

HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	Environmental Health	To:	Development Control
Our Ref:	PR202606-112282	Your Ref:	APP/26/00269
EH Case Officer Extn:	44 6677	Date:	03/08/2026
DC Case Officer:	Any Winch		
Application Number:	APP/26/00269		
Site Address:	Unit 1, 24 Palmers Road, Emsworth, PO10 7DL		
Proposed Development:	Change of use from motor-trade purposes (Sui Generis) to storage (Use Class B8) and a joinery workshop (Use Class B2). The proposal includes the demolition of existing dilapidated lean-to outbuildings and the construction of a new enclosed storage building and a covered storage area. Associated site enhancements include the provision of 6 staff parking spaces, 2 Sheffield-style cycle hoops, and a designated internal turning area to facilitate the entry and egress of 10m rigid axial commercial vehicles in forward gear.		

Observations / Comments:

The plot at 24 Palmers Road became Brownfield Land on it's first development in around 1909. It has since been subject to altered curtilage, and several phases of development/demolition/redevelopment.

The site has been in potentially contaminative use since at least 1960, at the first recorded consent for automotive repairs. It has also had prior consents for use for boat building and repair, service and repair workshop serving a bus depot, a coachworks, and engineering. Buildings on site are likely to have included potential contaminants (reference to asbestos roofing and timber buildings – a Pb risk).

Land adjacent to the South has been in use for similar- and similarly potentially contaminating landuses (relevant features at the boundary), and land to the North has been in use both historically and recently as a town gas works & gas storage/distribution site. Site investigations undertaken between 1993 & 2023 have confirmed contamination on the gasworks site, with earlier reports noting visual and olfactory evidence of contamination on the boundary between the gas site and the application site.

Whilst I note that the applicant provided negative responses to all contamination questions on the application form – the proposed development land is land that is suspected to be (likely to be) affected by contaminants originating from both within, and outside of its curtilage. I would agree that commercial occupants are not particularly sensitive to contaminants, however, there are standards for commercial exposure, and the buildings themselves could potentially be vulnerable to adverse effects arising from contaminants. The tolerance for contamination for these receptors might be relatively high, but the risk still needs to be confirmed to be acceptable.

I would highlight however that the development land is adjacent to the River Ems, a statutory main river (which may affect the need for the applicant to secure a flood risk activity permit for works within 8m of the channel centreline, or an exemption for other works affecting the channel. The river is a controlled water, and it discharges to a waterbody which has protected status under several instruments. This is likely to be the risk driver for contaminants present within the planning red line area.

There are features present within the development land which might be relevant to the fate & transport of contaminants – a historic/infilled drainage ditch running N/S across the Eastern end of the site, and two surfacewater soakaway features marked on a plan associated with consent no. 13047/2. Additionally, there is a foul water sewer which runs N/S across the Northern boundary of the site – with visual/olfactory evidence of contamination noted in the vicinity at the boundary; such services can act as conduits for preferential migration of contaminants.

Whilst the applicant is not liable for contamination that is outside of the development land – planning policy does relate to contamination within the development red-line, irrespective of whether it's origin is within or outside the red-line area; what is important is where the contamination is, not where it came from. The policy aim is to ensure that following development, land cannot be determined to be 'contaminated land' within the meaning of the Environmental Protection Act 1990.

Contamination (Standard) [1]

Prior to the commencement of development hereby approved (other than demolition, site clearance, asbestos removal works, 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 (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 both sustainability & viability, 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 (3) 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: *Contamination may be present at the site in connection with prior commercial use that could pose a risk to future occupants, buildings, or to controlled waters. 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 196-197 of the National Planning Policy Framework '24.'*

Verification Reporting (Standard) [2]

*Prior to the occupation of the permitted development, any verification required under **[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: *Contamination may be present at the site in connection with prior commercial use that could pose a risk to future occupants, buildings, or to controlled waters. 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 196-197 of the National Planning Policy Framework '24.'*

Restriction on Infiltration Drainage – Contamination [3]

*Prior to the commencement of development (subject to the same exclusions as apply to **condition [1]**), details of the proposed means of surface water disposal shall be submitted to, and approved in writing by, the Local Planning Authority.*

There should be a presumption against disposal by means of infiltration drainage unless compatible with the contamination assessment 'site conceptual model' & remedial / risk mitigation scheme.

Reason: *Contamination may be present at the site in connection with its prior commercial use, and that of adjacent land. Surfacewater drainage could inadvertently provide rapid transit of contaminants to local controlled water receptors (e.g. the River Ems, adjacent), elevating risk posed to the environment. 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 196-197 of the National Planning Policy Framework '24.'*

Mr. Jonathan Driver
Environmental Control Officer