

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	PR202511-105989	Your Ref:	APP/24/00968
EH Case Officer Extn:	44 6677	Date:	19/05/2026
DC Case Officer:	Lesley Wells		
DC Case Officer Extn:	-		
Application Number:	APP/25/00781		
Site Address:	1 Sea Front, Hayling Island		
Proposed Development:	Change of use from commercial fair site to residential site for 55 flats in 5No. 4 storey blocks with associated parking and landscaping		

Observations / Comments:

Contamination

From a contamination perspective, I note the that the included Groundsure Enviro+Geo insight report appears to identify storage tanks and unspecific industrial/commercial use associated with the fun fair site.

I have searched the planning archive, but have been unable to locate any specific records pre-dating 1954. The information available in the archives is consistent with that presented in the design & heritage statement submitted in support of the application, and close inspection of the specific information contained within the insight report would lead me to conclude that it's record is likely to be a mis-identification of kiosks associated with a leisure use as above-ground storage tanks.

The wider site has been redeveloped at various points throughout it's history, and has been subject to frequent alterations within its consented use. I also note that the available planning documents make several references to asbestos-containing building materials, as might be expected for the period (1950's-1980's). Perhaps the most probable source of potential contamination is made soils associated with construction and demolition wastes arising from these operations; coal-tar derived PAH, coating derived metals (e.g. Lead, Pb), and asbestos. This is particularly the case given the previous need to reinstate the former boating lake to ground level (representing a significant requirement for fill material, and so an opportunity for on-site deposit of demolition wastes – whether site won or imported).

The funfair use would likely also have involved mechanical equipment and associated local storage and handling of fuel, use of lubricating oils/greases, and maintenance operations on both fixed & mobile equipment (cleaning/degreasing etc.).

I would tend to broadly agree the report's upper-range conclusion that the risk of significant contamination being present might be described to be 'low', but would highlight that a low risk might still require some mitigation to meet the standards expected under planning policy. It is notable that the report does not make any recommendations as to the need for any investigative works, nor indeed does it make any argument that such works are not necessary – it is merely a summary of available information.

In terms of the exposure risk associated with the proposed development, I note that the form of development would appear to be at the lower end of the risk spectrum. For example, plans reference raised FFL's, no private amenity/garden space appear to be proposed, and plans do not include any specific sports/play space or designated leisure areas (e.g. community gardens, orchard, outdoor fitness features, or other leisure focal point).

The landscaping proposals appear to have illustrative status only, and I note that the landscapes consultee has highlighted a need for clarity in support of a detailed consent (c.f. outline). I would regard the proposals to be at best uncertain, and I would suggest that a basic phase 2 site investigation should be undertaken alongside any necessary geotechnical work in order to confirm that the presence/concentration risk does not pose an unacceptable chronic health risk under a residential exposure scenario that is consistent with the detailed landscaping plans (when those have been finalised).

Air Quality – development as receptor

No concerns arise.

Air Quality – development as source ('emissions offsetting'), sustainability

I note that this development raises similar issues and concerns as at the related Beachlands development under APP/24/00968; it takes access from the same adopted junction, and is similarly located on land assessed to be within coastal flood zone 3.

It appears that PPUD's comments against the Beachlands application regarding the sequential & exception tests would likely also apply here – and I would consequently expect a need to satisfy the exception test by demonstrating overriding 'sustainability benefits to the community' which outweigh the flood risk.

There is more sustainability content in these proposals than within the Beachlands proposals, however this is typically limited to aspirational statements within the sustainability statement, without any narrative as to how the aspirations translate into specific & substantive design proposals. Text includes statements such as (e.g.) '*development will include...green and sustainable energy solutions to supply heating and hot water*' [made possible as the] '*roof areas on site on not overshadowed*', '*lighting and appliances to be efficient*' etc. The sentiment is positive, and would be agreed to be contributory to emerging air quality policy objectives (especially to reduce development-related emissions of fine particulates-), however this is undermined by a lack of clarity on what technologies are proposed, what capacity they might have/provide or what emissions reduction contribution they might have capacity to make, on how equipment might be integrated into the scheme, or on the acceptability of related impacts against other considerations (e.g. in the case of heat pumps & public health-, noise, or in planning terms-, visual impact).

The Highways Agency has also made similar comments in respect of this application as those made in response to the Beachlands development, raising potential structural problems with access and servicing, several issues with travel demand estimates, insufficient WCHAR assessment, and insufficient scheme integration with the LCWIP. These would all appear to be justified criticisms, especially in light of the proposed discounted provision for private motorcar parking (albeit that the proposal to provide 100% spaces with EV charger accessibility is welcome).

With reference to emerging policy (for which a parallel argument could be made against adopted national policy, given that the development allocation is this development is reliant upon the presumption in favour [NPPF'24 para 11d), note 11], the development could do more to demonstrate its contribution to climate & sustainability goals alongside- & in addition to- the air quality (exposure reduction) objectives; both being key components of the environmental limb of sustainable development.

Given the need for this development to demonstrate 'exceptionality' to override the flood risk constraints, air quality & related health/active travel policy deficiencies could justifiably contribute to a viable policy objection.

Conclusions/Recommendations

Notwithstanding the Air Quality 'emissions offsetting' issues discussed above, or the issues raised by others (especially flood risk mitigation and landscaping/layout); in the event that Development Management is minded to recommend a positive determination of this application, I would recommend the following conditions [1 + 2];

Contamination (Standard) [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), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, 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) *A site walk-over survey &/or sufficient desk-based research to identify;*
 - *All relevant previous uses of the site,*
 - *Potentially significant features and contaminants associated with those uses*
 - *Uncertainties relating to previous use or associated potential contaminants*
 - *A conceptual site model identifying all relevant sources, exposure pathways and receptors, and;*
 - *A summary of potentially unacceptable risks arising from contamination at the site.*
- 2) *Site investigation based on (1), 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 all receptors that may be affected, including those off site.*
- 3) *The results of an appropriate risk assessment based upon (1) & (2), 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.*
- 4) *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, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action.*

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

Reason: *To ensure that the development does not contribute to, and is not put at unacceptable risk from- or adversely affected by-, unacceptable levels of contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 196 & 197 of the National Planning Policy Framework 2024. Contamination may be present at the site as a result of both previous & current land uses (&/or activities) that could pose a risk to future residential occupants, and/or to controlled waters."*

Verification (Standard) [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. Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a "long-term monitoring and maintenance plan").

The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: *To ensure that the development does not contribute to, and is not put at unacceptable risk from- or adversely affected by-, unacceptable levels of contamination, in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and paragraphs 196 & 197 of the National Planning Policy Framework 2024. Contamination may be present at the site as a result of both previous & current land uses (&/or activities) that could pose a risk to future residential occupants, and/or to controlled waters."*

I have included the 'site walkover & desk-based research' clause in Condition [1] as the submitted Enviro+Geo insight report provides wider historical context, but does not provide details about landuse within the red-line area at sufficient resolution as to assist in the appropriate design of an intrusive site investigation.

Mr. Jonathan Driver
Environmental Control Officer