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Our Ref: APP/19/00660
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31 October 2024

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

Application Number: APP/19/00660

Site Address: 38 New Lane, Havant, PO9 2ND

Description: Demolition of existing industrial buildings and erection of 2No industrial buildings (comprising 12No individual units) within B1, B2 and B8 use classes together with ancillary office use, landscaping, car and cycle parking and access (approved 02/10/2019). Request to discharge conditions 3 & 4 (29.10.19). Request to discharge condition 11 (05.02.20). Request to discharge condition 13 (27/07/2021). Request to discharge condition No. 7 (23.09.2021).

This decision relates to your request to discharge conditions 7 and 13 which were valid from 23 September and 27 July 2021 respectively.

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/19/00660:

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

Condition 7:

The contamination 'watching brief' referred to at section 7.5 of the Soil Consultants Ltd. Report No. 10383/OT(rev1) 20/06/2019 shall be observed during all groundwork operations. In the event that suspected contamination (obviously contaminated soil / groundwater, or any buried waste materials that are out of keeping with ground conditions described within the 10383/OT report) is encountered; works in affected areas of the site shall cease until the Local Planning Authority has been notified of the discovery, and a scheme to deal with the risks associated with the suspected contamination has been submitted to and approved in writing by- the Local Planning Authority.

The scheme may take a proportionate approach to the degree of formality adopted and may comprise separate results / reports / statements as appropriate, but unless specifically excluded by agreement shall include;

1) Investigation in the vicinity of suspected contamination, sufficient to characterise it's nature, likely extent & mobility,

2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;

3) Where potentially unacceptable risks are identified by 2), a Remediation Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability.

All investigation, assessments & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the findings presented in a written format. The scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

A. A statement confirming that no suspected contamination was identified during development,
OR;

B. Documentation in accordance with 1)-3) above; together with a Verification Report (where appropriate) demonstrating that remediation objectives have been met.

Reason: Having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014] and the National Planning Policy Framework, there is a potential for contamination to exist at the site could pose a risk to site construction workers or future occupants

Details submitted:

Planning letter ref AC1173-5.07 dated 15/9/21

Case Officer note:

The submitted letter confirms, on behalf of Amiri Construction Limited, that no suspected contamination was encountered during the works. On this basis, the need for further submissions in the form of a scheme to deal with the risks associated with any suspected contamination has not been invoked and no further approval is required from the Local Planning Authority in respect of the condition's requirements.

Condition 13:

Notwithstanding the submitted plans no part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

Reason: To safeguard the amenities of the locality and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Details submitted:

18041-HNW-ZZ-ZZ-DR-A-3105-P12 PROPOSED SITE PLAN

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: 31 October 2024