some duplication in the remaining points covered in this section, but also some useful enhancements / additions.

I have reviewed the CEMS in detail. Comments here will largely be limited to whether or not the report contains sufficient detail on the aims & objectives stated in the 13 bullet-points included in section 1 of the statement.

The CEMS adequately meets the stated aims in respect of;

- *Parking, loading, materials handover, secure storage*
- *Segregation & storage of waste*
- *Preventing trackout of mud / spoil,*
- *Training of site operatives, and;*
- *Preventing harm to local Slow Worm populations*

The impact of Lighting is also covered by the CEMS insofar as the use of lighting being expressly limited to working hours. This does not preclude nuisance (or adverse ecological impacts) arising, which could require changes in how light is used at the site.

The CEMS could provide stronger proposals or additional detail in respect of;

- *Harm to Wildlife.* This is especially the relevant for noise emissions (seasonal timings) given the ecological sensitivity of Broadmarsh Coastal Park
- *Minimise Noise and Vibration.* Whilst this is broadly covered, the focus of provisions is on minimising the amount of noise / vibration, rather than limiting the *impact* of the noise & vibration. This is largely the fault of the wording of the condition previously proposed, and principally applies to ecological receptors. In line with the point above, it may be prudent to consider the timings of certain activities.
- *Minimising dust, fume.* Covered in a general way by the CEMS, which places reliance on the content of 'best practice guidance' (not specified). It is assumed that this probably refers to EPUK & IAQM industry guidance, but it would be difficult to enforce inadequate controls where the standard that control(s) aim to meet remains ambiguous.

The CEMS does not appear to adequately address;

- *Details of Transport Logistics:* paragraph 6.1.2 of the Delta-Simons report refers to 'haul routes' (implicitly the route taken by traffic on the local road network) to avoid 'sensitive roads'. I would anticipate preferential routing via Harts Farm Way West, to avoid Solent Rd / Brockhampton Road.
- *Minimising risk of releasing fuel.* The CEMS refers to a refuelling procedure which likely covers this/these requirements, however this document is not included as an appendix to the CEMS.
- *Minimising smoke.* The CEMS includes no specific prohibition on the burning of waste or emission of. Burning on this site would carry significant risk, as these proposals involve excavations into a gassing landfill, and that handling of fill. *I would recommend that a specific and explicit prohibition be included for this site, for the avoidance of doubt.*
- *Transporting Materials or Waste.* The CEMS does not mention either the sheeting- or damping- of loads during dry conditions.
- *Preventing runoff adversely affecting surfacewaters.* I would suggest more detail is required, especially in respect to the means of preventing runoff from entering the drainage conduit which will terminate at the Hermitage, and preventing overland runoff from stripped areas reaching surfacewaters, or surfacewater drains (including highway drains). This could include French drains, ditching, planting of filter strips, silt fencing etc.. Provisions should account for site topography, existing surfacewater drainage, planned service installation, and planned groundworks / processing.
- *Pollution Risks.* Covered in the CEMS in respect of hard-standing only; run-off controls and means to limit leachate generation are not included in the CEMS. Comments are broadly similar to the point above, but additional controls may apply in respect of open excavations during inclement weather conditions. The need for the latter may be affected by the site conceptual model presented in the updated ground contamination assessment.

Overall;

Enhancements to the CEMS are recommended, particularly in provisions to prevent discharge of leachate and other pollutants to controlled waters, controlling site runoff, minimising leachate generation, preventing the release of fuels, and prohibiting burning of any materials on site (whether waste or not).

I would probably still recommend the condition included in my prior response be made a requirements of the reserved matters application. The above comments do not amount to any in-principle objection to the granting of the outline consent.

Mr. Jonathan Driver
Environmental Control Officer