

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/21/02647	Your Ref:	APP/21/00647
EH Case Officer Extn:	44 6677	Date:	20 August 2021
DC Case Officer:	Mr Adrian Ellis		
DC Case Officer Extn:	4 222		
Application Number:	APP/21/00647		
Site Address:	Land South of 2 to 4 The Mallards, Langstone Road, Havant		
Proposed Development:	Outline (all matters reserved except for access) application comprising 65no. dwellings with access from The Mallards, together with car parking, landscaping, electrical substation, public open space and associated work		

Observations / Comments:

Contaminated Land / Soil Quality

Advice given under GEN/19/00287 concluded that *'whilst it seems unlikely that the site would be impacted by gross contamination - I would nevertheless suggest that a limited site investigation would be good practice, if only for the purpose of disambiguation of the site (from the wider industrial / commercial plot).'*

It would appear from the Land Contamination Statement provided that some degree of physical investigative work has subsequently been undertaken. It is unclear why the applicant has chosen to submit a statement in favour of submitting the implied report. I would typically regard an unexplained omission as a cause for concern / suspicion, however, I am mindful that;

- i) The implied investigation was probably commissioned to inform geotechnical considerations, and may have been extremely limited in terms of its consideration of contamination
- ii) The development land is greenfield, previously undeveloped with no potentially contaminating landuses known to have been undertaken within its curtilage, and;
- iii) Information from the archaeological desk-based assessment would suggest that there is unlikely to be any significant made soils present at the site.

Were the area not covered by the 'red line' of a site investigation of much wider spatial scope (which did identify some contaminants relevant to ecological receptors), and in consideration of ii); this service would probably not seek a proactive investigation on this site in connection with its development. Additionally, point iii) provides some comfort on the omission of the implied report (i), which might otherwise be interpreted as likely containing some information the applicant would prefer not to provide to the Council.

On balance, I am content to go against my prior advice and raise no objection on grounds of 'contamination risk', despite the omission of the limited site investigation previously recommended.

Exposure of future residents to locally (Air Quality – Development as receptor)

As previously advised, the proposed layout provides sufficient set-back from the kerbside of the A3023 to provide confidence that future residents would not be exposed to unacceptable ambient concentrations of Nitrogen Dioxide. It should also be noted that the risk of a breach of any NAQS objective in this area will not be increased over that which arises in connection with extant development in the area; this is because the block layout broadly respects the current 'building line' to the A3023. No objections arise.

Traffic Generation / Highways Impact (Air Quality – Development as source)

In its consultation response to GEN/19/00287, Environmental Health *'note[ed] the ~40m dedicated R/H turn lane in the southbound direction, and would anticipate that a model trip distribution would place the majority of peak period trips as northbound in the AM (LH turn out), and southbound in the PM (RH turn in, using dedicated lane)'*, meaning the a significant impact was not anticipated. *Where a 'junction capacity assessment suggests a problem (RFC >0.85 or RH turn queue lengths exceeding 9m [sic, metres used in error, PCU queue intended]) this service may seek an assessment of air quality (to determine magnitude of impact, and consider proportionate emissions offset).'*

I have reviewed the transport assessment, and note that a) journey time delays in future scenario's do not appear to be due (solely) to the impact of traffic movements associated with the mallards scheme, and b) that maximum peak period queue lengths on the A3023 Southbound RH turn lane (under 'with development' scenarios) are predicted to be 4 vehicles (~20-25m), well within the capacity of the existing lane. This modelling demonstrates that it is reasonable to conclude that disproportionate impacts on the local road network (and therefore on local air quality) are unlikely.

I am also mindful that emerging policy E23 only requires a threshold assessment be undertaken where development quantum exceeds 150 residential units. Prior experience shows that 150 units approximates to a level of traffic uplift where potentially significant air quality impacts may begin to arise, in the absence of any disproportionate interference with existing flows on the local road network. Taking these factors together, and in consideration of the recent air quality monitoring along Langstone Road, I see no justification for an objection to these proposals on air quality (new transport emissions) grounds.

Development emissions offsetting (transport / non-transport emissions)

All new residential development, especially that which occurs on previously undeveloped 'greenfield' land, will result in a net increase in local emissions, both from the dwellings themselves (space & water heating, cooking, recreational fuel use) and from emissions associated new transport demand.

Emerging policy E23 a) seeks to secure the objectives of NPPF policy (e.g. NPPF 2021 [para. 186; *'planning decisions should contribute towards compliance with relevant...national objectives for pollutants'*, and *'opportunities to improve air quality or mitigate impacts should be identified'*), requiring all major development make a proportionate contribution to the offsetting of these new emissions. The current plan status means that this policy carries material weight, and it should also be noted that E23 represents how the Council views the requirements of the adopted NPPF policy, which applies to both policy creation & individual decisions alike. Given that the applicant is reliant upon the presumption in favour of sustainable development, and that the proposals are for development of greenfield land – it is considered that there is a good case for the Council requiring good sustainability credentials to justify the granting of consent for a site that has been omitted from both the previously adopted- and recently submitted- local plan(s).

The planning statement makes passing reference to the LP2036, but provides no assessment

of compliance with its policies. Similarly, the design & access statement provides little detail on how the specification of development could contribute towards the meeting of a number of environmental policy objectives – in particular in respect of water efficiency, carbon emissions reduction, climate and air quality. Many synergies exist between health, transport, infrastructure, climate, energy & air quality policy objectives, and Environmental Health would always encourage applicants to consider these objectives holistically – contributing to the quality of the development for future occupants.

It is accepted that the design response to emissions offsetting under E23 a) could comprise identical measures to those required to meet related policies, however it is expected that to demonstrate compliance, only elements specified over & above the minimum requirements of those related policies should be accounted for. A range of options are available in respect of the design & specification of dwellings, in particular;

- low-or-zero carbon technologies that avoid local combustion, or generate clean energy (e.g. heat pump space / water heating, direct solar)
- installation of domestic electric vehicle charging points (over & above the minimum requirements of policy IN3) which support low or zero combustion transport
- providing for future expansion of domestic electricity demand (e.g. provision of redundant-capacity in substations, higher-rated domestic supply electrical incomers, high capacity consumer-units with spare ways and/or preparatory ducting to convenient locations to facilitate future installation of domestic electric vehicle charge points)
- enhanced travel plan measures and/or public realm 'connectivity' (or development permeability-) enhancements which encourage sustainable and active modes of travel
- heat recovery (wastewater, ventilation) or energy-saving technologies,
- direct electrical alternatives to combustion appliances (particularly cooking & heating).
- low-emission technologies (ultra-low NOx- or 'hydrogen ready' boilers)
- landscaping & construction features which provide pollution interception / absorption as ecosystem services.

It should be noted the absence of a design response to policy E23 a) at this stage does not necessarily justify an objection to the principle of development, other than that little has been done at this stage to demonstrate the inherent sustainability of the scheme as an overriding justification for the granting of consent for greenfield land against both the extant & emerging local plans. Either way, it is expected that the applicant will make a response to the policies of the emerging local plan at the reserved matters stage, assuming that a decision remains pending at that time.

The comments of the drainage and civil engineering consultee with respect to improving pedestrian/cycle connectivity to employment areas to the west are noted, and supported on air quality grounds (contributing to zero-emission trips by sustainable & active modes of travel). I am not clear on whether these are considered to comprise aspects of the detailed consent for 'access', and would as a result need to be secured under the current application.

Residential Travel Plan (contribution to Air Quality objectives)

I have reviewed the MODE Transport Planning (Framework) Travel Plan, and note that 5.2.3 provides a significant caveat to the targets set by the plan, which does not preclude the watering-down of 'fundamental' targets (e.g. proportional reduction in single occupancy trips made by private motor vehicle [PCU]).

The fundamental target set is -6%, which given the inherent accessibility of the location by sustainable and active modes of travel, is considered to be both unambitious, and very difficult to demonstrate with any confidence given the quantum of development, and that no minimum range of survey return is set for demonstrating compliance. A 10% target reduction in single-occupancy

PCU trips is typical, and it is considered that this site could sustain a target with even greater ambition (than typical).

The plan outlines measures which largely focus on the provision of information. No subsidies are considered (e.g. for cycle proficiency training, bike doctor services, discount agreements with local retailers for cycling equipment or all-weather clothing, provision of trial tickets for local bus services, or ticket discounts for rail etc.), and no reference to other community schemes, such as school 'walking bus' groups (etc.).

There are no provisions in the plan for contingency arrangements where either the survey return rates are insufficient to demonstrate compliance with a reasonable degree of confidence or where it can be demonstrated that insufficient progress has been made toward the achievement of targets.

Where it is possible to secure a revised plan at the reserved matters stage, an objection to the principle of development is unlikely to be sustained on the basis of an inadequate (framework) travel plan. Where the reserved matters applications are unlikely to provide opportunity to revisit the scope, efficacy & robustness of the plan – it is possible that an objection could stand on the basis that the plan fails to respond appropriately to the context of the development land (i.e. fails to contribute sufficiently to demonstrating the proposed development is sustainable development)

SuDS (Pollution)

As previously advised, the draft surface water drainage scheme does not give rise to any pollution concerns for low-risk residential development.

Mr. Jonathan Driver
Environmental Control Officer