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Our Ref: APP/16/00568
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06 March 2017

Town and Country Planning (Development Management Procedure) (England) Order 2015
Discharge of Conditions Application - Split Decision

Application Number: APP/16/00568

Site Address: 117 Elm Grove, Hayling Island, PO11 9ED

Description: Erection of 33No. retirement apartments (Category II type) with communal facilities and car parking accessed from St Marys Road. (Approved 21.12.16). Request to Discharge Condition No.s 2,5,7,and 10 (05.01.17). Request to Discharge Condition No.s 6, 8 and 20 (20.01.17).Request to Discharge Condition No's 3,8,9,and 14 (14.02.17).

This decision relates to your request to discharge conditions which was valid from 14/02/2017.

Havant Borough Council as Local Planning Authority hereby APPROVES the submitted application as meeting the information requirements of the following Conditions of Planning Permission APP/16/00568.

The conditions in respect of which information has been submitted are:

Condition 7:

Prior to any development taking place details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the character and amenities of the area, and having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Details submitted:

Neawleaf Dwg No. SO-2267-05-LA-MCS551/Drg03A and Drg 04A – 'Landscape General Arrangement'

Condition 10:

Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Details submitted:

Revised HGP Material Schedule 06/03/2017

Condition 20:

No above ground construction works shall take place until a scheme of enhanced ecological mitigation measures for the site has been submitted to and approved by the Local Planning Authority. Any such measures shall be implemented in accordance with the agreed details and secured in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide ecological protection and enhancement in accordance with the Natural Environment & Rural Communities (NERC) Act 2006 and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

Details submitted:

Abbas Ecology Report

Reasons for approval

The details hereby approved are considered to be in accordance with the relevant adopted policies of the Council, in particular the policies contained within the Havant Borough Local Plan (Core Strategy) 2011.

The following conditions are part discharged:**Condition 2:**

Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any 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 may comprise separate reports as appropriate, but shall be undertaken by competent persons and unless specifically excluded in writing by the Local Planning Authority, shall include:

1) An intrusive site investigation based on the proposals outlined within the ACS Desk Study Report Ref: 15-67729 (Jan 2016); 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 identified receptors.

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 in the Remediation Strategy (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: Having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014, contamination may be present at the site as a result of previous land uses (&/or activities) on site and in the vicinity, that could pose a risk to future occupiers of the site.

Details submitted:

Site Investigation & Contamination Appraisal Report

Plan of Work for licensed asbestos removal

Demolition asbestos survey Ref: J113088 Fl: 36.

Condition 3:

Prior to commencement of the development approved by this Planning Permission (inclusive of demolition & site clearance), a scheme to address the risks posed by the potential presence of asbestos containing materials (ACM's) within the existing structures shall be submitted to, and approved in writing by, the Local Planning Authority. 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 physical site survey, of sufficient scope to enable an indicative description of the nature & location of all potential ACM present; including that enclosed by finished surfaces (i.e. within the sub-structure).

2) Collection of physical samples from suspected ACM for laboratory analysis by Polarised Light Microscopy, to confirm

- Asbestos presence (or absence), and

- Where present, Asbestos type, and

- Where possible, approximate proportion, as a percentage.

3) Where ACM is identified, clearly defined proposals for removal of the identified material (a method statement), to include a description of risk management measures to be observed during removal works, monitoring to be undertaken, and contingency measures.

4) A verification survey & any associated air monitoring results, to confirm that removal has been undertaken in accordance with the method statement (3).

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

Reason: Having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, asbestos containing materials are suspected to be present within the buildings at the site that could, if not managed during demolition, be released into the environment (air, soils).

Details submitted:

Layout Plans & Elevations M1565

Plan of work for licensed asbestos removal - Hayling Billy PH

Letter dated 13/02/2017 with regard to condition 3

Demolition asbestos survey Ref: J113088 FI: 36.

Please note that the part discharge of conditions 2 and 3 allow demolition of existing structures to take place on site, no further work should be undertaken until all pre-commencement conditions have been satisfied.

A verification survey and report will need to form part of the application to fully discharge these conditions.

- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6573.
- (2) Any failure to adhere to the details of the approved plans, and other documents or to comply with any conditions listed above may lead to enforcement action being taken by the Council. If you wish to depart from the approved details or conditions in any way you should contact the Planning Development Service at the Public Service Plaza or by telephoning 023 9244 6015.

Andrew Biltcliffe

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