

# 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/15/00431                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Your Ref:</b> | APP/15/00284               |
| <b>EH Case Officer Extn:</b> | 44 6677                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>Date:</b>     | 05 May 2015                |
| <b>DC Case Officer:</b>      | Heather Lealan                                                                                                                                                                                                                                                                                                                                                                                                           |                  |                            |
| <b>DC Case Officer Extn:</b> | 44 6523                                                                                                                                                                                                                                                                                                                                                                                                                  |                  |                            |
| <b>Application Number:</b>   | APP/15/00284                                                                                                                                                                                                                                                                                                                                                                                                             |                  |                            |
| <b>Site Address:</b>         | Site of Former Warehouse, Stanbridge Road, Havant                                                                                                                                                                                                                                                                                                                                                                        |                  |                            |
| <b>Proposed Development:</b> | Outline Application for Demolition of existing building and structures and redevelopment of the site with the erection of up to 11,363 sq m of accommodation for industrial and warehouse purposes within Use Class B1,B2 and B8, together with associated car and HGV parking and access, ancillary office and related facilities. Access, layout and building height to be determined, appearance and layout reserved. |                  |                            |

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#### **Observations / Comments:**

I have reviewed the application planning and design & access statements, alongside technical documentation submitted in support of this application. I would like to provide comment in respect of ground contamination, pollution potential (drainage), and transportation (air quality). It is understood that Mark Moss has provided comment under separate cover in respect of noise / nuisance, hours of working etc.

#### Summary

No objections to the proposals, which (at least with respect to the preferred option) represent a similar landuse & configuration to that currently in place. There are some concerns/comments, as outlined below:

- There remains the possibility of significant contamination being present (low probability concluded, but could be significant if present). No additional assessment is considered necessary, *condition requested with regards the implementation of a watching brief.*
- Heavy Good Vehicle traffic operating from / associated with this site could have an adverse impact upon local air quality / highway network. Anticipated numbers of vehicle movements is currently unquantified & highly dependent upon the end-user. *A condition is suggested requiring assessment / transport plan (mitigation) prior to occupation.*
- The drainage strategy proposes SUDS, and incorporation of an oil interceptor unit. The drainage strategy addresses pollution & flooding concerns. There is no objection to the strategy (use of SUDS), but *a condition is suggested to formalise the incorporation of an oil interceptor within the implemented system in line with typical Environment Agency comments.*

A rationale is provided in the sections below, alongside suggested condition wording (in italics).

*Delta Simons Phase 1 & 2 Geo-Environmental Assessment (13-0646.01)*

The report concludes that the environmental setting is of 'low-moderate' sensitivity. This is agreed - other site assessments within the vicinity have established some regional characteristics in respect of local drift geology & hydrogeology - with consensus opinion from regulators that the local 'Secondary A' aquifer is considered to be of low sensitivity as a receptor where the conceptual model does not identify a direct & tangible/credible link between a source & secondary receptor (a surface water, for example).

At this site, the groundwater levelling data (tentatively interpreted, alternative interpretations & locally influencing factors notwithstanding) appears to show that the site is not directly 'up-hydraulic-gradient' of the River Lavant (165m NW of site at it's closest point), with local flows from the NE/SE converging at the site before flowing off-site in an Easterly direction (~350m to the Lavant Channel). This is contrary to other investigations undertaken in the vicinity, and demonstrates local variability in groundwater flows within heterogeneous drift (i.e. some uncertainty). Migration of contamination is plausible over distances of up to 200m in this area, with direction typically dictated by local granular deposits, rather the slope of underlying bedrock surface or orientation to the local surface waters. This places the site outside the range where (in the absence of clear evidence of a gross point source release of contamination associated with the site) it might be considered that a tangible link might exist with the surface water receptor. Similarly, the local groundwater flows would indicate that residential property to the East of the site (the other side of the rail line) are likely to be up-hydraulic gradient of the site (and any contamination that may be present within it's curtilage).

The site investigation has identified some contamination at the site - most notably petroleum hydrocarbons in soils, and chlorinated solvents predominantly within groundwater.

Groundwater results support a conclusion that petroleum hydrocarbons identified are likely to be in an immobile form (all water results below limit of detection), which is accepted. Groundwater results for VOC's are interpreted as indicating at least two separate off-site sources, located to the North & South of the site - i.e. a plume of contamination is identifiable at the site, but the source does not fall within the application red-line area.

The applicant has no control over-, or liability for-, an off-site source. Treatment of a migrating plume (contamination which has migrated to the site) would need to account for the probability of re-contamination of the site from an uncharacterised / inaccessible source existing off-site. I would only consider requiring remediation (of the on-site component) where the identified contamination that has migrated onto the site is present in such concentration / volume that it could be regarded as constituting a 'source' in it's own right. The investigation does not generally support this, having identified VOC compounds at less than 10% theoretical saturation levels, and a general lack of evidence of related soils contamination.

There is one exception to this, with some TCE/DCE/VC (chlorinated solvents) identified in shallow soils of the unsaturated zone, considered to be indicative of a source local to the site (surface spillages etc.). On the basis of that result, I do not consider that an additional local source can be ruled out.

The report does not specifically address the local VOC soils results in the context of the presented conceptual model (which the results do not 'fit'), however it is acknowledged that there could be localised contamination at the site that has not been uncovered during the investigation fieldwork. A contamination discovery strategy is proposed. I would agree that this is important -

VOC contamination can be difficult to characterise & locate - and with knowledge of the local drift Geology, it is not inconceivable that a source could be uncovered / mobilised during site clearance & preparation works - particularly during removal of hard-standing & grubbing up existing foundations.

I note that the Environment Agency has not provided detailed comment - but has presented advice in relation to piled founds within an SPZ1c. Pad foundations / solid ground bearing raft founds are proposed, and if higher loadings are required a piled foundation solution does not require termination within chalk at depth (which would be considered high risk). Pile termination within river terrace gravels / London Clay does adversely alter the risk profile of the site.

### **Conclusions**

The conclusions of the report are broadly agreed. I do not consider that additional site investigation is required to further characterise or risk assess the identified contamination, nor that any specific remedial actions should be undertaken. I do agree that there is a risk of encountering a source (or sources) of contamination at the site that could be significant in its own right, but has not been identified by investigations undertaken to date. This is more likely with chlorinated solvents than would be the case if similar results were returned for other determinands.

For this reason, I consider it important to formalise the proposal to progress groundworks under a watching brief / hotspot protocol. If Development Control are minded to grant consent, I would request that the following condition be applied:

### **Condition 1**

*"If, during development, soil or groundwater that appears to be impacted by contamination is found to be present, no further development shall be undertaken until an appropriate assessment has been undertaken, and a report detailing how that contamination is to be dealt with has been submitted to and approved by the Local Planning Authority. Unless otherwise agreed in writing, 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); Site investigation undertaken to date has not ruled out the possibility of a source of chlorinated solvent in soils within the curtilage of the site. If present, this contamination could be significant for controlled waters &/or human health."*

### **Vectos Transport Assessment (March 2015)**

The report only covers employee & customer (i.e. private vehicle) trips. As the outline use being applied for (as a preferred option) is 100% B8 (with a possibility of B8/B2 Mix), customer & employee trip rates are likely to be low, and are unlikely to be significant from the perspective of either local road network capacity or air quality.

Operational traffic could have a material impact – this depends greatly upon the configuration finally selected (at reserved matters), and the nature of the business of the tenant(s) / occupier(s). Presumably as a result of this uncertainty, the Vectos report has not attempted to capture operational goods-vehicle movements.

At this stage, the preferred option is a B8 warehousing facility with marginally reduced gross floor area, and significantly reduced ancillary office space. In terms of customer / employee

private car trips, I would agree that this is unlikely to be an issue in terms of local air quality. The report concludes that a 'positive change' (in terms of traffic movements, and by implication, in terms of highway utilisation & air quality) is likely, compared with consented use. This is a natural consequence of the reduction in floor areas, and the report focus.

The outline proposals do however provide for an increase in the number HGV loading bays, at a level that is consistent across all scenarios. This increase in physical loading / unloading capacity could be associated with a significant number of additional HGV trips compared with the previous use, and certainly in comparison with the current level of usage.

It is accepted that the site is unlikely to generate sufficient HGV vehicle trips as to significantly alter the %HGV traffic at any specific location on the local road network (partly a function of the volume of traffic carried, and partly the industrial character of the site - i.e. many potential contributors). The site is (therefore) unlikely meet the 'trigger' for a specific AQ assessment under the National Society for Clean Air (NSCA) policy guidance.

However, in the interests of minimising the potential for 'traffic pollution inflation' at relevant locations (specifically within Havant Town Centre), it is considered appropriate to seek to encourage avoidance of pollution sensitive areas where there is opportunity to do so.

In planning terms the existing site has an inherent volume of 'existing' traffic associated with its consented use, albeit that the site is underused / not in use. From an Air Quality perspective, these trips are essentially new to the road network as the emissions associated with the under-use of the site have not contributed to the measured air pollution levels during the period of under-use.

Whilst there is no inherent objection to the outline proposals, I would like to see consideration of operational vehicle traffic / trip rates & routing prior to occupation by a specific tenant, and if appropriate, proposals for minimising the impact of operational traffic (an 'operational transport management plan'). This could serve as a useful & direct measure to help prevent deterioration of local air quality, actively seeking to minimise the number of the most polluting vehicles travelling through a pollution sensitive 'bottle-neck' between the site and the national road network.

As previously discussed, if an assessment of HGV/MGV movements indicates an insignificant volume of heavy traffic, it would not be appropriate to impose disproportionate requirements upon the developer / tenant / occupant - it is obviously difficult to make detailed comment at the outline stage.

If Development Control are minded to grant outline consent, I would request that a suitable condition be included to ensure the consideration of operational traffic. Some suggested wording is below, but I appreciate that it may be more appropriate to draft a requirement into the reserved matters condition, and/or that some re-drafting may be required to incorporate the requirements of others (e.g. Highways).

**Condition 2:**

*"An Operational Traffic Management Plan shall be submitted to and approved by the Local Planning Authority in writing before occupation of the completed unit(s). This should consider the number & routing of Goods Vehicle trips, alongside any associated local impacts in relation to local highway capacity, congestion, or local air quality. If appropriate, the Traffic Management Plan should include measures to mitigate any identified adverse impacts, and be implemented as approved."*

**Reason:** *In the interests of local air quality, road network capacity & highway safety, and having due regard to policy DM10 and the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, March 2012.*

**Baynham Meikle Drainage Strategy & Flood Risk Statement (March 2015)**

The Drainage Strategy confirms that the site is served by separate private surface water & foul systems, connecting to the local public network the NorthWest corner of the site. Service yard surface water drainage (alongside a percentage of roof water drainage) is proposed to drain via a full-retention oil interceptor chamber to an in-line cellular attenuation / infiltration feature (with 'at capacity' flows returned to the on-site surface water system, and onward to the public connection).

I note that the Environment Agency has not provided specific comment with regards to the use of SUDS, or the need for oil interceptor within the service yard. It is typical for the Agency to require a forecourt (typically 10,000L, full retention) oil interceptor on service yard drainage where discharges are destined for local surface waters, or soakaway. It is typical that requested conditions specify that roofwater runoff not pass through the interceptor.

It has been established that the site is not particularly sensitive in respect of local 'controlled waters' (Groundwater; secondary A aquifer, on site; and surface water, Lavant Main River Channel, located >160m east of the site), however it has also been shown that a degree of contamination is present within groundwater, and potentially within on-site soils. One off-site source of contamination is thought to exist close to the Southern boundary of the site, in close proximity to the proposed cellular attenuation / infiltration feature.

There are two risks associated with the introduction of a significant infiltration feature; i) it could change the local hydrogeological dynamic, risking the mobilisation of contamination that is (currently) 'attenuated' within soils, and ii) the feature could efficiently transmit surface pollution to soils (within a secondary aquifer, within 250m of the surface water that it supports, and with an associated/introduced hydraulic pressure from the drainage system to soils)

In respect of the SUDS feature transmitting surface contamination, I note that a suitable interceptor is proposed (which is welcomed), but not specified. I am less clear on the appropriateness of passing roof runoff through the interceptor- this is likely to be influenced by the specification of the selected unit.

In respect of mobilising contamination. the Delta Simons report does not identify a significant source, but has presented evidence that could be indicative that a source of concern exists on, or close to the boundary of the site. I agree that on the basis of soils investigations undertaken it is appropriate to regard the site as 'uncontaminated' (not posing an unacceptable risk). I am mindful of the potential for contamination to be present on (or close to the boundary of the-) site, but until this has been identified/confirmed, the balance of available evidence (i.e. the current conceptual site model) must be regarded as being permissive of SUDS drainage. Further, any significant contamination discovered during groundworks associated with the implementation of this development ought to be dealt with in accordance with the proposed condition 1, above.

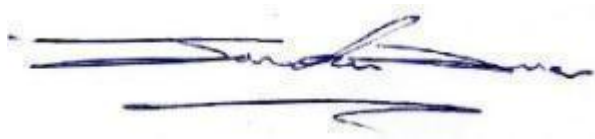
Given that we are at outline stage where layout details are- (site configuration is-) reserved, and that the Environment Agency typically require discharge of service yard runoff via a suitable interceptor unit (albeit that no request has been made in respect of this application), and that the 'in principle' drainage strategy submitted proposes such a unit - it is considered appropriate to ensure that the requirement is formalised.

As above, it may be that it is more appropriate to include a provision for agreement of surface water drainage scheme as a reserved matter, however if it is preferable to include a specific condition on the outline consent, I would suggest wording similar to that given below:

**Condition 3:**

*"Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil separator designed and constructed to have a capacity and details compatible with the site being drained. Roof waters shall not pass through the separator."*

**Reason:** *To prevent pollution of the water environment and having due regard to policies CS15 and DM10 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and Planning Policy Statements 9, 23 and 25.*

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

**Mr. Jonathan Driver**  
Environmental Control Officer