

Mrs Natalie Fellows
Fellows Planning Limited
62 Carmarthen Avenue
Drayton
Portsmouth
PO6 2AQ

Our Ref: APP/21/01244
Direct Line: (023) 023 9244 6549
Ask For: Mr D Eaves
Email: planning.development@havant.gov.uk
20 January 2023

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

Application Number: APP/21/01244

Site Address: 32 New Lane, Havant, PO9 2NG

Description: Variation of condition No's 4 (Operational Management Plan), 9 (Livery/Branding), 10 (Traffic Monitoring) and 28 (Employment and Skills Plan) of planning permission APP/21/00200 and the introduction of a new Community Liaison Strategy Condition. Request to discharge conditions 11, 14, 15, 16, 17, 18, 19, 22, 26 and 27 (received 27/03/2022). Request to discharge condition 12 (received 10/06/2022). Request to discharge conditions 5 and 6 (received 10/08/2022). Request to discharge condition 25 (27.09.22).

This decision relates to your request to discharge conditions which was valid from 27 March 2022.

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/21/01244.

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

Condition 11:

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 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) Further intrusive site investigation & monitoring based on the proposals given within the EPS Ltd. Phase II Environmental Assessment Report Ref: UK20.5052D iss.2.1 (24/05/2021); 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 in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: Prior assessment has indicated the likely presence of contaminants within areas of the development land that have not previously been investigated. The site is above the secondary superficial aquifer which would be considered a moderately sensitive controlled water receptor. The chalk principal aquifer and associated SPZ1c occurs at depth beneath the site under a layer of London clay. The chalk would be considered a highly sensitive controlled water receptor. Alongside the health of future occupants of the development land, and the health of occupiers of adjacent land, these receptors could potentially be impacted by contamination present on this site. To ensure that the development does not contribute to-, and is not put at unacceptable risk from- or adversely affected by-, unacceptable levels of contamination, in line with policy 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 Framework.

Details submitted:

Phase II Geo-Environmental Assessment EPS Ref: UK20.5052b Issue 1.2 dated 24th March 2021
 Supplementary Phase II Geo-Environmental Assessment ESP Ref: UK20.502f Issue 4 dated 22nd October 2021
 Remedial Strategy & Implementation Plan EPS Ref: UK20.5052D Issue 6 dated 20th October 2021
 EPS Covering Letter dated 13th October 2021
 Golder Groundwater Investigation Ref: 20137712.600/A.0 February 2020
 Golder Detailed Quantitative Risk Assessment (DQRA) for Controlled Waters Ref: 20137712.602/A.0 March 2020
 Email Fellows Planning dated 26th April 2022
 Email Fellows Planning dated 31st March 2022

Condition 19:

The development including any demolition shall not commence unless and until a pre-commencement site meeting with the site agent, the applicants Arboricultural Consultant and a Havant Borough Council Arboricultural representative has taken place to ensure that all tree protection is correctly in place. The tree protection shall thereafter be retained and maintained as approved for the duration of the demolition works.

Reason: In the interest of the character and appearance of the area and to ensure the retention of important trees and hedges having due regard to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Details submitted:

Fellows Planning Covering letter dated 24th March 2022
 Fellows Planning letter dated 26th September 2021 (submitted in relation to Planning Permission APP/21/00200).

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.

Neeru Kareer

Neeru Kareer
Executive Head of Place (Interim)
Date: 20 January 2023