HAVANT BOROUGH COUNCIL

Town & Country Planning Act 1990

Consultation on Planning Application

MEMORANDUM

From:	**Environmental Health**	**To:**	**Development Control**
Our Ref:	PR202607-113534	**Your Ref:**	APP/26/00496
EH Case Officer Extn:	44 6677	**Date:**	24/08/2026
DC Case Officer:	Abdi Dirir		
Application Number:	APP/26/00496		
Site Address:	Langstone Technology Park, 2B Langstone Road, Havant, PO9 1SA		
Proposed Development:	Reserved matters application for (appearance, landscaping, layout and scale) for Phase 3A and 3B pursuant to outline planning permission APP/22/00172 for phased demolition of existing buildings and the erection of new flexible use employment floorspace (Use Classes E(g)(i)-(iii)/B2/B8) and ancillary uses (Use Classes E(b), E(d) and E(f)); and associated works. All matters reserved except Access		

Observations / Comments:

It is understood that this application is a reserved matters application under outline consent 22/00172, as such amounting to detailed plans, and necessitating the discharge of phase-specific conditions under the 22/00172 consent.

SuDS, Sustainability Features, Air Quality (Development as source – mitigation)

I have reviewed the proposals, and supporting statements/information. Whilst the status of the Councils revised Local Plan remains unadopted, the local Air Quality policy is understood to carry limited weight.

Nevertheless, it is worth noting that several aspects of the proposals would positively contribute to the aims of the emerging policy, and the development would gain support from an air quality policy perspective.

The surfacewater drainage/SuDS scheme has also been reviewed – representing a vector to the same receptor that is subject of the contamination assessment. It would appear that the designers have accounted for the highest risk flexible use class to inform the specification, but the proposals lack clarity on the arrangements for service yards. The function can be inferred, but finished ground levels, and in particular, standard runoff falls/exceedance flow paths have not been specified, leading to some ambiguity. It may be helpful to seek that additional detail, alongside confirmation of the relevant catchment areas for areas reliant upon the proprietary full-retention interceptors for comparison with proposed unit spec.

No in principal objections arise.

Contamination – Overview

I would highlight that the phased development of this land has created a somewhat complex patchwork of overlapping (contamination assessment) study- & planning/development red-line areas.

The approach to the assessment of contamination has been disjoint, often focussing on a specific development phase/area of the site, to the exclusion of pollutant-link-relevant information from other studies (relating to other areas of the wider planning blue-line). This has been exacerbated to a degree with subsequent assessment reports seeking to alter approved remediation & risk mitigation schemes, without seeking formalised approval or necessarily making a coherent case for the change under a wholistic update of the site wide (blue-line) conceptual model.

The planning history demonstrates that this has led to the applicant not undertaking all aspects of the approved remediation strategy, not reporting elements of groundworks observation, nor presenting a coherent case for omission; ultimately asking the Council/LPA to approve risk mitigation works on the basis of fiat declaration which relies heavily upon the professional indemnity of the consultant and upon para 197* (while falling short of providing the policy-targeted surety as represented by para 187) [* represented in the provisions of P2 & P1 NPPF 2026, p.197/187 respectively].

Notwithstanding the above comment, and related formal condition discharge approvals; I would highlight that there is an approved remediation strategy (RS) in place under APP/21/00405 for an area of the planning redline to the current RM application (APP/26/00496). Where the current application would serve to supersede that approved remediation, it is expected at a minimum that assessments submitted in support of the superseding/modifying consent will account for the empirical data and prior assessments which informed the previous/extant RS, and will present a coherent rationale for modifying that strategy, accounting for all available results that contribute to the understanding of the relevant pollutant linkage – whether or not they relate to land within or outside the bounds of the application red-line.

The relevant policy question is whether or not there might be a significant source of contamination within the red-line area which might contribute unacceptably to the pollutant loading or contamination risk at a relevant receptor. For this purpose, the present location of the contamination source* (* - infrastructure, body of soil, or groundwater plume) is the relevant point; as distinct from its spatial origin or the location of the receptor.

With this in mind it is disappointing to see that this development phase has taken the same approach, dividing the redline area (defining the 22/00172 c.30 relevant area for this development phase) into two distinct contamination study areas, presenting differing conclusions for each.

As with previous reports, there are some misattributions of results from the latest phase of intrusive works, and it is noted that interpretation is complected by limits of detection that vary for the same parameters between different samples, and that the high-level assessment treats summed limits of detection as positive detections. Results of previous work are acknowledged, but not considered in detail with respect to the source>pathway>receptor spatial conceptual model, and no coherent update of the implicit model is presented.

The results of the latest work are somewhat inconsistent with previous work, warranting that consideration, in particular in relation to the potential location of any coherent source which might be responsible for the clear signals of contamination mobility along the hydraulic pathway to the Lavant watercourse. Whilst it is noted that the results from (trial hole ref-) DCS05 appear inconsistent with the prior work by Clancy (who identified a hotspot of contamination in the same region, with contamination values exceeding 1% by weight-), DCS06 provides some indications of continued presence of those contaminants, and water sampling presented from other trail holes finds elevated concentrations of contaminants not represented in soil samples (or likely from descriptions-) at the same positions.

In particular, it is noted that exceedances of assessment criteria are identified fairly-widely in groundwater samples;

- Zinc, Copper, Nickel & Fluoranthene exceed at-receptor annual EQS (EQS-AA) [at least one in 6 of 7 trial holes sampled]

- (coal-derived poly-aromatics) Anthracene, Fluoranthene, B(b)F, B(k)F, B(ghi)P, B(a)P exceed max. allowable EQS (EQS-AA) [at least one in 5 of 7 trial holes sampled]
- Acenaphthene, Phenanthrene, Pyrene, B(a)A, Chrysene, B(a)P, I(123cd)A, D(ah)A exceed the Authors defined assessment criteria, derived from the WFD Environmental Standards 2010)

Contamination – Conclusions/Recommendations

The development phase 3A report concludes that no further assessment or remedial action is necessary.

I would however reject the basis presented for this assessment; '*historically thesurrounding area has been utilised for numerous industrial uses which could potentially impact groundwater. [and…] therefore based on the context of the site and the proposed redevelopment, there is considered to be a negligible to low risk to Controlled Waters'*. That industrial use may have (and appears to have-) impacted groundwater quality is the target of the policy which requires contamination be assessed and addressed as an integral requirement of development. The prior & future industrial use has no bearing on the risk posed by contaminants that are already within the ground/groundwater. The appropriate question is 'how do the results from the phase 3A study area fit with the spatial CSM for the controlled waters pollutant linkage, and is does the identified groundwater contamination suggest the presence of a contaminant source that is capable of significantly contributing the pollutant load at the receptor?'.

Given that the 3B study area report concludes that additional assessment is required post-demolition, that the 3A area identifies groundwater contaminants common with earlier work and the 3B study area, and that the 3A area is down-assumed-hydraulic gradient of the 3B area – it follows that the conclusion ought to be common across both study area's (falling within the same planning redline) until the pollutant link is reassessed wholistically following the completion of the recommended additional works.

I would recommend that the proposed physical works not be limited to the 3B area only, that they should focus upon resolving the source characterisation & spatial CSM for the controlled waters pollutant link, and should explicitly account for the Clancy reports (2019-2021) in addressing recommendations for the previously identified contamination hotspot area. I recognise that the results to date display a degree of inconsistency, and I will remain open minded as to whether remediation is necessary. I would however advocate for the need to fulfill the requirements of NPPF '26 P2 3. (that *'…development proposals should be supported by adequate site assessment information…to inform these considerations*'), in order that it be defensible to conclude that the widespread indications of groundwater contamination are not indicative of a significant source within any planning redline area to which Contamination Policy had effect (via a suitable condition).

To that end, I would further recommend that the environmental desk study & site walkover report (Report Ref: AG3645-26-AV04, April 2026) referenced in the latest Applied Geology phase 3 A & 3B study area Ground Investigation Reports (AG3744-26-AV11, AG3744-26-AV28, both May 2026) is submitted in support of the discharge of the relevant conditions. This report might include detailed site-specific information of potentially contaminating landuse features within the footprint of the current and former buildings at the site, which may inform the consideration of credible source areas.

Insofar as the discharge of APP/22/00172 c.30 – it is considered that as the submitted report's recommend additional investigation and assessment, that by definition the submission is insufficient to meet the requirements of that condition, and that is should remain in place.

Insofar as the detail of the reserved matters development APP/26/00496 – there are no objections to the scheme itself. Where Development Management feels that it is necessary to reiterate the outline requirements under APP/22/00172, or those under the APP/21/00405-modifed APP/19/00703 insofar as they relate to the phase 3 development redline area; I would possibly suggest that the following wording is used in preference to a straight transposition of c.30 to any consent awarded under the current application – to explicitly seek the extant desk study information which could prove

instructive to the update of the current CSM.

Contamination (Tailored) [1, in place of 22/00172 c.30]

Prior to the commencement of the development approved by this planning permission (otherthan any above ground site clearance, demolition of above-ground structures, or consequential works for the purpose of ensuring structural stability of retained construction-, 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 update the collective results from assessments undertaken within the APP/22/00172 Phase 3 area, and those undertaken within the wider Technology Park estate, 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-, is not put at unacceptable risk from- nor is adversely affected by-, unacceptable levels of contamination. This condition is in line with policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) 2014, and Policy P2 of the National Planning Policy Framework '26. Prior investigations suggest that soil contamination may be present within previously un-investigated areas of the site that could pose a risk to controlled waters, buildings & services, and/or future occupants.*

Verification (Standard) [2]

APP/22/00172 wording remains appropriate. Reason may need to be updated to reflect updated national policy

Mr. Jonathan Driver
Environmental Control Officer