

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From: Environmental Health **To:** Development Control

Our Ref: CONS/21/02425 **Your Ref:** APP/19/00324

EH Case Officer Extn: 44 6677 **Date:** 05 August 2021

DC Case Officer: Paige Harvey

DC Case Officer Extn:

Application Number: APP/19/00324

Site Address: 5-7 Station Road, Hayling Island

Proposed Development: Demolition of existing dwelling and business units and construction of a 2/3 storey building to provide 19 flats and 2 commercial units with vehicle and bicycle parking and a bin store(11.2.21). Request to discharge condition 4 (4.3.21).Request to discharge conditions 9,10,11,12,13,14,& 15 (27.04.21). Request to discharge condition No/s 5 and 7 (28.06.2021). **A request has been made to discharge Condition 5 [Contamination]**

Observations / Comments:

I have reviewed the submitted *Ground Condition Consultants, Ground Condition Assessment* Ref: J20-033-R01 September 2020.

Summary of report findings

The report finds evidence of hydrocarbon contamination in the vicinity of the below ground fuel storage tanks. Captured soils results are thought to be representative of a 'smear zone' of light-non-aqueous phase liquid (LNAPL) being carried on the groundwater surface, and affecting soils within the seasonal range of groundwater levels.

Strong olfactory evidence of contamination was identified in the same location, and both leachate samples and groundwater samples taken confirm that groundwater is likely to be impacted by hydrocarbons in soils (soil source) and potentially from more heavily contaminated soils- or a reservoir of free product not intercepted by installed trail holes (e.g. adjacent to or below the fuel storage tanks).

Concentrations in groundwater represent theoretical saturation limits for dissolved phase, but no free product has been noted. Results suggest a diesel or kerosine source, and reasonably conclusively preclude lighter petroleum spirits (leaded/unleaded fuels). The Risk assessment references limited pathways, and distance to relevant controlled waters receptors (other than Secondary A groundwater bodies) as factors which mitigate the magnitude of risk.

Impacts have been identified in a down-inferred-hydraulic-gradient sampling point, indicating a degree of migration, but also a degree of natural retardation

Remedial measures are proposed, to comprise the removal of redundant tanks, the chasing out of heavily contaminated soils, and an unmonitored natural attenuation of residual contaminants. A general contamination watching brief is also proposed.

Conclusions & Comments

The conclusions of the report are reasonably well considered, and the precautionary remedial strategy proposed is considered to be proportionate relative to the contribution of the site to the pollutant loading to the secondary-class aquifers.

It is noted that all trial holes were placed 'up-inferred-hydraulic-gradient' of the workshop / storage buildings to the south of the site, so contamination associated with the use of these units will not be represented by the results obtained. For this reason, the observation of a watching brief for contamination not previously discovered is particularly important.

I would also highlight that the report does not address the information required to demonstrate that the remediation & risk mitigation measures have been met, which is required by condition 5 part 3, to be reported under condition 6.

The report is acceptable in its current form. On the basis of the above, *I can recommend that condition 5 parts 1 & 2 be discharged, and that commencement of development be expressly permitted (insofar as restricted by c.5, notwithstanding any parallel restrictions).*

In the event that the applicant does not seek to discharge c.5 part 3 proactively, it would be possible to discharge this part upon receipt of a verification report pursuant to condition 6 (which also requires discharge, under a prior to occupation clause).

In taking this approach, the applicant would be proceeding at their own risk, and additional retrospective verification works could be required in order to support discharge of condition 6 (if the scope of the submitted verification report, or the standard of evidence presented falls short of minimum requirements). In this respect, I would recommend that the applicant seek to discharge c.5 part 3 prior to building over relevant areas of the site. It is possible that the applicant may wish to submit an addendum to cover this aspect within the decision period for this application.

For the benefit of the applicant; with respect to condition 5.3 / 6, given the uncertainty about soil conditions beneath the workshop/storage units, it is expected that the verification report will address the observation of a watching brief in areas of the site that have not been investigated to date. Ideally soil profile descriptions &/or photographs of foundation trenches taken prior to the concrete pour in these areas should be included within the scope of the verification report.

Mr. Jonathan Driver
Environmental Control Officer