

HAVANT BOROUGH COUNCIL
Town & Country Planning Act 1990
Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/21/02534	Your Ref:	APP/20/00441
EH Case Officer Extn:	44 6677	Date:	09 August 2021
DC Case Officer:	Ms Lesley Wells		
DC Case Officer Extn:	4 223		
Application Number:	APP/20/00441		
Site Address:	Land to rear of superstore, Hulbert Road, Havant, PO9		
Proposed Development:	Outline planning application with all matters reserved except access for the development of up to 100 dwellings and associated improved site access, landscaping, footpaths, SuDS and other associated works on land to the west of Hulbert Road, Havant		

Observations / Comments:

Air Quality (Sustainable Travel)

I have reviewed the Additional / Revised framework travel plan, and note the minor amendments, which represent a small enhancement over previous provisions, alongside commitment to HCC oversight & the provision of a travel plan bond.

The changes are supported, and I have no adverse comments to make in respect of this document.

Ground Contamination

Where not covered by these comments, previous comments remain valid. I note that the Environment Agency has reiterated it's advice in respect of contamination. I would similarly reiterate my advice in respect of condition wording & the scope of the 'reason' for conditions given by the Environment Agency; reproduced below for convenience (blue text).

I have re-reviewed my prior recommendation alongside the condition wording proposed by the Environment Agency, and consider that the recommendation leaves room for condition discharge problems to arise, and potentially for the effect of the proposed conditions to be undermined. The recommendation for revised wording of condition [1] remains appropriate, but varied wording is required for the condition 'reason'.

Contamination (Standard – omitting EDS, based upon submitted EDS proposals) [1]

Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority.

The assessment may comprise separate reports as appropriate, but shall be undertaken by

competent persons and unless specifically excluded in writing by the Local Planning Authority, shall include;

- 1) An intrusive site investigation based on the proposals outlined within the WYG Phase 1 Geoenvironmental Desk Study Report Ref: A096474; to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all identified receptors.
- 2) The results of an appropriate risk assessment based upon (1), and where unacceptable risks are identified, a Remediation Strategy that includes;
 - appropriately considered remedial objectives,
 - an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;
 - clearly defined proposals for mitigation of the identified risks.
- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out any Remediation Strategy required under (2) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.

All elements shall be adhered to unless agreed in writing by the Local Planning Authority.

Reason: Contamination may be present at the site as a result of both previous land uses (&/or activities) that could pose a risk to future occupants, controlled waters, &/or to ecological receptors. 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 170, 178-180 of the National Planning Policy Framework."

Environment Agency proposed conditions 2-4 are generally appropriate and should function as intended with the proposed wording for condition 1 (above), however, it would be appropriate to amend the condition reasons stated on the decision notice to ensure that the conditions apply for all purposes, in line with the full range of applicable policy. Recommended amendments are outlined below.

Reasons for EA-Proposed Condition [2]:

"Contamination may be present at the site that has not been or will not be identified by the site investigations required by **Condition [1]**, which may be encountered during construction. If allowed to remain at the site, contamination could pose an unacceptable risk to future occupants, controlled waters, &/or to ecological receptors. 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 170, 178-180 of the National Planning Policy Framework.

Reasons for EA-Proposed Condition [3]:

To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. 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 170, 178-180 of the National Planning Policy Framework.

Reasons for EA-Proposed Condition [4]:

To ensure that the proposed Piling or other deep foundation in soils affected by contamination does not harm groundwater resources. 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 170, 178-180 of the National Planning Policy Framework.

Mr. Jonathan Driver
Environmental Control Officer