

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	CONS/15/00089	Your Ref:	APP/14/01277
EH Case Officer Extn:	44 6677	Date:	29 January 2015
DC Case Officer:	Richard Nash		
DC Case Officer Extn:	44 6538		
Application Number:	APP/14/01277		
Site Address:	3 Elm Grove, Hayling Island, PO119EA		
Proposed Development:	Creation of new building following demolition of timber workshop and garages and change of use from printers to MOT test centre and offices. (Revised Application).		

Observations / Comments:

I have briefly looked over the revised application documents. I understand that Laurent has already provided comments regarding noise, lighting, and any other possible nuisance issues (and that the wording suitable conditions have been agreed).

The comments made here relate to Air Quality & Ground Contamination only, and are largely unchanged from the previous response(s) (to application No.'s APP/14/00496 & APP/14/00974).

The re-revised scheme removes the previously proposed residential unit, but leaves the design largely unchanged, and retains reference to a private garden area. Others have pointed out (Building Control, and Environmental Health) that under the amended PDR, future conversion to residential use is feasible, and on the basis of previously submitted schemes, considered possible, if not probable.

Residential landuses represent increased sensitivity to contamination / pollution than would office space, both being relevant from a ground contamination perspective as an "on-site" receptor, but applicable to different standards of 'significance'.

It is appropriate to require an assessment of contamination risk during any comprehensive redevelopment of a site considered likely to be either a source of-, or affected by- a degree of contamination. Any future development could potentially mobilise existing contamination and increase exposure at off site locations, facilitate migration, or simply make a source of chronic contamination inaccessible, hampering future treatment that could be required. For these reasons, I had previously recommended, that it was both reasonable & appropriate to take the opportunity to ensure that the site does not constitute a source of contamination that could affect nearby residential properties (APP/14/00496). It should be noted that commercial receptors could also be significant with respect to contamination, albeit that this is unlikely at this site.

Conditions are therefore recommended to require that a physical investigation & inspection of the site is undertaken that is of sufficient scope as to enable an appropriate generic or detailed assessment of associated risks to human receptors &/or the built environment, including those off site. Rationale follows.

Ground Contamination _

It is understood that the previous use of the site was a print works. In the absence of any specific information, it is assumed that the site has been used for this purpose since its construction sometime around 1970.

Printing activities are considered to be potentially contaminating, and given the period of occupation, is not unreasonable to assume that some degree of contamination is likely at the site.

The proposed landuse (MOT Test centre / Garage services) is similarly considered to be potentially contaminating, however the standard of construction (e.g. integrity of flooring & location of drainage etc.), and the standard of environmental management practices, waste handling & containment equipment (etc.) are all expected to be of a higher standard than would be expected for a business operating in the 1970's/80's, within a building of similar construction date.

In consideration of improved standards, and increased awareness of environmental issues, the proposed business would be expected to represent a relatively low risk. However, there remains the potential for failures of either equipment or management (poor housekeeping), and in addition simple accidents would not be unforeseeable with this type of business.

As has previously been indicated, I don't consider that a significant risk to the health of future site employees or customers is particularly likely, either in it's existing condition or as proposed - largely to the degree of hardstanding proposed, and the reduced sensitivity of the commercial land use class (low duration of exposure for customers, lower sensitivity of adult employees to chemical contamination when compared with children, for example). The geology is however likely to be porous and the groundwater levels shallow - meaning that the local context is likely to be conducive to the migration of any contamination present. The nearest existing residential properties (rear gardens, considered to be sensitive receptors) are < 20m directly down-(anticipated) hydraulic from the site.

Whilst the amended proposals now exclude the on-site residential unit (no sensitive landuse on site), it remains appropriate (as previously recommended) to confirm the degree of contamination risk to off site receptors associated with the former print works.

I am also mindful of the availability of permitted development rights, and it may be useful to clarify the position of Environmental Health in the event that the right to convert were exercised under the prior notification provisions.

Where either:

- a) a site investigation were not undertaken under this application, or
- b) risks identified under an investigation required by this application were only considered acceptable under an on-site commercial land use scenario);

If future conversion were proposed, Environmental Health would require an appropriate reassessment of contamination risk.

If the applicant considers it possible that conversion of the office space to residential use will be undertaken, I would recommend (as an informative) that any contamination risk assessment accounts for this possibility, and in addition, that sufficient protection is designed in to the structure of the proposed building so as to prevent unacceptable exposures occurring as a result of the garage services landuse.

In line with the comments above & made previously - the possibility of future conversion of the office space does not alter the recommendation strictly under the proposals presented. If development control are minded to grant consent for this scheme, I request the following conditions:

Condition 1

Prior to the commencement of development approved by this planning permission, a scheme to deal with the risks associated with potential ground contamination at the site shall be submitted to and approved in writing by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority.

1. A site investigation scheme appropriate to the scale of the site and to its previous commercial use(s), to provide sufficient information for an appropriate assessment of the risks to all receptors that may be affected, including those off site.

2. The results of the site investigation and risk assessment (1) and if appropriate, a remediation strategy based on these results giving full details of the remediation measures required, and how they are to be undertaken.

3. A verification report shall be prepared on completion of the remediation measures set out in (2) (if any) confirming that measures have been undertaken in accordance with the method statement, and setting out measures for maintenance, further monitoring and reporting

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

Reason: *Having due regard to policies and proposals E1 of the Hampshire County Structure plan 1996-2011 (Review), DM10 of the Havant Borough Adopted Core Strategy (2011), and DM17 of the Havant Borough Local Plan (Allocations) (2014); Contamination may be present at the site as a result of both previous & current landuses (&/or activities) at the site that could pose a risk to occupiers of nearby residential properties, and future users of the site.*

Condition 2

"If, during development, contamination not previously identified on site is found to be present (for example solvent odour, stained or discoloured soils or sub-soils), no further development shall be undertaken until a report has been submitted to and approved by the Local Planning Authority detailing how that contamination is to be dealt with. Unless otherwise agreed in writing with the Local Planning Authority, all works outlined in the submitted report shall be adhered to."

Reason: *Having due regard to policies and proposals E1 of the Hampshire County Structure plan 1996-2011 (Review), DM10 of the Havant Borough Adopted Core Strategy (2011), and DM17 of the Havant Borough Local Plan (Allocations) (2014); Contamination may be present at the site as a result of both previous & current landuses (&/or activities) at the site that could pose a risk to occupiers of nearby residential properties, and future users of the site.*

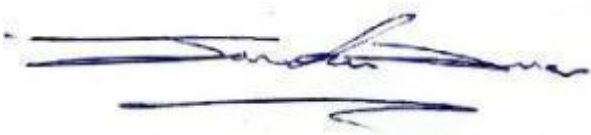
It is recognised that the scale of the development is relatively small – and for clarity, the anticipated scope is to confirm that no gross contamination arising from the former use of the site as a print works is likely to affect nearby residential property. The scope of the works need only be treated as a 'preliminary' investigation, however sampling suites should include VOC / PAH & a general metals suite, and should sample groundwater if encountered.

More detailed investigations (&/or risk mitigation measures) may be required in the event that preliminary investigations yield unfavourable results. As a technical note, although this is a small site, it may be beneficial for the applicant to seek to determine the groundwater flow direction by use of levelled window samples (at least 3 trial holes finished as wells) as opposed (or in addition) to trial pits. There is a general lack of sensitive receptors around the site, and in the event that contamination is identified at the site, migration direction may be a critical factor in determining further action.

Air Quality

Air Quality in the Elm Grove area is known to be good. The proposed activities at this site are considered unlikely to be capable of materially affecting local air quality, and the site is considered to be of insufficient scale to have any material impact on local traffic movements or congestion.

I therefore offer no adverse comment on air quality grounds.

A handwritten signature in blue ink, appearing to read 'Jonathan Driver', with a horizontal line underneath.

Mr. Jonathan Driver
Environmental Control Officer