

**HAVANT BOROUGH COUNCIL**

**Town & Country Planning Act 1990**

**Consultation on Planning Application**

***MEMORANDUM***

|                              |                                                                                                                                     |                  |                            |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|------------------|----------------------------|
| <b>From:</b>                 | <b>Environmental Health</b>                                                                                                         | <b>To:</b>       | <b>Development Control</b> |
| <b>Our Ref:</b>              | CONS/15/00909                                                                                                                       | <b>Your Ref:</b> | APP/15/00638               |
| <b>EH Case Officer Extn:</b> | 44 6677                                                                                                                             | <b>Date:</b>     | 28 July 2015               |
| <b>DC Case Officer:</b>      | Tina Pickup                                                                                                                         |                  |                            |
| <b>DC Case Officer Extn:</b> | 44 6461                                                                                                                             |                  |                            |
| <b>Application Number:</b>   | APP/15/00638                                                                                                                        |                  |                            |
| <b>Site Address:</b>         | Land southwest of 8 New Brighton Road, Emsworth, PO10 7PS                                                                           |                  |                            |
| <b>Proposed Development:</b> | Construction of 1No. detached 3 bed house and 2No. semi-detached 3 bed houses with integral garages with access from private drive. |                  |                            |

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**Observations / Comments:**

I have reviewed the submitted documentation and would like to comment as follows;

*Transport Statement, Air Quality*

The conclusions of the May 2015 Transport Statement assessment conclusions are agreed insofar as they relate to the trip rate generation (new daily vehicle trips to the local road network). The development is considered to be of insufficient scale as to have any material impact (i.e. +10%) upon local network traffic flows, and it is noted that flows on New Brighton Road are were <5,000 vehicles per day in 2011, less than half the flow threshold that is generally considered to be indicative of local air quality problems close to the carriageway.

Local air quality indicator parameters are monitored in the vicinity of this application site, and exceedance of National Air Quality Strategy objective values is not typically recorded. I therefore offer no adverse comment with respect to the development either as a potential source of local air pollution, or as a new pollution sensitive receptor.

*CIL Exemption*

It is acknowledged that CIL arrangements fall outside the scope of Environmental Health. However, as an observation - I note that a self-build exemption form has been completed which references the entire site, and as the development relates to 3 no. units this appears to be incompatible with the conditions of exemption. It is possible that a small development relief form was intended.

## *Contaminated Land*

The application site, and specifically the proposed plots numbered 1-3 (and future indicative plot no. 4) are all brownfield, having been formerly occupied by several structures. In respect of plots 1-3, possibly numbering as many as 10 structures, previously arranged with the form & appearance of 2 adjacent agricultural yard complexes, possibly operated separately. Construction date for these structures was between 1883-1897, and further additions were made before 1909. At least 10 no. former structures were present across plots 1-3, being of various scales and including several glasshouses.

These were possibly associated with 'Northlands', which archive & historical information resources suggest may have been used as a maternity hospital / nursing home, and associated with an agricultural use. It is not clear whether uses may have been concurrent (e.g. agricultural tenants on small-holdings within the grounds of the hospital), or whether the glasshouses & storage buildings were associated with the clinical/residential use of the site.

A further structure, 'Orchard Cottage', was constructed within the application area between 1932 & 1953. The footprint of this former building encroaches upon plots 1-3, and plot 4. This building was demolished between 1980 & 1992 in association with the construction of the A27 trunk road. Given the construction date, Asbestos containing materials may be associated with any demolition-related made ground.

It is considered that several potential sources of contamination could be associated with these prior landuses - local town gas production is possible at a clinical site, substantial farmhouse or manor type dwelling. Boiler houses & fuel store could similarly be associated with these uses, and the storage and handling of cleaning chemicals could be associated with a clinical site.

Glasshouses were often heated - tanks, pipework & equipment for oil storage, distribution & burning are often associated with glasshouses / nurseries. Contamination from pesticides (historically heavy metal & arsenic containing) is also a possibility. Agricultural uses (yards, storage) are similarly often associated with fuel (hydrocarbon compounds) contamination, metals and agri-chemicals. Localised landfill deposits & made ground are also often associated, especially at the periphery.

Given that the current proposals are for 'contamination sensitive' residential development that includes private gardens; it is considered prudent to require confirmation of the risk status of the site through appropriate environmental evaluation and physical investigation.

The presence of some contamination associated with these features would be unlikely to render the development uneconomic, and is therefore not considered to represent a barrier to consent. I have no in-principle objection to the proposals, but would stress that (without contamination being appropriately addressed through the planning process) under a worst-case scenario it could theoretically be possible for one of the proposed plots to meet the definition of contaminated land.

For this reason, if development control are minded to grant consent for these proposals, I would request the following conditions be applied:

### **Condition 1 (Assessment & Investigation of Possible Contamination)**

*Prior to the commencement of any specific phase of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with the possible contamination 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 desk study &/or site walkover survey identifying:*
  - All previous uses,*
  - potential contaminants associated with those uses,*
  - a conceptual model of the site indicating sources, pathways and receptors, and;*
  - a summary of potentially unacceptable risks arising from contamination at the site.*
- 2. A site investigation scheme based on (1), to provide sufficient information for an appropriate assessment of the risks to all receptors that may be affected, including those off site.*
- 3. The results of the site investigation and risk assessment (2) and if appropriate, an options appraisal and remediation strategy based on these results giving full details of the remediation measures required and how they are to be undertaken.*
- 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.*

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

**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], Contamination may be present at the site as a result of both previous & current land uses (&/or activities) at the site that could pose a risk to future site occupiers.*

## **Condition 2** (Verification of Remedial or Risk Mitigation Measures)

*No occupation of any part of the permitted development shall take place until a verification report has been submitted to and approved in writing by the Local Planning Authority.*

*The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan (if required in accordance with **condition [X]**), and must demonstrate that site remediation criteria have been met. It shall also include any plan identified as being necessary for longer-term monitoring of pollutant linkages (a “long-term monitoring and maintenance plan”), including provision for maintenance and contingency action. The long-term monitoring and maintenance plan 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], Contamination may be present at the site as a result of both previous & current land uses (&/or activities) at the site that could pose a risk to future site occupiers.*

## **Condition 3** (Unexpected Contamination)

*“If, during development, contamination not previously identified on site is found to be*

*present, works in the affected area must cease, and no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be undertaken until a report has been submitted to and approved by the Local Planning Authority that details 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 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 land uses (&/or activities) at the site that could pose a risk to future site occupiers.*

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

**Mr. Jonathan Driver**  
Environmental Control Officer