

known. The minimum information required in these instances should be a desk study, initial conceptual model and risk assessment.

12.128 A developer will need to satisfy the Council that unacceptable risk from contamination will be successfully addressed through remediation measures and not cause undue environmental impact either during the construction phase or after the completion of the development has taken place. As a minimum land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

12.129 Other policies relating to specific development sites (LP4-LP9) as well as the policies relating to water resources and waste are also applicable in relation to the issue of contamination.

Unstable Land (Point 3 of policy LP47)

12.130 Making the best use of land is a key Government objective. In doing so it is necessary to ensure that the site is suitable for its new use. Development of land which is either unstable or is potentially unstable can be successfully developed provided that all the remedial, preventative or precautionary measures are identified and put in place at the earliest stages of the development process. As is the case with sites that are contaminated, where a site is affected by land instability responsibility for securing the safe development of such land rests with the developer and/or land owner.

12.131 Where land is known to be unstable or has the potential to become so, an applicant should carry out a site assessment and submit a report of the findings in order to establish the nature and extent of the instability and details of the mitigation measures proposed. Through the remediation process, it will be necessary for developers to ensure that proposed mitigation measures do not adversely impact on the natural environment.

POLICY LP48: HAZARDOUS SUBSTANCES

Where development is proposed in locations where hazardous substances may be a consideration the following applies.

- 1. Planning permission for development involving the use, movement or storage of hazardous substances will not be granted if there is an unacceptable risk to public health and safety, neighbouring land or the environment.**
- 2. Development within the vicinity of a site known to be used for the storage, use or transport of hazardous substances will not be granted planning permission if there would be an unacceptable risk to public health and safety.**

EXPLANATION OF POLICY LP48

Hazardous substances (Points 1 and 2 of policy LP48)

12.132 Hazardous substances include certain gases, liquids and explosive chemicals. In addition to requiring planning permission, a Hazardous Substances Consent may also be required. The Health and Safety Executive has responsibilities on advising local authorities on the potential hazards of any proposed development. The Borough Council will take into account any

advice received from the Health and Safety Executive and other statutory agencies in determining such applications.

Further information:

Local reports on air quality <http://www.gosport.gov.uk/sections/environment/environmental-health/housing-pollution/environmental-monitoring/air-quality/>

Guidance Notes for the Reduction of Obstructive Light (2005).
www.theilp.org.uk/resources/free-resources/