

**HAVANT BOROUGH COUNCIL**

**Town & Country Planning Act 1990**

**Consultation on Planning Application**

***MEMORANDUM***

|                              |                                                                                                                                                                     |                  |                            |
|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|----------------------------|
| <b>From:</b>                 | <b>Environmental Health</b>                                                                                                                                         | <b>To:</b>       | <b>Development Control</b> |
| <b>Our Ref:</b>              | CONS/21/02374                                                                                                                                                       | <b>Your Ref:</b> | APP/21/00667               |
| <b>EH Case Officer Extn:</b> | 44 6677                                                                                                                                                             | <b>Date:</b>     | 13 July 2021               |
| <b>DC Case Officer:</b>      | Selina Donophy                                                                                                                                                      |                  |                            |
| <b>DC Case Officer Extn:</b> | 6698                                                                                                                                                                |                  |                            |
| <b>Application Number:</b>   | APP/21/00667                                                                                                                                                        |                  |                            |
| <b>Site Address:</b>         | Garage, 2-4 Church Road, Hayling Island, PO110NT                                                                                                                    |                  |                            |
| <b>Proposed Development:</b> | Single storey rear extension to create a work shelter.<br>I attach a copy of the above application that has been received under the Town and Country Planning Acts. |                  |                            |

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**Observations / Comments:**

The proposed extension occupies part of the site where plans indicate two features associated with the previous use of the site for petroleum retail, and which might be associated with fuel contaminants.

Below ground vent pipes previously serving 2 no. 2000 gal. tanks are located close to the Eastern boundary of the site, and a Soakaway was formerly present within the footprint of the proposed extension. It is not known whether this feature might still be in use, and whether alternative provision may need to be made.

The proposed building works might encounter / damage these features, and could encounter contaminants during groundworks. The development does not represent a material change in the risk profile of the site, and so it would not be proportionate to require a proactive investigation of soils. It would however be appropriate to impose a duty to report and manage any significant contamination where contaminated soils are encountered as works progress.

No objections to the development, subject to the following condition;

**Condition 1 - Contamination Watching Brief**

*“Reasonable vigilance for the presence of contamination and soil hazards shall be maintained during all groundwork. In the event that any suspected contamination (obviously contaminated / stained or discoloured soil / groundwater), fuel or fuel odour is encountered; 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)-3) above; together with a Verification Report (where appropriate) demonstrating that remediation objectives have been met.*

**Reason:** *Petroleum storage tanks have previously been present at the site in at least two separate locations. These features may represent a source of contamination which could pose a risk to future occupiers of the site, or to the occupants of neighbouring property that would be considered to be more sensitive to the presence of contamination. 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 178-180 of the National Planning Policy Framework."*

**Mr. Jonathan Driver**  
Environmental Control Officer