

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/21/02504	Your Ref:	APP/21/00605
EH Case Officer Extn:	44 6677	Date:	10 August 2021
DC Case Officer:	Lewis Oliver		
DC Case Officer Extn:	44 6263		
Application Number:	APP/21/00605		
Site Address:	Land at Forty Acre Farm, Havant Road, Havant		
Proposed Development:	Re-plan part of the residential area of the site to facilitate an additional 34 new homes within the development area to create a total 147 dwellings, inclusive of the additional 34 units.		

Observations / Comments:

I have reviewed the documents submitted in support of this application and note that a good number of the technical assessments have been reviewed in connection with prior applications and pre-application enquiries. These proposals largely reflect those consulted under GEN/21/00216, and the comments here will reflect those returned under that application.

Air Quality (Development as Source); Uplift Transport Note

The conclusions from previous reviews of Air Quality Assessments may be briefly summarised as follows;

- it is probably reasonable to conclude on balance that the 'real world' impact of the development will be somewhere between 'negligible' and 'slight adverse' at existing sensitive receptors (e.g. at Glebe Park, Bedhampton Hill, and Portsdown Hill). [APP/18/00450], and;*
- the Council has sought to confirm modelled exceedances of National Air Quality Strategy (NAQS) Objectives for Nitrogen Dioxide within the baseline year (at receptor R1). The results indicated that ambient concentrations at baseline were likely to be closer to those estimated for the 2028 'do nothing' scenario than to the 2016 baseline year - the result of this is that the proportional development impact would be elevated, but at the same time the risk categories are likely to be downgraded*

The current proposals represent an elevated quantum of development, with 34 additional residential dwellings representing both additional fixed sources and an uplift in emissions associated with development transport-demand. The uplift transport note does not seek to quantify the AADT uplift, rather it's focus is on access junction capacity impact during peak hours. With reference to the amended transport assessment (041.0023/RTA/2) Table 7, the transport demand uplift would be expected to be approximately +155 AADT.

There has been no revision of the air quality assessments to account for this additional transport demand. It is reasonable to conclude that the result would bias toward a conclusion of 'slight adverse' impact. Given that it is thought that the receptors benefit substantially from the presence of roadside vegetation (reducing ambient air pollution at the receptors), this may

additionally make those receptors more reliant on that feature for acceptable air quality (and therefore at risk of poor health outcomes in the event that the feature is lost or substantially altered).

I am content to conclude on a qualitative basis that the additional 34 units are likely to prove acceptable in air quality terms (impact upon external receptors), however I would also conclude that any additional material uplift sought should be accompanied by a revised air quality assessment which accounts for the aggregate of the units sought by this application, alongside any sought under any future application.

Air Quality (Development as Receptor)

The plans do not materially alter prior assessments in respect of exposures within the development red-line area.

Air Quality, E23 a) (Emissions Offsetting); Related Policies (IN3 j), EV Charge Points)

It was previously noted in comments on a reconsultation to APP/18/00450 (CONS/19/01219, 19/07/2019) that [Plan] *PL16 shows reduced charging point provision from around 235 to around 90, representing a 60% reduction* [over plans previously submitted].

At that time, it was accepted that a reduction was justifiable within the context of emerging policy IN3 but also that no reference was made to the provision of suitable infrastructure to accommodate future expansion of the charge-point network to be initially provided (a key aim of policy IN3)

The provision of EV charging facilities is fully supported as a key measure for mitigating the (transport emissions / air quality) impact of the proposed development travel demand in the short-to-medium-term. It was recommended that;

- The Council seek additional technical details as regard the infrastructure design - including the appropriate sizing of the sub-station serving the development, and the network's flexibility for future development (by others)
- The provision of visitor-space charge points be secured (e.g. through engagement of- / providing space for- a national charge-point network provider to commercially offer recharging services), and;
- That it may be appropriate in light of emerging policy to seek to secure this additional detail (of proposed elements) by means of a suitable condition.

Since the above-referenced comments, the emerging policies have gained additional weight through the adoption and submission of the LP2036. Given this context, it is disappointing to note that the applicant is seeking a further 60% reduction of reduction of EV charge points within the replan proposals (50 proposed on PL16 within the APP/21/00605 red line area, 20 proposed on dwg. N81:2393 211).

I also note that the design & access statement does not make any specific response to emerging policy E23 a). I would reiterate comments provided previously (below, blue text). It will be a planning judgement as to whether the additional weight gained by the emerging policies is sufficient to sustain an objection on these bases may be sustained, and enhancements sought. I defer to the judgement of Development Management in this respect.

Air Quality – Mitigation of Development Emissions Contribution

Environmental Health provided comments on the consented residential scheme in June 2018 (CONS/18/00932, APP/18/00450), relying upon the wording of the NPPF 2012. Since that

response was made, the NPPF policy has been revised & it's scope expanded, and local policy has been developed, and has gained weight though its' submission for examination.

I am not clear whether the status of a formal application with a description characterising development as 're-planning' would negate any need to consider the latest planning policy. My assumption is that the application would be considered to be a new, stand-alone consent that is subject to all applicable policy. On this basis, I would recommend the applicant review the aims & requirements of policy E23 of the LP2036, and consider an appropriate design response to mitigate the operational emissions associated with the new dwellings (E23 a.).

Specification of low-or zero carbon space & water heating (or ventilation), and avoiding local sources of combustion for cooking or heating could meet these requirements, whilst achieving cost-offset by (for example) omitting the need for gas supplies to properties so-served (e.g. specifying Heat Pump or providing MVHR heat recovery units, specifying induction hob & electric ovens in kitchens, or electric feature-fireplaces for additional heating options). Provision of PV generation, or direct solar at a proportion of units could similarly provide proportionate offset of emissions. I would highlight that the policy developments are not limited to air quality, and related policies have also been developed, to which the above examples would also contribute. Health and wellbeing, High quality design, parking, and low carbon design policies are all closely related to the aims and requirements of policy E23 (E2, E1, IN3 [especially j.], and E12).

Ground Contamination / Contaminated Land Assessment

I have considered the submissions under the related application APP/18/00450, discharge of c.12 (verification). I would refer you to comments made under that application for context (APP/18/00450, CONS/21/02523, 10/08/2021).

Given the conclusion of that review (that the discharge of c.12 be refused at this time), it is necessary to transpose the requirements of the approved documents under APP/18/00450 c.10 & 11 to any consent granted under APP/21/00605, alongside the related requirements of c.12. I would assume that a bespoke wording is required to refer to the documents approved under those conditions. Suggested wording below & overleaf;

Condition [A]; Material Management Plan; (transposing obligations under 18/00450 c.10)

Other than soils purchased from a soil supplier, the transfer to the site of soils shall not be permitted unless obtained from a source location characterised within- or otherwise imported under the provisions of- the Wilson Bailey Earthworks Strategy Design Statement & MMP Support Document Ref: J16120 (March 2020). Materials otherwise imported shall not be deposited to land at the development unless specifically agreed in writing by the Local Planning Authority in advance of placement.

Reason: *Having due regard to policies DM10 of the of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework; to ensure that deposited soils are suitable for their intended use and that no unacceptable exposures to contaminants may occur.*

Condition [B]; Verification of previously approved Contaminated Land Risk Mitigation Works (transposing obligations under 18/00450 c.12)

Prior to the occupation of any relevant part of the permitted development, a report shall be submitted to and approved in writing by the Local Planning Authority which demonstrates that the works outlined within the Wilson Bailey 'Contaminated Land Review and Discussion' report Ref J16120/bd/c08 (17/01/2020) & Wilson Bailey Earthworks Strategy Design Statement & MMP Support Document Ref: J16120 (March 2020) have been satisfactorily completed. The report shall include results of sampling and monitoring carried out in accordance with the above-referenced documents, and must demonstrate that site acceptance criteria have been met.

Reason: *Having due regard to policies DM10 of the of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 178-180 of the National Planning Policy Framework; to ensure that deposited soils are suitable for their intended use and that no unacceptable exposures to contaminants may occur.*

Mr. Jonathan Driver
Environmental Control Officer