

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	DCS/EH/JPD/141219001	Your Ref:	[As Application Ref:]
Ext. No:	6677	Date:	19/12/2014

DC Case Officer: Daphney Haywood
Application Number: APP/14/00863
Site Address: Land North of Bartons Road, Havant

Proposed Development: Demolition of existing buildings and erection of 55 dwellings; comprising 6No. 2 bed flats; 9 No. 2 bed houses; 33No. 3 bed houses; 6No. 4 bed houses and 1No. 5 bed house; together with access, landscaping, car parking and open space. Felling of trees covered by TPO 1328. Joint application with Havant Borough Council and East Hampshire District Council, Havant Borough Council is the Lead Authority.

Observations / Comments:

I have reviewed the environmental context of this site, and from a pollution / contamination perspective, and am in broad agreements with comments made by East Hampshire District Council Environmental Health.

Summary

No objections to proposals. Conditions proposed to require ground investigation, and if necessary, remediation & validation; plan to deal with unexpected contamination encountered. Wording has been amended to provide for spatially phased discharge if required.

Some concerns over provision for surface water disposal & the associated pollution potential, either by contribution to associated off-site pollution (discharge to harbours) or direct, to principle aquifer. It is expected that the EA will pick up these issues, and for this reason, no specific requirements are proposed. In the event that the EA offers no specific advice, please contact Environmental Health regarding pollution prevention.

Detailed comments / rationale are presented in the sections below.

Contamination

The site borders railway land at its Western boundary, which has been in use as a rail way link since before the earliest available date of mapping, in 1867 – marked as the “London & South Western Railway – Portsmouth Direct Branch”. Railway lines can be associated with a range of contaminants (in particular, Hydrocarbon based Fuels / Oils, PAH, metals, Asbestos fibres, Phenols, PCB's, herbicides, etc.), however, these are often associated with track ballast, embankment materials and engineering landfill.

The line adjacent to the West of the site boundary exists within a substantial cutting, which in practice makes the presence of significant quantities of deposited materials unlikely, and in turn, reduces the risk of the site being affected by contaminants associated with railway land

runoff to negligible levels. I do not see a specific need to target any site investigation at assessment of the risks from the rail line.

The submitted Geo-Environmental report (GE9323/GR01/130510) notes that there was no access at the time of the investigation to the built-up area in the South of the site (various commercial & residential uses, workshops, raised ground etc.)

The preliminary report acknowledges that it is likely that some soil contamination will be present (at the un-investigated, southern portion of the site - associated with made ground and workshop activities), and that remedial action could be required to protect end users. It is similarly noted that the possibility of encountering made ground / contamination on the northern 2/3rds of the site that is expected to be 'Greenfield' (topsoil over natural strata) cannot be ruled out. Reference is made to 'unmade track' in the paddock area, and waste materials are sometimes used in rural / Greenfield locations to stabilise access tracks in wet conditions. On this basis, I would agree with this assessment.

Wastewater / Pollution Potential

The report notes that the current drainage provision is via a combined system (rainwater into foul). This scheme will significantly increase runoff from the site (via new roof areas, access roads and hardstanding) – disposal of surface water from the proposed development would be a significant concern with respect to its contributory detrimental impact upon the throughput at Budds Farm during storm conditions. This is already a significant concern to the Council, with regular reportable discharges of untreated sewage to the Harbour Waters (that benefit from multiple European-level protection designations). The report alludes to an alternative solution, but concludes that traditional soakaways are inappropriate.

It is suggested that deep soakaways discharging directly to the chalk unit are potentially feasible for roof water only (with alternative provision being made for roads & parking areas), with provisions being made to prevent future connections. It is unclear how the rainwater down-pipes & gulleys would be protected from addition / modification (given that modern materials typically comprise easily modified plastics), and would caution that there remains a tangible risk of domestic residents inappropriately modifying or adding inputs to rainwater systems discharging to the principle aquifer. These are most likely to occur where permitted development rights are exercised, or additional washing machines added within garages (for example). It may be appropriate to consider the removal of permitted development rights to prevent direct foul (grey-water) inputs to the chalk aquifer in the future.

I expect the Environment Agency to pick these issues up in detail, and for this reason I have not proposed any specific conditions, or scheme design requirements. In the event that the agency offers no advice / recommendations / requirements in this regard, please contact me for recommendations regarding suitable condition wording, and to discuss the need (or otherwise) for the removal of PDR.

Recommendations

In line with both the conclusions of the Geo-Environmental report submitted and the advice of East Hampshire District Council (Environmental Health), I would recommend that conditions be applied to any consent granted in respect of this site in order to ensure that an appropriate investigation of the Southern (previously developed) portion of the site, and to ensure that any contamination that may be otherwise encountered during development is appropriately dealt with.

The proposed conditions have been amended in line with recent difficulties encountered with early application for the discharge of conditions with pre-commencement elements on residential development, to accommodate the requirements of social housing providers. The proposed conditions (overleaf) include a clarified provision for phased discharge.

Condition 1

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 and proposals E1 of the Hampshire County Structure plan 1996-2011 (Review), and DM10 of the Havant Borough Adopted Core Strategy (2011); 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 future site occupiers.*

Condition 2

"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, 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 and proposals E1 of the Hampshire County Structure plan 1996-2011 (Review), and DM10 of the Havant Borough Adopted Core Strategy (2011); 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 future site occupiers.*

Condition 3

"If, during development, contamination not previously identified on site is found to be present, 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 and proposals E1 of the Hampshire County Structure plan 1996-2011 (Review), and DM10 of the Havant Borough Adopted Core Strategy (2011); 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 future site occupiers.*

Best Regards,



Jonathan Driver
Environmental Control Officer