

HAVANT BOROUGH COUNCIL
Town & Country Planning Act 1990
Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	PR202512-106895	Your Ref:	APP/25/01005
EH Case Officer Extn:	44 6677	Date:	21 January 2026
DC Case Officer:	Lesley Wells		
DC Case Officer Extn:	-		
Application Number:	APP/25/01005		
Site Address:	McCormack House, 56A East Street, Havant, PO9 1BS		
Proposed Development:	Application to determine if Prior Approval is required for proposed Change of use from Office (Use Class E) to 19 Residential Units (Use Class C3).		

Observations / Comments:

Ground Contamination

The site appears to have been first formally developed for administrative use at some time after 1867 & before 1898. Prior to this, land was greenfield &/or in use as a fruit orchard. The latter is potentially contaminating, depending upon the intensity of production (pest control practices), but it is noted that this use principally falls outside the planning red-line, and does not correspond to amenity land associated with the development (and therefore is not a particular source of concern).

Subsequent to the initial construction of administrative buildings however, there is a long history of modest extensions, additions and alterations, followed by a comprehensive redevelopment of the expanded office complex. The car park is also located on the former Hayling Railway line, awarded consent in connection with an office expansion. As such, the site is brownfield, and not entirely without risk; with sources principally represented by the potential for the presence of deposits of asbestos (containing materials, or fibres) associated with prior demolition and construction activity. Related consents are dated between 1956 & 1981, a period when asbestos containing products were routinely used in construction.

I am comfortable that the residual risk associated with railway use is negligible given the overlying landuse to be retained (car parking, remote from accommodation and from amenity space); it is the prior demolition and construction activity that gives rise to a modest concern.

The application documents do not make clear how the proposed residential units will relate to the amenity land - it is assumed that the grounds will be available to all. In reality, the status of the grounds that are within the planning red-line are only likely to be relevant insofar as whether the appropriate landuse type for risk assessment purposes should be treated and residential open space without plant uptake, or public open space (park). This is potentially relevant to asbestos in conceptual terms (due to tracking dust into the dwelling), but in practice it makes little material difference to screening levels for a non-threshold contaminant.

In terms of risks, the schedule of accommodation, which notably includes 2 bed & 4 bed units, does not naturally deter family occupation, and so the most sensitive human receptor (child aged 0-6) may be expected to be reasonably present.

Residential landuse does have a different risk profile to commercial use, and notwithstanding that no development groundworks are proposed, it is relevant to the development (being a change of use which relates to both the buildings and associated land). I would like to draw a distinction between the possibility of asbestos being present within the building and that which might be present in/on/under the land – the former is not a material planning matter, and is instead controlled by a separate regime (Control of Asbestos Regulations) that the LPA may assume will operate effectively to ensure that harmful materials within the building are removed, or clearly identified and safely retained to prevent release of fibres into the indoor air, or any exposure via inadvertent/accidental/unknowing physical disturbance during the residential tenure.

Whilst asbestos (fibres, and fibre-containing materials) are common contaminants in soils on both residential and commercial sites, it remains a policy-relevant contaminant with potentially serious health implications, and for this reason, I think that Prior approval is required on contamination grounds, and should be approved subject to a condition to ensure that grounds are confirmed suitable for residential landuse, via a limited physical site investigation.

I would suggest that the area of the site greatest risk of deposits of made soil are likely to coincide with the former footprint of the Havant & Waterlooville UDC Offices, in the NW of the greenspace (close to the subject building) and at the access point to the S of the greenspace. The investigation needs only target shallow soils (0-1.0m below existing), with broad coverage to confirm absence of significant made deposits. Samples should be taken from any soils with evidence of construction/demolition materials. I don't see a need for a full suite of CLEA metals, hydrocarbons and PAH – asbestos present in made soils represents the principle contaminant of concern. Consequently, no environmental desk study is necessary, and similarly, given the absence of need for any substantive groundworks, there is no need to formalise any contamination watching brief, nor to impose a 'prior to commencement' clause. It may be appropriate to include an informative to this effect, in or to avoid the applicant commissioning unnecessary work, or incurring excess cost or delay.

Suggested condition wording below;

Contamination (Minimal – omitting EDS) [1]

Prior to the occupation of any relevant part of the permitted development, an assessment of the nature and extent of contamination at the site shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken by competent persons, and the findings presented as a written report.

The assessment may comprise separate reports as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

- 1) *Site investigation appropriate to both the previous & approved use of the site, to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to future occupants.*

- 2) *The results of an appropriate risk assessment based upon (1), and where unacceptable risks are identified, a Remediation Strategy that includes;*
 - *appropriately considered remedial objectives,*
 - *an appraisal of remedial &/or risk mitigation options, having due regard to sustainability, and;*
 - *clearly defined proposals for mitigation of the identified risks.*
- 3) *A verification plan providing details of the data that will be collected in order to demonstrate that the works set out any Remediation Strategy required under (2) are complete.*

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

Reason: *Contamination may be present within existing amenity land at the site, deriving from previous phases of demolition and constriction, that could pose a risk to future residential occupants. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 196-198 of the National Planning Policy Framework '24.'*

Verification (Minimal) [2]

*Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with **condition [1]** 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, and must demonstrate that site remediation criteria have been met.

Reason: *Contamination may be present within existing amenity land at the site, deriving from previous phases of demolition and constriction, that could pose a risk to future residential occupants. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 196-198 of the National Planning Policy Framework '24.'*

Informative – Contamination conditions [1] & [2]

The range of contaminants of concern within the context of this development is limited; asbestos containing materials (ACM) and free-fibres originating from building materials representing the principal risk. It is not anticipated that significant desk-based research will be required in order to provide the necessary surety as to the suitability of the amenity land for ancillary residential use/access; it is expected that it will be sufficient to proceed directly to a physical inspection of the land. It is similarly expected that sampling may be limited to an asbestos screen (present/not present), with type-identification and mass-quantification only needed where fibres &/or fragments of ACM are present. It is not anticipated that CLEA metals, petroleum range hydrocarbons (TPH) or polyaromatics (PAH), soil vapour or soil gas will need to be included with the scope of the investigation. If included, TPH and PAH presented as 'total' (not speciated) will be accepted as suitable quantifications for screening purposes. Investigation need only target shallow soils (up to 1.0m below current / proposed ground levels; whichever is shallower), but it is expected that sampling will focus upon identifying & characterising soils which contain identifiable anthropogenic inclusions (fragments of building materials, etc.). Sample locations should include areas of the amenity land that correspond with the footprint of former structures (e.g. NE of amenity land), or access points (e.g. S of amenity land, where hardcore may have been deposited as a construction material or to form temporary trackway).

Mr. Jonathan Driver
Environmental Control Officer