

Havant Borough Council
Development Control
Civic Offices Civic Centre Road
Havant
Hampshire
PO9 2AX

Our ref: HA/2013/113956/01-L01
Your ref: APP/12/01233
Date: 15 March 2013

Dear Sir/Madam

CONVERSION OF EXISTING JOINERY (HENRY JONES BUILDING) TO FORM 8NO. FLATS COMPRISING 6NO. 1 BED FLATS AND 2NO. 2 BED FLATS; DEMOLITION OF REMAINING BUILDINGS AND CONSTRUCTION OF 16NO. 3 BED HOUSES.

59-61 WEST STREET, HAVANT, HAMPSHIRE, PO9 1LB.

Thank you for consulting the Environment Agency on the above application which was received on 26 February 2013.

Environment Agency Position

We can confirm that the Environment Agency has no objection in principle to the proposed development as submitted; however, we request that the following planning conditions be attached to any planning permission granted in order to make the development acceptable.

Planning Conditions:

The Environment Agency requests that the following conditions be attached to any planning permission granted, and that details in relation to these conditions (and on which the Environment Agency would wish to comment) be submitted to and approved by the Local Planning Authority:

No 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), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified all previous uses potential contaminants associated with those uses a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising

from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy 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 and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: The site lies above the Lewes Nodular Chalk formation that is classified as a principal aquifer. Contamination may be present at the site as a result of its historical uses. Any contamination present may pose a risk to surface water and groundwater underlying the site and to potable supplies.

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be 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 to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reasons: The site lies above the Lewes Nodular Chalk formation that is classified as a principal aquifer. Contamination may be present at the site as a result of its historical uses. Any contamination present may pose a risk to surface water and groundwater underlying the site and to potable supplies.

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reasons: The site lies above the Lewes Nodular Chalk formation that is classified as a principal aquifer. Contamination may be present at the site as a result of its historical uses. Any contamination present may pose a risk to surface water and groundwater underlying the site and to potable supplies.

No infiltration of surface water drainage into the ground is permitted other than

with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reasons: The site lies above the Lewes Nodular Chalk formation that is classified as a principal aquifer. Contamination may be present at the site as a result of its historical uses. Any contamination present may pose a risk to surface water and groundwater underlying the site and to potable supplies.

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: The site lies above the Lewes Nodular Chalk formation that is classified as a principal aquifer. Contamination may be present at the site as a result of its historical uses. Any contamination present may pose a risk to surface water and groundwater underlying the site and to potable supplies. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

Infiltration systems should only be used where it can be demonstrated that they will not pose a risk to groundwater quality. A scheme for surface water disposal needs to be submitted to and approved by the local planning authority. The scheme shall be implemented as approved.

Reason: To protect the quality of controlled waters in the local area as the site lies above the Lewes Nodular Chalk formation that is classified as a principal aquifer. Contamination may be present at the site as a result of its historical uses. Any contamination present may pose a risk to surface water and groundwater underlying the site and to potable supplies.

The above conditions are in line with the National Planning Policy Framework (NPPF) Paragraph 109, which states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

Advice to the Local Planning Authority / Applicant

We have reviewed the report and information provided by Wilson Bailey Geotechnical and Environmental to support this application to redevelop the site for residential housing. As the Desk Study identifies that the historic uses of the site could give rise to a number of potential sources of contamination and we agree with the recommendation that further intrusive investigations will be necessary if the site is to be developed.

We would like to refer the applicant to our groundwater policies in Groundwater

Protection: Principles and Practice, available from our website. This sets out our position for a wide range of activities and developments including:

- Waste management
- Discharge of liquid effluents
- Land contamination
- Drainage

In terms of flood risk, we appreciate that with respect to accessing the Brockhampton Stream the layout of the proposed development is an improvement relative to the existing site. If possible, it would be beneficial for flood risk management purposes if the boundary of the site with the Brockhampton Stream (in particular the area between plots 1 and 24) be designed in a way that will aid access to the watercourse during emergencies. Although we would not normally advocate building in such proximity to main river it is acknowledged that the proposal is a betterment over the existing situation.

Information

Under the terms of the Water Resources Act 1991, and the southern region land drainage and sea defence byelaws, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8m of a designated main river.

If you have any queries regarding the information set out above, please contact me on the details below.

Yours faithfully

Miss Verity Giles
Planning Advisor, Environment Agency

Direct dial 01794834590

Direct e-mail PlanningSSD@environment-agency.gov.uk