



Havant
BOROUGH COUNCIL

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17 October 2016

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

Application Number: APP/15/00829

Site Address: 36-38 North Street, Emsworth, PO10 7DG

Description: Demolition of existing building. Construction of two storey detached building to allow restaurant with associated landscaping, refuse area and extraction system (Approved 16.11.15) Request to Discharge Condition No. 3 and 5 of Planning Permission APP/15/00829 (02.09.16). Request to Discharge Condition 8 of Planning Permission APP/15/00829.

This decision relates to your request to discharge conditions which was valid from 06/09/2016.

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/15/00829.

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

Condition 8:

No development shall take place until an investigation and risk assessment (in addition to any assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place. The submitted report shall include:

- i) a survey of the extent, scale and nature of contamination
- ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- iii) where unacceptable risks are identified, an appraisal of remedial options and proposal of the preferred

option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report submitted to and approved in writing by the Local Planning Authority before the building hereby approved is first occupied.

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; there is a low probability of the presence of contamination at the site that could, if present, pose a significant risk to occupants / employees at the site, or the occupants of immediately adjacent properties.

Details submitted:

Stage 1: Desk Top Study and Walk Over Survey Report - Report Number YE2585

Stage 2: Site Investigation Report - Report Number YE2626

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.

Andrew Biltcliffe

Andrew Biltcliffe
Head of Planning
Date: 17 October 2016