

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From: Environmental Health **To:** Development Control

Our Ref: PR202603-109571 **Your Ref:** APP/26/00092

EH Case Officer Extn: 44 6677 **Date:** 03 July 2026

DC Case Officer: Tina Pickup

Application Number: APP/26/00092

Site Address: 21 Park Parade, Havant, PO9 5AA

Proposed Development: Application to determine if prior approval is required for a proposed Change of use from Commercial, Business and Service (Use Class E) to form 7 No. Flats (Use Class C3) at first and second floor levels, with associated new dormer windows and openings, and cycle storage and part conversion to form new lobby at ground floor

Observations / Comments:

Comments have previously been provided in respect of Contamination risk under similar applications (16/00630, 18/01207, 18/00653, 19/00369, 20/00362, 20/00853, 22/00351, 25/00432).

GEN/18/00653 directly relate to no. 21 Park Parade. The conclusion of that consultation was contingent upon the form of development, notably not comprising any ground floor accommodation.

I note that this application is related to a parallel application, Ref APP/26/0376, and indeed, both applications include the same Soils Ltd. Preliminary Investigation Report (Desk Study & Site Walkover) as a supporting document. In line with the comment above, the form of development differs in a material way, and the conclusions and recommendations differ as a result.

Comments here are made notwithstanding the objection of my nuisance & amenity colleague - it is not my intention to modify or withdraw those comments; that separate objection still stands.

Contamination

It is notable that the habitable accommodation subject of this application is arranged over the 1st & 2nd floors only, with an access lobby, bin & cycle store only at ground level.

As is noted in the submitted report, there are potential sources of contamination (petrol retail garage, Garage Services, Printing, and a Laundry) in the near vicinity, off site, in each case related to the hydrocarbon family of contaminants (fuels, lubricants and solvents). These principally pose risks via the routes of vapour ingress, and via penetration of the potable supply pipework. The former is a primarily a risk to ground floor accommodation, the latter is receptor (i.e. land-use class-) driven, and is relevant to accommodation on all floors.

For similar applications in similar contexts, Environmental Health has taken a narrow approach that targets the specific risk. I am content to respond to this application in a consistent manner, and accordingly, would recommend that the application determine that Prior Consent is required, and (specifically as to 2015/596 MA.2 (2) b-) should be granted subject to the following condition;

Condition [X] – Contamination Risk, Potable Supply

Prior to the commencement of development hereby approved (other than any survey work, site clearance, partial demolition or consequential works for the purpose of ensuring structural stability-), the existing water supply shall be tested for a comprehensive chemical suite in accordance with UKWIR Guidance (Report Ref: 10/WM/03/21) and the test results submitted for approval by the LPA. Where it appears that the potable supply might be affected by a significant contaminant, a scheme of mitigation and remedial work must also be submitted, demonstrating how it will be ensured that the water supply will be made & demonstrated to be wholesome within the meaning of SI 2016/614 Regulation 4. Any mitigation and remedial scheme agreed in accordance with this condition must then be implemented in full, prior to the first occupation of the hereby approved residential flats, to the satisfaction of the Local Planning Authority.

Reason: *Contaminants may be present at the site as a result of previous land uses (&/or activities) on adjacent land, which could be capable of penetrating potable supply pipework and affecting the quality of supply to the detriment of the health of future residential occupants. In line with the objectives of 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, to ensure that neither the development nor its future occupants are placed at unacceptable risk from soil contamination.*

Informative to Condition [X] – Contamination Risk, Potable Supply

“SI 2016/614 Regulation 4 is broad in its definition of quality. Paragraph (1) sets out that water be ‘regarded to be wholesome...if the requirements of paragraph (2) are satisfied’; Paragraph (2) a) ii) refers to any substance (other than those listed in schedule 1) present at a concentration that represents a ‘danger to human health’, which may necessitate a need to refer to substance-specific toxicology for congeners for which a specific drinking water limit is not available (only necessary where a parameter appears to be significantly elevated). Paragraph (2) b) extends this principle to combinations of different substances, and c) & d) refers to prescribed values listed in the regulations (which are typically the focus of standard drinking water tests, which are not the parameters of principal interest).

UK WIR guidance 10-WM-03-21 lists parameters that are most relevant to potable supply pipes laid in contaminated soils – BTEX (benzene, toluene, ethylbenzene, total xylenes), MTBE (a single parameter), basic & extended VOC suites, mineral oil groups by carbon-chain length grouping. It should be noted that UK WIR gives values for soil and not supplied water quality; direct comparisons are not relevant. What is relevant is whether these parameters are present at detectable & elevated values, and if so, whether the concentration is high enough to be of concern to health by regular direct consumption (or not).

Given the local contamination sources, tests selected should include the parameters referred to above in connection with 10-WM-03-21, confirming that the extended VOC suite will include chlorinated solvent parameters, in particular, Perchloroethylene”

Asbestos

The report does highlight the potential for asbestos containing material to be present within the building, recommending an investigation by a Licensed Asbestos Specialist, to *'...confirm if there is any asbestos containing materials inside the building and prepare an action plan if required'*.

I agree that the risk exists and could be significant, and would echo the report's recommendation. However, I would draw a distinction between asbestos present within the fabric of the building's superstructure, and that present within soils. I would consider that asbestos within the superstructure falls within scope of NPPF para. 201, and should not therefore be considered to be a material planning matter.

For this reason, no conditions/restrictions are proposed.

Conclusions

No objections on contamination grounds, subject to conditions & informative outlined above.

Mr. Jonathan Driver
Environmental Control Officer