



PERM,20/10/1992  
 92/50756/004B - Two free standing directional signs.(Signs 2 and 3),  
 ZHIS,20/10/1992  
 99/50756/009 - Extension to provide spa plant room to east elevation of Health and Fitness Club, PERM,25/11/1999  
 98/50756/007 - Alteration & extension incorporating new entrance lobby to south of existing health and fitness club (revised application), PERM,17/04/1998  
 98/50756/008 - 1 no. internally illuminated single sided monolith sign to north of site, 1 no. externally illuminated single sided monolith sign to east of site and 1 no. internally illuminated wall mounted sign on east elevation, WD,02/12/1998  
 97/50756/006 - Single storey infill extension to north elevation and single storey extension to south of health and fitness club, PERM,22/09/1997  
 91/50756/000 - Single sided free standing internally illuminated entrance sign and individually internally illuminated letter and logo on west elevation.  
 REF,14/01/1992  
 92/50756/001 - 1 set of individually illum. letters on entrance canopy; 1 set of individually illum. letters on west elevation; 1 single sided, free standing, part-illum. entrance sign., PERM,02/04/1992  
 92/50756/002 - Addition of red striped awning to north and west elevations.,  
 UNK,24/08/1992  
 92/50756/003 - Non illuminated advertisement on awning over entrance on north elevation, PERM,24/08/1992  
 92/50756/004 - Two free standing directional signs.(Signs 2 and 3), ZHIS,20/10/1992  
 92/50756/005 - Retention of non-illuminated temporary banner at entrance of site.,  
 REF,05/11/1992  
 03/50756/016 - External alterations resulting from internal rearrangements of space within former pool changing rooms and reception and beautician areas of leisure club.,  
 PERM,15/01/2004  
 04/50756/017 - Extension to provide 2 storey bedroom wing and internal remodelling.,  
 PERM,05/10/2004  
 09/50756/018 - Erection of single storey entrance canopy and external ramped access to the restaurant. , PERM,07/04/2009  
 09/50756/019 - External signage to include lightbox above door, illuminated lightbox, sign board, individual applied lettering, illuminated line added to existing sign and 'Hotel' wording removed from same existing sign., REF,28/08/2009  
 APP/18/01112 - Erection of a single-storey front extension to restaurant area; reposition frontage wall; and provide front entrance to a bar area., PERM,14/12/2018  
 APP/19/00802 - Erection of modular clad portable building for health and wellness activities., WD,26/02/2020

### **3            Proposal**

3.1            Erection of modular clad portable building for health and wellness activities with associated re-configuration of car park. (Resubmission).

3.2            This is a revised proposal, re-siting and re-designing the height, bulk & silhouette of the proposed spa building to overcome previous concerns re flood risk and visual impact. The revised design now proposes a two storey flat roofed modular design with recessed smaller first floor element. The ground floor would have maximum dimensions of 18.5m x 24.5m and the first floor would sit approximately centrally above, having maximum dimensions of 10m x 12m. The overall height would be 7.5m. In addition both the ground and first floor would have decked terraced areas to the south. The flat roofs not accessible would be green roof. Opening hours would be between 9.30am - 10.30pm and the facility could accommodate a maximum of 30 guests at any one time. At maturity the spa could

employ up to 19 staff.

3.3 The proposal includes the re-configuration of the car park resulting in 41 spaces, including 2 disabled, in the existing hard surfaced area; with 24 additional spaces provided on the existing grass verges with mesh grass system. The proposal includes submission of a detailed landscape plan and flood risk assessment.

#### **4 Policy Considerations**

National Planning Policy Framework  
Havant Borough Council Borough Design Guide SPD December 2011  
Havant Borough Council Parking SPD July 2016  
Joint Chichester Harbour AONB SPD July 2017

##### Havant Borough Local Plan (Core Strategy) March 2011

|      |                                                                                   |
|------|-----------------------------------------------------------------------------------|
| CS1  | (Health and Wellbeing)                                                            |
| CS11 | (Protecting and Enhancing the Special Environment and Heritage of Havant Borough) |
| CS12 | (Chichester Harbour Area of Outstanding Natural Beauty (AONB))                    |
| CS15 | (Flood and Coastal Erosion)                                                       |
| CS16 | (High Quality Design)                                                             |
| CS5  | (Tourism)                                                                         |
| DM10 | (Pollution)                                                                       |
| DM14 | (Car and Cycle Parking on Development (excluding residential))                    |
| DM8  | (Conservation, Protection and Enhancement of Existing Natural Features)           |
| DM9  | (Development in the Coastal Zone)                                                 |

##### Havant Borough Local Plan (Allocations) July 2014

|      |                                                                  |
|------|------------------------------------------------------------------|
| AL1  | (Presumption in Favour of Sustainable Development)               |
| DM23 | (Sites for Brent Geese and Waders)                               |
| AL2  | (Urban Area Boundaries and Undeveloped Gaps between Settlements) |

##### Havant Borough Pre Submission Local Plan 2036

|     |                                                           |
|-----|-----------------------------------------------------------|
| E22 | (Amenity and pollution)                                   |
| E5  | (Chichester Harbour Area of Outstanding Natural Beauty)   |
| DR1 | (Delivery of Sustainable Development)                     |
| E4  | (Development on the Coast)                                |
| E1* | (High quality design)                                     |
| E3  | (Landscape and settlement boundaries)                     |
| E19 | (Managing flood risk in new development)                  |
| E15 | (Protected species)                                       |
| E17 | (Solent Wader and Brent Goose feeding and roosting sites) |
| E14 | (The Local Ecological Network)                            |
| IN3 | (Transport and parking in new development)                |
| EX1 | (EX1   Water Quality impact on the Solent European Sites) |

##### Emsworth Neighbourhood Plan Post Examination Version 2020

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

## 5 **Statutory and Non Statutory Consultations**

### **Arboriculturalist**

No Objection

### **Chichester Harbour Conservancy**

Initial comments: No objection subject to conditions

The proposal would have a localised impact on the character and appearance of the immediate surrounds. The proposal would have a visual impact on the AONB, but this is minimal.

Given its setting, and in particular the location closer to the existing buildings on the site and set back from on the edge of the harbour, the proposal is considered to result in a structure that is noticeable in architectural terms, but not so prominent so as to be detrimental to the character or the appearance of the Area of Outstanding Natural Beauty (AONB).

The control of lighting associated with the operation of the spa facility would need to be restrained and proportional to the desire to maintain the character and ambiance of the AONB. The proposal is therefore considered to have a generally tolerable impact and effect on the AONB in terms of landscape character and in relation to wildlife conservation and protection.

Suggested conditions: re materials; glazed surfaces & windows; landscaping; boundary treatments; no works in bird nesting season (April to September); lighting plan; removal of pd rights (*latter not necessary as development would have no pd rights*)

### **Chichester Harbour Conservancy**

On Final Plans/Details:

No Objection subject to conditions as above

### **Coastal Engineering**

I can confirm that Coastal Partners have no further comment to make, following on from the removal of our previous objection to application APP/19/00802, sent on 21/02/2020.

Coastal Partners do however concur with the proposed planning conditions recommended by the Environment Agency to this application and would advise that these be implemented prior to occupation of the site.

### **County Ecologist**

Initial comment:

CEMP and lighting plan required;

No major concerns but North Common & Saltmarsh Site of Importance for Nature Conservation (SINC) is located approximately 5m to the east and south of the proposed building. This SINC is an area of high quality inter tidal saltmarsh and mud, with a number of County/Nationally Scarce/rare flora such as golden samphire, common glasswort, slender hare's ear and sea wormwood. Kingfisher, lapwing, several wading birds, along with Brent Geese have also been recorded on site.

Therefore, a Construction Environmental Management Plan (CEMP) will be required prior to the commencement of the works to demonstrate how the potential adverse impacts on this locally designated site, which in turn is connected to a number of SPA supportive habitat (Solent Waders and Brent Geese Strategy Primary and Secondary Support Area H77 and H63), will be prevented. This should be secured through a planning condition.

I also have concerns in relation to the proposed planting in association with the new

building. Native species instead of ornamental *Euonymus Japonicus* and *Pyracantha* are recommended to be incorporated into the landscaping design.

Further information is required to understand if any additional lighting will be required and the potential impact of additional lighting on the adjacent SINC and the over-wintering birds it supports.

Also concerns re noisy works during the winter months will have an adverse impact on overwintering birds and therefore information re noise levels associated with the machinery used and the installation activities required.

Note need for nitrate information

#### **County Ecologist - on final details:**

Would suggest that aspects such as the proposed green roof (which is welcome in principle) would be more valuable for biodiversity if it utilised appropriate native/naturalised species suited to the coastal locality. For example, a shingle, gravel or porous rubble based vegetation community of native/naturalised perennial and annual grass and herbaceous species would be an obvious option. Examples include nutrient-poor legume-rich turf with e.g. kidney vetch, horseshoe vetch, hare's-foot clover, sea campion, viper's bugloss, red valerian, hare's-tail grass, biting stonecrop etc: these would provide obvious biodiversity benefits when compared to the essentially valueless (and usually non-native) *Sedum*-based roofs, and would I imagine be more cost-effective. The proposed green roof is a significant area of potential biodiversity enhancement and it would very much be a missed opportunity if every effort was not taken to enhance wildlife value. The proposed green wall provides a less obvious opportunity, although care must be taken not to utilise species with potential to become invasive in the surrounding sensitive habitats. Without such measures it is hard to see how the proposal would provide any ecological enhancement.

In terms of potential impacts to the adjacent designated sites, there is a risk of construction activities to affect overwintering bird species. Potential impacts include noise and visual disturbance, lighting, and airborne and waterborne pollution. These are clearly predominantly an issue within the winter period, taken to be 1 October to 31 March, although pollution could result in long-lasting impacts to habitats. Ideally, works entailing loud or percussive noise should be undertaken outside the winter period. Where this not possible, then it is likely to be necessary to implement avoidance and mitigation measures to reduce any impacts. I note that Natural England have requested that avoidance and mitigation measures are detailed within a Construction Environment Management Plan (CEMP) and I would concur with this position.

In summary, I would welcome some clarification on the potential for a more biodiversity-led landscaping strategy (particularly the green roof) and would recommend the use of condition to secure a detailed CEMP.

*Prior to the commencement of development activities a Construction Environment Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority. This shall include details of measures to avoid harm to adjacent internationally, nationally and locally designated sites, including explicit avoidance and mitigation measures and the roles and responsibilities of those persons responsible for implementing the agreed CEMP. Reason: to protect biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.*

#### **Southern Water**

Exact position of public sewers must be determined on site by the applicant in consultation with Southern Water.

public foul sewer requires a clearance of 3m; all existing infrastructure should be protected during construction; planting restrictions; any other sewer found during construction must be investigated.

Formal application required to connect to foul and surface water system, request Informative

### **Engineering/Drainage**

None received

### **Environment Agency**

#### Initial comment:

Object - submitted FRA does not comply: does not include peak tidal flood levels for climate change; ffl inadequate to future proof; does not consider how extreme events will affect people & property

Environmental Permit - will still be required

#### Following additional information:

Remove previous objection provided condition imposed re finished floor levels set at 4.61m AOD and void management plan - condition suggested

It is up to the Local Planning Authority to determine whether the flood warning and evacuation plan or equivalent procedures are sufficient or not. Applicant should sign up for flood warnings

### **Forestry Commission**

General advice re protection of ancient woodland

Officer Note - *there is no ancient woodland or protected forest at or near the site*

### **Hampshire Highways**

The proposed development would see the addition of a building dedicated to health and wellness activities at the existing Langstone Quays Hotel. To facilitate the development, 22 parking bays will be lost from the current car park. These bays will be replaced by 28 new overflow parking spaces, representing a net increase of 6 parking spaces.

Given the low increase in parking bays to facilitate the new health and wellness building, the Highway Authority raise no objection to the proposals.

### **Landscape Team**

#### Initial comment:

- The submitted site plan does not provide enough information on the landscape proposals. The CGI images suggest a large area of decking with seating, sun lounges and possibly a hot tub. We require information on all external proposals in relation to this planning application.

- The screening of the proposed development is key to mitigating any detrimental impact on the local landscape character. We require soft landscaping (a mixture of native tree and shrubs) to the south and north of the spa. The drawings do suggest this approach but we need a soft landscaping drawing with greater clarity on the specification.

We will also require the following for submission:

- A soft landscape scheme requiring submission of fully annotated plans at sufficient scale to identify species of individually planted trees, shrubs, hedges, marginal, bulbs and any areas of turfing / seeding. Planting areas should show the locations of different single species groups in relation to one another, and the locations of any

individual specimen shrubs. Other information shall include plant specification schedules, comprising plant size, number and density.

- Hard landscape details requiring submission of fully annotated plans at sufficient scale that comprise the proposed range of coloured and textured surfacing treatments, which identify:

- hard surfacing material type / product reference and colour
- laying bond - edging or kerb detail / type

### **Landscape Team**

Following submission of detailed landscape plan:

From a landscape perspective the landscape plan drawing no. LQPSP\_LAN has addressed previous concerns and as such we have no further comments at this point.

Recommend to condition soft landscaping, hard landscaping and lighting.

### **Natural England**

Initial comments:

Habitats Regulations Assessment re waste water impacts on Solent European sites required

Protected Landscapes - Chichester Harbour AONB. Purpose of AONB is to conserve and enhance the areas natural beauty and must use national and local policies to determine whether development would have any significant impact or harm to that statutory purpose.

Sites of Special Scientific Interest - consideration to protected species

### **Natural England**

on subsequent HRA AA:

The AA states: "The users of the facility would be existing hotel users or local residents. The hotel already has similar leisure facilities on-site, including swimming pool. As such, there is not considered to be a material increase in the amount of water discharged from the hotel complex (including the additional spa) overall. As a result, this would not lead to an increase in nutrient load into any of the European Sites considered. A significant effect on a European Site is thus not considered likely." Natural England agree that this will not lead to significant increases in nutrient discharge and will therefore, not lead to a likely significant effect on European site integrity.

Other follow up comments:

Would like to further draw your attention to the Solent Maritime SAC and its supporting land.

The proposals have the potential to affect SPA functional land, which forms part of a network of terrestrial sites located outside of the Solent SPAs boundaries used by SPA species (including qualifying features and assemblage species) as alternative areas for roosting and foraging. These sites support the functionality of the designated sites and are therefore protected in this context. The sites affected are a Secondary Support Area H60B, a Low Use site H63 and a Primary Support Area H77.

As a result, Natural England advise that best practice measures are adopted during construction to limit noise and visual disturbance to the adjacent sensitive habitat. Natural England advises that a Construction Environmental Management Plan (CEMP) should be submitted to and approved in writing by your retained ecologist that identifies the steps and procedures that will be implemented to avoid or mitigate constructional impacts on the adjacent Chichester and Langstone Harbours SPA, Ramsar and the SPA's functional land mentioned above.

The CEMP should address the following impacts:

- Noise/visual/vibrational impacts
- Visual screening (for SPA birds)
- Storage of construction materials/chemicals and equipment;
- Dust suppression
- Chemical and/or fuel run-off from construction into designated sites
- Waste disposal.

The CEMP should ensure there is no percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) to be undertaken during the bird overwintering period (i.e. October to March inclusive). The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site).

### **Royal Society for the Protection of Birds**

None received

## **6 Community Involvement**

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 2

Number of site notices: 1 - displayed by applicant due to Covid restrictions

Statutory advertisement: Not applicable.

Number of representations received: 0

| Comment       | Officer Comment |
|---------------|-----------------|
| None received |                 |

## **7 Planning Considerations**

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon Chichester Harbour AONB and character and appearance of the area
- (iii) Impact upon nature conservation and ecology
- (iv) Flood risk
- (v) Parking
- (vi) Compliance with Habitats Regulations

(i) Principle of development

7.2 The application site is situated beyond the defined urban area and therefore within the 'non urban' area as defined by Policy AL2, where further development needs to comply with the aims of national policy for the countryside. However the site lies within the curtilage of the Langstone Hotel and as such comprises previously developed land. The proposed spa facility would supplement the facilities already available within

the hotel's leisure centre and also provide a recreational facility for the local community. The safeguarding of the future of the hotel is supported in principle by policy CS5 through the provision of additional tourist recreational facilities. The hotel is seeking to expand into the leisure sector as its business customers are in decline, and the proposal is part of the long term strategy to keep the hotel viable.

- 7.3 It is envisaged that customers would comprise both hotel guests and the general public. In terms of the NPPF's aims of achieving sustainable development, the proposed development would deliver an economic role in supporting the viability of the hotel, providing additional jobs, and an additional tourist/leisure attraction for the Island, whilst providing a social role in boosting health and social well-being. However the environmental impacts of the development in this sensitive location must be balanced against these gains to ensure appropriate sustainable development. These will be considered as follows:

(ii) Impact upon Chichester Harbour AONB and character and appearance of the area

- 7.4 Being sited within the coastal zone and within Chichester Harbour AONB policies CS11, CS12 and DM9 are particularly relevant to protect the landscape and habitat of the coastal area. In its revised siting the proposed spa building would be grouped with the building mass of the existing hotel and would not visually encroach into the open area adjacent the inlet/waters edge. The building would be set with a ffl of 4.61m AOD (see flood risk below) and having a height of 7.5m would not exceed the height of the lower of the adjacent bedroom blocks (to the north) which is about 8m high. The bedroom block to the west is higher. Overall, any views of the building from the south and east would be against the backdrop of the hotel. The recessed first floor element creates a stepped profile to minimise the bulk to the hotel wing and create a sense of space around the building.
- 7.5 From the north-east views would be against the more open countryside but on the southern boundary there is a belt of naturalised hedging/trees that would provide the backdrop and also screen the long-distance views from the south. It is noted that the contemporary style of proposed design and materials does not match with the host hotel architectural style, but would only be viewed in close context and from within the car park. The disparity in design is considered acceptable with the proposed building being of a high quality unique style with natural finishes, that would be appropriate to the site and add visual interest.
- 7.6 Being within Chichester Harbour AONB there is a statutory duty to conserve and enhance the natural beauty of the landscape and development should not significantly impact that aim. Chichester Harbour Conservancy have assessed the proposal carefully and conclude the siting and scale of development within the hotel site would have little impact on the overall character and appearance of the rural harbourside landscape of the area within the AONB. It is noted that the displaced parking spaces are in part to be re-provided with grass-crete style spaces on the periphery of the existing car park and therefore closer to the harbourside, but these would not result in harmful development to the landscape setting.
- 7.7 The Chichester Harbour AONB Joint SPD is a material consideration and includes reference to dark skies policies. The large windows and car park lighting are noted with potential for light emission and pollution, which is also resisted under policy DM10. However, windows are mainly on the south elevation and recessed part of the first-floor east elevation and direct light emission would not be over the harbour to the

east. The lighting proposal includes removal of the existing 3m high lighting columns in the car park and replacing with low level lighting. Overall it is considered that the upward light emission would be reduced and long distance views of lighting largely screened by the boundary vegetation and the development itself would shield and replace existing hotel bedroom lights, resulting in minimal change. Since the spa would only be in use until 10.30pm and lighting could be conditioned to be switched off outside these hours, then overnight light pollution would be minimised and not considered to be harmful to the landscape setting and AONB. It is not considered necessary or enforceable to require the fitting of internal blinds.

- 7.8 Overall it is considered that the siting and profile of the building would be well related to the hotel buildings and not be harmful to the more open coastal setting of this harbour side landscape. Accordingly the proposal is considered to conserve and enhance the AONB and would be in compliance with policies CS11, CS12, DM9 and DM10.

(iii) Impact upon nature conservation and ecology

- 7.9 Northney Marina and Chichester Harbour are designated SSSI, Ramsar, SAC and SPA and the site lies immediately adjacent North Common & Saltmarsh SINC where development should protect and enhance these valued landscapes, habitats and biodiversity. Policy CS11 protects these areas. Furthermore land to the south forms a Secondary Support Area for Solent Waders and Brent Geese and to the west the fields are Primary Support Areas. These designations all support and protect the international importance of the harbour for over-wintering birds and other ecological value such as the local flora and other birds, including kingfisher and lapwing.
- 7.10 Both Natural England and the County Ecologist recommend a Construction Environmental Management Plan would be required to mitigate against potential noise and visual disturbance from the construction process, including timing of use of noisy plant outside the over-wintering period of October to March inclusive - this can be conditioned. The proposed development is modular and it is anticipated would be erected on site within one week so its disturbance would be minimal. It also includes the provision of areas of green roof, and it has been suggested that rather than traditional sedum, to increase biodiversity the roof should utilise native/naturalised species suited to the coastal locality e.g. shingle based perennial grasses. The applicant has agreed to this in principle, the details would need to be subject to condition, timed to allow the building to arrive on site first and subsequently installed.
- 7.11 The impact of the lighting on local nature is also a concern and a light spill report has been prepared demonstrating that the change to lower level lighting in the car park would not encroach out into the surrounding landscape. A detailed landscaping scheme has also been submitted, including additional hedging to create a barrier for lighting. Following input from the landscape officer the amended landscape plan for the building and car park has been amended to include native species and is considered appropriate and acceptable. Overall, with the provision of a CEMP and roof planting detailed conditioned it is considered that the proposal would not harm the nature conservation and wildlife interests of the site, satisfying policy CS11 and DM8.

(iv) Flood risk

- 7.12 The siting of the proposed building has in part been led by flood risk factors - where previously proposed under APP/19/00802 there was an objection from the

Environment Agency as it lay in flood zone 2/3. The current siting is outside any current day flood zone and the commercial use is classified as 'less vulnerable'. The modular design of the building would be installed on a foundation system that raises the building on stilts to create an under void of approximately 300mm plus internal floor cassette of 500mm giving total 800mm freeboard. The building can be adjusted to have a finished floor level of 4.61m AOD which has been agreed with the EA as adequate to take climate change into account. The green roof would also help with reducing surface water run off from the building.

- 7.13 In terms of safe access and egress to the site it is noted that the access routes are within flood zones 2/3 and could be cut off in the event of a flood. The submitted FRA notes that any users of the spa development could take refuge in the first floor area and includes reference to the hotel's evacuation plan. That is shared with the adjacent Marina who could provide inflatable safety craft for evacuation; and the hotel car park could provide suitable landing location for air evacuation. Given these options for emergency evacuation it is considered that the proposal would not risk the lives of users for the lifetime of the development. The applicant should nevertheless sign up for flood warnings and an Informative can be added to this effect.

(v) Highways and Parking

- 7.14 It is anticipated that 60% of users would be hotel guests and therefore additional traffic movements specifically to the spa development would be low. This would be unlikely to result in any adverse impact on highway safety.
- 7.15 The proposed siting is largely over part of the existing hotel car park, such that 16 spaces would be lost. The proposal includes the re-configuration of the old and worn parking layout to upgrade this area for both hotel guests and users of the spa. As a result 41 bays would be provided, including 2 disabled spaces, laid out with improved landscaping and low level lighting. In addition 24 overflow grass crete spaces would be provided, thus 65 spaces in total. The adopted Parking SPD recommends provision of 1 space per 10sqm of health club and the planning forms indicate the floor space to be 480sqm which would trigger the need for 48 spaces to serve this development. Therefore the proposed car park layout and provision meets the needs of the development and would replace the 16 spaces lost.
- 7.16 To fully comply with the Parking SPD and offer sustainable alternative modes of access, cycle parking should also be provided, both for staff and visitors. These have been shown on the plans to the side of the building and adjacent the footpath link to the health centre of the hotel. Overall there is no objection to the parking layout which, is in accordance with policy DM14 and the Parking SPD.

(vi) Compliance with Habitats Regulations

- 7.17 The proposed development is within the catchment of a wastewater treatment works that would drain into the Chichester and Langstone Harbours SPA. Natural England advises that there can be a likely significant effect on the Chichester and Langstone Harbour SPA, Chichester and Langstone Harbours Ramsar site, the Solent Maritime SAC and the Solent and Dorset Coast SPA (the Solent's European Sites) due to the increase in waste water from new commercial development, depending on the scale and nature of the operation.
- 7.18 Natural England advise that there is existing evidence of high levels of nitrogen and phosphorus in the Solent water environment with evidence of eutrophication at some

designated sites. This causes eutrophication, which affects vegetation growth and food resources for qualifying species such that it affects the status and distribution of those species and therefore act against the stated conservation objectives of the Chichester and Langstone Harbour SPA and Ramsar sites.

- 7.19 The use in question would include two small vitality pools, two steam facilities, sauna facility and an experience shower. However the users of the facility would be existing hotel users or local residents. The hotel already has similar leisure facilities on-site, including swimming pool. As such, there is not considered to be a material increase in the amount of water discharged from the hotel complex (including the additional spa) overall. As a result, this would not lead to an increase in nutrient load into any of the European Sites considered.
- 7.20 Natural England have been consulted on this Appropriate Assessment and concur that the development would not result in a significant effect on the integrity of the European Site.

## **8 Conclusion**

- 8.1 The proposed spa building, in its location grouped with existing hotel buildings, would not encroach into the more open countryside and as such would not harm the setting of the Chichester Harbour AONB. It has also been sited outside any current flood zone and can be raised at a suitable finished floor levels for flood risk purposes. With appropriate conditions there would be no environmental harm from the proposed development, and the social and economic benefits balance to provide a sustainable development in line with NPPF advice. The application is therefore recommended for conditional permission.

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## **9 RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/00485

(A) subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.  
**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:  
  
Location Plan on LPA website dated 24 Jun 2020  
Block Plan on LPA website dated 24 June 2020  
Planning Submission Feedback responses by SPA Creators dated 08/02/21  
Flood Risk Assessment (FRA) by SPA Creators dated 19<sup>th</sup> June 2020 as amended by email dated 27<sup>th</sup> August 2020 confirming finished floor levels.

Flood Risk Plan Drawing number LQPSP\_FR dated 17/12/20

Landscape Plan Drawing number LQPSP\_LAN dated 17/12/20

Outline Dimensions Plan Drawing number LQPSP\_OD dated 17/12/20

Topographic Survey Drawing number LQPSP\_TOPG dated 13/01/21

Satellite View Drawing number LQPSP\_SV dated 17/12/20

Front Elevation Drawing number LQPSP\_FE dated 17/12/20

First Floor Plan Drawing number LQPSP\_FF-Empty dated 08/02/21

First Floor Plan Drawing number LQPSP\_FF dated 17/12/20

Ground Floor Plan Drawing number LQPSP\_GF\_Empty dated 08/02/21

Ground Floor Plan Drawing number LQPSP\_GF dated 13/01/21

Left Side Elevation - Drawing number LQPSP\_LSE dated 17/12/20

Rear Elevation - Drawing number LQPSP\_RE dated 17/12/20

Right Side Elevation - Drawing number LQPSP\_RSE dated 17/12/20

Entrance Cross Section Drawing number LQPSP\_ECS dated 17/12/20

Lighting Report – Exterior by Deltalight UK Ltd project number  
OPP-202056560 dated 29.10.2020

Exterior Lighting report by SPA Creators dated 12<sup>th</sup> August 2020

Finishes Descriptions by SPA Creators dated 19<sup>th</sup> June 2020 on LPA  
website dated 24 June 2020

**Reason:** - To ensure provision of a satisfactory development.

- 3 The hereby approved health and wellness development shall only be open for customers or business between the hours of 09:00 and 22.30 on any day and outside these hours the internal lights shall be switched off (except for security lighting).  
**Reason:** To minimise light pollution in the interest of dark skies and conserving the natural landscape, having due regard to policies CS11, CS12 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011; the Joint Chichester Harbour AONB SPD July 2017, and the National Planning Policy Framework.
- 4 The hereby approved development shall be carried out in strict accordance with the submitted Flood Risk Assessment ('Langstone Quays SPAShell Development Flood Risk Assessment [FRA]', ref APP/PP-08814648, dated 19th June 2020, prepared by Alistair Johnson) and the following mitigation measures it details:
  - Development will be built outside of current day Flood Zone 2 or Flood Zone 3.
  - Finished floor levels will be set no lower than 4.61 metres Above Ordnance Datum (mAOD) (as confirmed by email from Mr Alistair Johnson dated 27th August 2020).
  - As per the void management plan; the void under the structure will remain

clear of any obstructions and this will be maintained at all times. A full maintenance and operations manual will be provided to the operator with the guidance on maintaining a clear void to be included.

These mitigation measures shall be fully implemented prior to the building first being used, and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

**Reason:** To ensure that floor levels are appropriate in order to reduce the flood risk to future occupants having due regard to Planning Practice Guidance to the National Planning Policy Framework and policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011.

- 5 No percussive piling, or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax - measured at the sensitive receptor) shall be undertaken on site within the bird over wintering period, from 1st October to 31st March inclusive. The sensitive receptor is the nearest point of the SPA and SINC or any SPA/SINC supporting habitat (e.g. high tide roosting site).

**Reason:** To protect the habitats of the adjacent SPA, SSSI and SAC in accordance with the Habitats Regulations, National Planning Policy Framework, and Policy CS11 of the Havant Borough Local Plan (Core Strategy) March 2011.

- 6 No development shall take place until a Construction Environmental Management Plan (CEMP) specifying/addressing the following matters have been submitted to and approved in writing by the Local Planning Authority, in consultation with the County Ecologist and Natural England:

(i) Details of measures to avoid harm to adjacent internationally, nationally and locally designated sites, including explicit avoidance and mitigation measures and the roles and responsibilities of those persons responsible for implementing the agreed CEMP, including:

(ii) Noise/visual/vibrational impacts

(iii) Visual screening (for SPA birds)

(iv) Storage of construction materials/chemicals and equipment

(v) Chemical and/or fuel run-off from construction into nearby watercourse(s)

(vi) Waste disposal

Thereafter, throughout such site clearance and implementation of the development, the CEMP shall be adhered to at all times unless otherwise first agreed in writing with the Local Planning Authority.

**Reason:** To protect the European wildlife and nature conservation sites of the locality, in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 7 Within one month of the hereby approved modular building arriving on site, details of the planting for the hereby approved green roof areas shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the County Ecologist. To be appropriate to the coastal locality a shingle, gravel or porous rubble based vegetation system of native/naturalised perennial and annual grass and herbaceous species is recommended. The details to be submitted shall include specification of the plant species, sizes and numbers, method of installation i.e. mat or tray or

blanket system; details of timing of installation; and a landscape maintenance management plan for a minimum of 5 years. The green roof planting shall be implemented in accordance with the approved details within 6 months of the modular buildings arriving on site or other timing as agreed in the submission. Any plant which dies, becomes diseased or is removed within the first five years of planting, shall be replaced with another of similar type and size, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To achieve biodiversity net gain and an enhancement of local habitats, and an appropriate long term landscaping scheme for the roof in this sensitive environment, having regard to policies CS11 and DM8 of the Havant Borough Core Strategy 2011 and the NPPF.

- 8 The hard and soft landscaping works, including lighting, shown on the approved plans [Landscape Plan Drawing number LQPSP\_LAN dated 17/12/20] shall be carried out in accordance with the approved details and within the first planting season following the first use of the development hereby permitted, unless alternative timing is otherwise agreed in writing with the Local Planning Authority. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

**Reason:** To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 The external materials used shall be as indicated in the submitted documents and approved plans unless otherwise agreed by the Local Planning Authority.

**Reason:** In the interests of the amenities of the area and having due regard to policies CS11, CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 The re-configured car parking, cycle parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be implemented and made fully available for use prior to the development being first brought into use, and shall be retained thereafter for their intended purpose.

**Reason:** In the interests of highway safety and having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 All glazed surfaces (windows, doors, balustrades) shall be fitted with tinted and/or non-reflective surface and maintained as such in perpetuity.

**Reason:** To mitigate against excessive reflective glare in this sensitive harbour side location, to protect the landscape setting of the AONB having regard to policy CS12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

