

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/16/00897	Your Ref:	APP/15/01233
EH Case Officer Extn:	44 6677	Date:	07 July 2016
DC Case Officer:	Simon Kennedy		
DC Case Officer Extn:	138		
Application Number:	APP/15/01233		
Site Address:	Street Record, Fulflood Road, Havant		
Proposed Development:	Erection of approx 1,920sqm of Warehouse, 890sqm of office space and a 220sqm training school facility with associated enclosed loading areas, car parking and refuse storage (approved 24.1.16). Request to Discharge Conditions 5 and 9 (18.4.16)		
	A request has been made to discharge the following condition(s) on the above application:		

Observations / Comments:

I have reviewed the documentation submitted in support of discharging condition numbers 5 (Contamination) & 9 (Piling). These are related conditions which cannot be regarded entirely in isolation - whilst I have commented on these conditions separately (below), it is necessary for submissions for each to respond to the other.

Condition 5; Ground Contamination

Whilst not previously available for review by this office, the Entec EDS & Phase 2 SI dates from the Summer of 2003. The quality of desk based information is excellent as it relates to the manufacturing activities at the site, however it does not address recent site history post-dating the report (i.e. 2004-2016). It is noted that contaminative uses including a coach depot, vehicle maintenance, scrap storage and informal vehicle breaking, plant storage, bulk fuel storage & operation of a builders yard have all been undertaken at the site in the period following the report issue. It is known that some of the site clearance work immediately prior to the vacation of the site by the last commercial operator involved the inappropriate disposal of waste materials by burning (Environmental Health attended site in the investigation of a smoke related complaint & potential offence under the Clean Air Act '93).

In this course of this consultation, I have also briefly reviewed some additional reports site investigation reports held on file relating to this site (by Enviros consulting). I note in particular that Enviros report ref: DW0180008 makes reference to PRO (petrol range organics, volatile hydrocarbons) at DS9 (a trail hole location from the Entec Phase 2 report, submitted in support of this application) of the order of 33g/kg (33000mg) at a depth of 4.15m. The Entec report submitted is missing Appendix B (sample results) so I cannot verify this reference.

No reference is made to the significance of this result within the Entec report, but the report does state that it considers an appropriate intervention value for PRO might be around 90 mg/kg, and it does recommend further investigation to delineate areas requiring remediation.

Location DS9 is located East of the application site, and was subject to some remedial works - however the 4.15m depth for the elevated PRO is regarded as being significant, and relevant to the current site. The later (remedial) reports (as submitted, relating to works undertaken April 2006) state that the vertical distribution (depth) limit for contamination (and therefore contamination removal works undertaken) is 3.2m. Remedial works involved the chasing out of visibly stained soils in vicinity of DS9 to clean strata at around this depth (3.2m = verification sample, ~2006). The DS9 result referred to is either an error (e.g. lab error, typographical or other reporting error), or alternatively, indicative of a further layer of impacted soils - this could occur for example where a layer of granular material exists within the clay at the site; contamination migrating in laterally would not necessarily leave a 'witness' above the granular layer.

The Entec report references a prior fuel release that (critically) *confirms the existence of a pathway from the soils at the site to the stream*; and also evidence of contamination of groundwater at a depth broadly equating to water levels within the stream (i.e. 4.15, the stream being noted to be "approximately 4m below site levels". Natural ground slopes to the stream, and variable Made Ground comprises the overburden (known to have been placed as a result of a 'cut & fill' operation prior to construction of the former Scalextrics factory) - so a pathway for gravity migration of liquid (free- or dissolved- phase) contamination is considered to be likely.

The Entec report also alludes to a need to limit surface infiltration to avoid mobilisation of contamination within soils (by means of rainfall percolation), as well as confirming that the authors considered that additional uninvestigated sources of contamination were likely to exist at the site.

The Desk based information indicates the presence of several sources both coincident with the subject site and in close proximity to the stream, not all of which have been previously investigated (e.g. oil interceptor units often a source of low level fuels contamination). Drainage pipework is also identified in the North / South orientation, which could act as a preferential migration pathway for contamination within these uninvestigated areas.

Previous Remedial works

With respect to the remediation works previously signed off - I note that the site screening values adopted were never agreed with EA or HBC (both highlighted this). The values used by Enviro as target levels were not selected to be protective of controlled waters; instead an argument was put forward that the pathway was sufficiently retarded. The Entec report (not made available for review at the time) would appear to directly contradict this assessment.

When commenting on final 'sign off' of conditions (relating to the former P&G site; retrospectively, post occupation), both authorities alluded to the possible need for further work in the event that additional contamination were to be identified, or other intrusive works proposed at the site (such as piling). Notably, EH comments extended only to Human Health, and excluded the 08/51184/057 site area, representing the southern half of the site to which this application relates, and which represents the closest proximity to what I would regard as the principal receptor; the Riders Lane Stream (Main River).

Conclusions & Recommendations

The applicant has not provided any new investigation work. Environmental Health & the Environment Agency requested ground contamination conditions for application no. APP/15/01233 in the knowledge that several previous phases of site investigation had been undertaken across the wider site. There was an expectation that some physical investigation would be undertaken to target the potential sources associated with landuses that post-date those reports, if not the uninvestigated sources not specifically targeted in the previous investigations.

I'd reiterate that the 2003 Entec environmental desk study identifies sources that have to date not been specifically targeted, by an intrusive investigation, and I would agree with the conclusions of that report that further unexpected / uninvestigated contamination is not unlikely to be identified during the course of development. Given that penetrative foundation methods are proposed, I regard there to remain an unquantified risk at the site that warrants assessment.

At this stage, for the reasons outlined above; I do not consider that the submitted documents adequately address condition 5, and *I would therefore recommend that the application to discharge this condition be refused.*

Condition 9; Piling (foundation designs using penetrative methods)

I accept the basic justification provided within the AKS Ward statement for the use of a piled foundation solution. Given the geotechnical conditions at the site, piles would appear to represent the most efficient engineering solution.

Sound reasoning is provided for the selection of CFA piles, demonstrating an understanding of the issues. CFA piles are considered to represent a low risk method for sites affected by low-moderated levels of "light non-aqueous-" or dissolved-phase contamination. If a source of gross contamination, or significant "dense-non-aqueous" phase contamination is present (the latter is not anticipated), then clean drilling techniques would represent best practice.

In absence of an appropriate site investigation, whilst it is not necessarily regarded as being likely that clean drilling methods are needed, it is nevertheless difficult to state definitively that their use is unnecessary.

On balance (on basis of previous investigations, and the known subsequent uses of the site over an approximate 12 year period) a source of sufficient severity to require clean drilling is not anticipated.

The clay geology is thought to extend to some 70m below site ground levels, and as a result the lack of detail in respect of the required pile termination depth is not regarded as being a material factor to the environmental risks. The depth / thickness of the geological unit underlying the site is thought to preclude a significant risk to the potable aquifer / SPZ1c.

Accepting CFA piles on an 'in principle' basis serve to 'nail down' a conceptual parameter against which the soil condition / contamination should be assessed. I am minded to recommend approval of the application to discharge c.9, with the cautionary reservation that in event that significant contamination source is identified during investigations pursuant to c.5, that the piling strategy should be adapted (where necessary & appropriate) as a risk mitigation measure.

I am comfortable that amendments to the piling strategy to further reduce the inherent risks associated with the method could be addressed within the scope of the condition 5. The level of concern is not considered to be such that a require refusal to discharge c.9 is necessary, pending the results of an intrusive site investigation to confirm conceptual ground conditions.

On this basis, *I would support the discharge of c.9.*

Mr. Jonathan Driver
Environmental Control Officer