

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/15/01251	Your Ref:	APP/15/00829
EH Case Officer Extn:	44 6677	Date:	15 October 2015
DC Case Officer:	Heather Lealan		
DC Case Officer Extn:	44 6523		
Application Number:	APP/15/00829		
Site Address:	36-38 North Street, Emsworth, PO10 7DG		
Proposed Development:	Demolition of existing building. Construction of two storey detached building to allow restaurant with associated landscaping, refuse area and extraction system.		

Observations / Comments:

I have reviewed the submitted documentation alongside comments provided by Environmental Health in connection with the previous scheme, and a further review of the historic mapping.

In respect of ground contamination, the previous rationale is considered to remain valid, namely that there is mixed commercial / residential use within the North St. area of Emsworth, and that prior commercial activity at the property (or at land associated with the property) cannot be ruled out.

There is uncertainty with respect to the degree of risk that might be associated with the prior use of 36-38 North St. Whilst there is no specific indication that significant contamination is likely to be present - mapping does depict a range of small outbuildings / structures / features in association with these buildings that appear to exceed typical residential requirements, possibly representing stores associated with a former commercial use.

Emsworth has a strong traditional association with the Marine industry (boat building in particular), and associated uses are regarded as being potentially contaminating. As a result of the former presence of outbuildings to the rear of 36-38 North St, a degree of made ground is expected to be present on site at a minimum.

I have no objections to the proposals, but would request that the following planning condition be attached to any planning permission granted;

"In the event that any suspected contaminated soils or groundwater (including discoloured soils or groundwater, oils or oily sheens, foul or solvent odours, or deposits / inclusions comprising obvious waste materials) is encountered during groundwork, or if groundwork staff report acute symptoms (skin, eye or respiratory) suspected of being related to soil quality; works in affected areas of the site shall cease until 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 comprise separate reports as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

- 1) A site investigation in the vicinity of the suspected contamination, of a scale sufficient to characterise it's nature, likely extent & mobility*
- 2) An appropriate assessment of the risks to all receptors that may be affected, including those off site.*
- 3) Where the risk assessment (2) identifies potentially unacceptable risks, a Remediation Strategy that includes;*
 - appropriately considered remedial objectives, and;*
 - clearly defined proposals for the remediation &/or mitigation of identified risks, having due regard to sustainability*
- 4) Where a remediation strategy (3) identifies actions required to remediate contamination or mitigate risks associated with the presence of contamination, a Verification Report that includes;*
 - Sampling & monitoring results, photographic, and other technical/statistical information sufficient to demonstrate that remediation strategy objectives have been met, and where necessary;*
 - Further plans for monitoring, provision for maintenance of barriers or other structures required for remediation or other risk mitigation, and any relevant trigger values and contingency actions as may be required to address the identified risks (a "long-term monitoring and maintenance plan").*

All assessments, works, monitoring & other actions required by 1)-4) above shall be undertaken by competent persons, and the scheme shall be implemented as approved"

Reason: *Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy (2011), and DM17 of the Havant Borough Local Plan (Allocations) (2014); there is a low probability of the presence of Contamination at the site that could, if present, pose a significant risk to occupants / employees at the site, or the occupants of immediately adjacent"*

The above is an expanded wording (to that included as condition 7 on APP/15/00032), providing greater clarity on what is expected if suspected contamination is identified during ground work. The above wording does not introduce any additional requirement, and no sampling or assessment is necessary unless suspicious ground conditions area encountered.



Mr. Jonathan Driver
Environmental Control Officer