

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/21/02817	Your Ref:	APP/20/01093
EH Case Officer Extn:	44 6677	Date:	15 September 2021
DC Case Officer:	Paige Harvey		
DC Case Officer Extn:			
Application Number:	APP/20/01093		
Site Address:	6 Sinah Lane, Hayling Island, PO110EY		
Proposed Development:	Erection of 195 No. dwellings, associated open space, pumping station, sub-station and formation of new vehicular access off Sinah Lane. Change of use of land from agricultural to a Wader and Brent Geese Refuge Area (Resubmission of APP/18/00724) (30.6.21). Request to Discharge Condition Nos. 3, 4, 6, 7,11,12, 13, 14, 20, 22, and 23 (recd 5.7.21) A request has been made to discharge the following condition on the above application: c.6 [CEMP] c.7 [Lighting Plan] c.11 [CMP] c.14 [Construction Traffic Management Plan] (c.22 [EV charge point plan])		

Observations / Comments:

It is understood that my colleague, Mark Moss, has previously recommended discharge of condition 7, and has provided detailed comments on the CEMP/CMP submitted in support of discharge of c.6 & c.11.

I have reviewed the revised document, amended in response to Marks comments (CONS/21/02817, 17/08/2021). I note that in general, the applicant has simply included the text requested by Mark without amendment, and so has addressed the majority of the objections raised.

I also note that the amendment subsequently requested as regards the site speed limit has also been included.

There are a couple of items that have not been covered, or where the ambiguity hasn't been entirely cleared up - Mark noted at objection d. that: *'Whilst the advised mitigation measures listed under Item 7 are noted, confirmation of the following is missing from the plan as required under Condition 11. i) to include for a suitable and adequate water supply being available at the site prior to works commencing.'* It would appear that this text has not been overlooked in the revision. Whilst it is implicit from the other measures outlined within this section that an adequate water supply is to be provided-, my assumption would be that this specific provision needs to be explicitly inserted to the CEMP/CMP as it represents a specific requirement of c.11 (which cannot, therefore, be said to have been met).

At objection b., Mark refers to ambiguity over foundation specifications & methods. I note that the text has been amended to state clearly that strip foundations are to be used throughout, however the plan at appendix D has been retained in the revised document, and (whilst the legibility is poor-) this would appear to define 'piling zones' in the vicinity of the zone of tree root influence. It is unclear from the plan whether there is any overlap between the 'pile zones' and building envelopes (foundations), and I have been unable to find a full sized copy of the relevant plan (9418-20-A) within the supporting documentation.

Given that there may be a technical need for a statement to be inserted about the provision of an adequate water supply being available prior to the commencement of work, and as Mark did include the request for clarity within a body of text referred to as a reason for his objection- there is both the opportunity, and arguably the need – for the context of the included plan to be linked to the statements about the foundation design (and so the absence of need for details about the method of piling, mitigation of impacts etc.).

c.6/c.11 SuDS

In addition to Mark's comments, I note that point 19 of the CEMP/CMP refers directly to the provisions of the Flood Risk assessment (FRA) at ch. 5.5.4 (Water Quality). This section considers the principles of the drainage scheme with specific reference to the water quality risks associated with the operational phase. It should be noted that the construction phase risks will differ substantially (to the operational-), both of the chemical pollutants & total suspended solids.

It would appear that the operational phase drainage does not take the shortest possible route to a receiving / sensitive controlled water (to the West), and instead discharges to an ordinary watercourse to the East of the site (at the Billy Coastal Path), flowing via an uncertain, but certainly longer & more (flow) retarded-, route to a receiving coastal water. This represents a lower risk than a more direct alternative, and provides some comfort as regards pollutant interception & retention.

The CEMP/CMP does not make reference to the delivery of surface water drainage as an early priority of the build schedule, nor does it include any provision for managing any construction impacts on the system prior to its commissioning for the operational phase (e.g., managing/rectifying construction-related siltation).

I am satisfied that there is sufficient opportunity for construction-related pollutants to be intercepted prior to reaching a sensitive controlled water, irrespective of the build schedule. The drainage condition should be adequate to ensure that the system functions as approved upon completion. I am aware that the LLFA has objected to the submitted drainage scheme, and I would consider it appropriate to address the issue of remediating any negative effects of construction on the function of the drainage system as part of the construction & commissioning provisions, rather than under the CEMP. For these reasons – no objections arise.

c.14 – Construction Traffic Management Plan

The CEMP/CMP submitted in connection with c.6/c.11 includes provisions which satisfy the requirements of c.14. I note that the Highway Authority has accepted these provisions as satisfactory. I have no concerns to raise, and no objections arise.

c.22 – EV charge point plan (observations)

I had reviewed the submitted plan on the basis that the level of EV charge point provision is 'Air Quality Relevant'. I note that the quantum of provision was approved under the primary planning consent, and that no opportunity exists to consider this further under the provision of c.22.

The plan submitted in support of the discharge of c.22 is identical to the approved plan and, I

would highlight as an observation, does not (therefore) satisfy the requirements of c.22, the text of which requires details of the specification & siting of installations indicated on the plan.

It would appear that an objection to the discharge of c.22 could be sustained, but I would acknowledge that this issue could only be considered to be within the remit & interests of Environmental Health in the loosest sense.

Conclusions

It would appear that the CEMP/CMP in it's current form could be considered acceptable to support the discharge of c.6 & c.14, but not (for technical reasons) sufficient to discharge c.11.

If accepting the CEMP/CMP in respect of c.6, it is considered on balance that the statements about foundation construction take precedence over the Appendix D plan; i.e. that any amenity (noise & vibration-) issues arising from the undertaking of piling on site would constitute a breach of c.6 & c.11.

Given that a minor amendment appears to be necessary in order for the CEMP/CMP to be accepted in support of c.11 (however), I would recommend that both;

- a statement be inserted to commit to the c.11 requirement, e.g. *"No groundworks or construction will commence on site before a suitable and adequate water supply has been made provided & made available for use in the mitigation of construction impacts"*, and;
- a statement be inserted either to the principal text (item 7 &/or 17) or to Appendix D; stating clearly that the apparent piling zones (red, drawing 9418-20-A) do not coincide with the envelope of any proposed units (or ancillary buildings), and that no piling will therefore be required (assuming that this is indeed the case).

In the event that buildings do coincide with the 'piling zones', it is implicit from Mark's comments that details of piling methods- & the means of mitigating the impact of noise & vibration from piling on neighbours- should be included within the CEMP/CMP.

The above recommendation(s) & observations notwithstanding, objection to discharge of c.11 only.

Mr. Jonathan Driver
Environmental Control Officer