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Our Ref: APP/20/00251
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16 April 2024

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

Application Number: APP/20/00251

Site Address: North Street Arcade, North Street Arcade, Havant

Description: (AMENDED PROPOSAL) Construction of 29 No. one and two bedroom apartments in a part 2 and a half / part 4 storey extension fronting onto Prince George Street together with the provision of infill flexible use (Classes A1/A2/A3) town centre commercial units to North Street frontage following the demolition of existing 1 and 2 storey retail development to rear. (Approved 31.03.2021). Request to discharge condition No/s 4, 5, 6 and 8 (27.05.2021). Request to discharge condition No. 14 (24.06.2021). Request to discharge condition 9 (recd 25.10.23). Request to discharge condition 11 (received 19.12.2023).

This decision relates to your request to discharge conditions 11 and 14 which was valid from 19 December 2023.

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/20/00251.

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

Condition 11:

Prior to the occupation of the Housing (C3) element details of the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, as to how the development will meet BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e. during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the residential amenity of the residents of the properties are not impacted upon by any external noise levels and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Details submitted:

Noise Impact Assessment Test/Job No 1113 (by Airtight & Noisecheck Ltd Acoustic Testing) - Dated 11 December 2023 - Uploaded 21 December 2023

Condition 14:

Prior to the commencement of development hereby approved (other than any site clearance, demolition of above ground structures, and consequential works for the purpose of ensuring structural stability of adjacent buildings to be retained), an assessment of the nature and extent of contamination at the site 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) Site investigation appropriate to both the previous & approved use of the site, 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 future occupants & controlled waters.
- 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 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: Contamination may be present at the site as a result of both previous & current land uses (&/or activities) that could pose a risk both to future occupants of ground floor residential units and to the culverted river channel. Contaminants may also be present which pose a risk to construction personnel. This condition 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 178-180 of the National Planning Policy

Details submitted:

Main Investigation Report ref 19380/MIR_R27 (by SOILS Ltd) - Dated June 2021 - Uploaded 02 July 2021
Contamination Report ref 19380/ADD/LR (by SOILS Ltd) - Dated 07 January 2022 - Uploaded 25 January 2022

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.

- (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.

Alex Robinson

Alex Robinson
Executive Head of Place
Date: 16 April 2024