

Site Address: 1 Salterns Close, Hayling Island, PO11 9PL
Proposal: Erection of 1No. 3 bed dwelling with integral garage and new access onto Salterns Close.
Application No: APP/16/00614 Expiry Date: 12/08/2016
Applicant: Mr & Mrs Spraggs
Agent: Mr Murray Case Officer: Daphney Haywood
Murray Planning Associates Ltd
Ward: Hayling East

1 Site Description

2 Planning History

3 Proposal

4 Policy Considerations

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
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)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Havant Borough Design Guide
Adopted parking standards

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy

Holding objection which would be removed if the footprint of the dwelling is moved 3 m towards the street scene to be more consistent with the line of properties as they face the harbour.

Amended plan

Having considered these amendments and conferred with our Vice Chair Steven Schrier, the Conservancy now withdraws the holding objection it made 18.7.16 and raises –

No objection, subject to a S.106 contribution of £176 be secured relating to the Solent Recreation Mitigation Project, that consideration be given to making a TPO on the Walnut tree identified as T3 in the applicant's June 2016 report by Hellis Tree Consultants and conditions to limit the breach being formed in the waterside wall to that shown on the drawing, agreeing external facing materials and safeguarding retained trees during construction.

Natural England Government Team

The Conservation of Habitats and Species Regulations 2010 (as amended)

The Wildlife and Countryside Act 1981 (as amended)

Internationally and nationally designated sites

The application site is within or in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The

application site is in close proximity to the Chichester and Langstone Harbours Special Protection Area (SPA) and Solent Maritime Special Area of Conservation (SAC) which are European sites. The sites are also listed as Chichester and Langstone Harbours Ramsar site 1 and also notified at a national level as Chichester Harbour Site of Special Scientific Interest (SSSI) Please see the subsequent sections of this letter for our advice relating to SSSI features.

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have. The Conservation objectives for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

***Chichester and Langstone Harbours SPA and Ramsar, Solent Maritime SAC
No objection with conditions***

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 61 and 62 of the Habitats Regulations have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

In advising your authority on the requirements relating to Habitats Regulations Assessment, and to assist you in screening for the likelihood of significant effects, based on the information provided, Natural England offers the following advice:

- ☐ the proposal is not necessary for the management of the European site
- ☐ that the proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment. When recording your HRA we recommend you refer to the following information to justify your conclusions regarding the likelihood of significant effects.

The development site is overlooking the aforementioned protected site we therefore recommend that the following condition is appended to the planning permission:

- ☐ 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).
- ☐ Prior to the commencement of the development hereby approved, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will be implemented to minimise noise levels during the winter months, the creation and impact of dust, pollution of the harbour and waste disposal resulting from the site preparation, groundwork and construction phase of the development. Once approved, the Construction Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: to ensure the conservation status of the Chichester and Langstone Harbours SPA, Ramsar and SSSI

This application is within 5.6km of Chichester and Langstone Harbour SPA and will lead to a net increase in residential accommodation. Natural England is aware that Havant Borough council has recently adopted a Supplementary Planning Document (SPD) or planning policy to mitigate against adverse effects from recreational disturbance on the Solent SPA sites, as agreed by the Solent Recreation Mitigation Partnership (SRMP)

Provided that the applicant is complying with the SPD or policy, Natural England are satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site(s), and **has no objection** to this

aspect of the application.

Chichester Harbour SSSI: No objection – no conditions requested

This application is in close proximity to Chichester Harbour SSSI. Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the *Wildlife and Countryside Act 1981* (as amended), requiring your authority to re-consult Natural England.

Other advice

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- ☐ local sites (biodiversity and geodiversity)
- ☐ local landscape character
- ☐ local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document) in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application. A more comprehensive list of local groups can be found at [Wildlife and Countryside link](#).

Protected Species

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.

Environment Agency Condition required re the submitted Flood Risk assessment. The sequential test should be applied to demonstrate that no alternative sites are available in a lower flood risk zone.

Engineering/Drainage No adverse comments

Hampshire Wildlife Trust, Beechcroft House No comments received

Royal Society for the Protection of Birds No comments received

Arboriculturalist. The applicant should demonstrate that the oak tree in the adjacent garden will not be impacted by the proposed development.

The revised drawing in conjunction with the report appears to demonstrate that in Arboricultural terms the tree constraints have been managed appropriately.

If permitted the AIA report should be conditioned

I raise no objection to this application.

Crime Prevention -Minor Apps No comments received

Environmental Health Manager, Community Group

No objection - informative re working hours, bonfires, light pollution and dust requested

Observations / Comments:

No issues in respect of SUDS / Flooding. With respect to contamination; I note that a former clay pit was present on the adjacent plot. Brick fields can be associated with contamination but in this case risks are more likely to be 'negligible - low', than 'moderate - high'. If you are minded to grant consent for this development, please include the recommended condition, requiring that any suspicious ground conditions encountered are appropriately assessed, and any unacceptable risks to the future occupants of the property are adequately mitigated.

Building Control

Timber cladding on East and West elevations may exceed unprotected areas (external fire spread). Bin storage to be provided.

Waste Services Manager

No adverse comments

Development Engineer - Highways

No objection subject to a planning condition that the parking and turning area shown on the submitted plan is provided and retained. Also a condition is required for the provision of the new dropped kerb vehicular crossing.

County Ecologist

The application is accompanied by an Extended Phase 1 Habitat Survey (Parkerssharp Environmental, April 2016) which provides a useful assessment of the site's ecological constraints. Overall, the site comprises a typical well-maintained garden plot containing lawns, boundary hedges and trees and ornamental plantings. None of the vegetation communities are considered to be of particular botanical value and the site is not considered to offer high potential for supporting protected species.

The site is situated within very close proximity to Chichester & Langstone Harbours Special Protection Area (SPA) and there is therefore potential for construction-related disturbance to occur. There will need to be a Construction Environment Management Plan (CEMP) which provides clear details of how issues such as noise and visual disturbance and pollution/litter will be addressed during construction.

The proposal will result in a net increase in dwellings within proximity to the SPA and therefore there will be a requirement for a payment of £176 to the Solent Recreation Mitigation Partnership (SRMP).

In summary, the proposals are not likely to result in significant ecological impacts and therefore, if you are minded to grant permission, can I suggest that ecological mitigation and enhancement measures are secured by condition.

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: 4

Number of site notices: one

Statutory advertisement: Not applicable.

Number of representations received: 3 this comprises 5 letters of objection from 2 properties (4 Salterns Close, and The Annex) and one letter of support.

Summary of objections:

Initial plans

- The proposed development at Salterns House to the western boundary of our property would result in a dominant and overbearing structure, adversely affecting the outlook from, and light available to us as the occupier of the adjacent property. This would be detrimental to the residential amenity currently enjoyed by us as residents, and, we believe, would be considered contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- The proposed building is large and situated a long way forward towards the water and is very likely to obstruct our lovely views of the creek and reduce the amount of light entering our annexe. This would be detrimental to the residential amenity currently enjoyed by us as temporary residents, and, we believe, would be considered contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

Amended plans

- I continue to object to the planning application. The changes proposed from the original application are insufficient. The grounds for my objection are that the proposed development at Salterns House would result in a dominant and overbearing structure adversely affecting the outlook from, and light available at the adjacent property. This would be detrimental to the residential amenity currently enjoyed by us as temporary residents, and, we believe, would be considered contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012. The visual impact of the proposed structure is clearly sufficient to be considered dominant and overbearing. The late afternoon sunshine that we currently enjoy on our deck would be blocked by the bulk of the building.
- The development would extend some 5m beyond the rear building line. The dwelling should be in line with the existing houses.

Further amended plan

- The movement of the house by 1 Metre to the South produces only a marginal improvement. This can be clearly seen in attached Figs A and B which represent the situation after the house has been moved towards the South. We find that it continues to be a dominant and overbearing structure that adversely affects the outlook from our property and reduces the light available to us.
- We note that this is a house with a very large footprint on a site with limited width. The footprint is actually larger than that of the original Salterns House. The decision to make the house long and narrow at First Floor level has resulted in the problem

that we are trying to solve.

- Throughout this planning application process the alterations that have been proposed are very limited in scope and none of them have affected the layout of the house. As it is clearly impossible to move the house any further towards the South, we believe that it is time to change the First Floor layout to reduce the extent northwards by at least 2 Metres. This could be achieved in several ways:
 1. Reducing the size of the Dressing and En-Suite elements
 2. Marginally reducing the size of the Master Bedroom
 3. Removing the Roof from the Terrace Area
- We feel that alternative 3 would produce an improvement for us and would also be significantly better for our neighbours, making a much more pleasant terrace and giving much better aspect and light in the Master Bedroom.

Comment: see section 7

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 on the character of the area.
- (iii) Impact upon residential amenity
- (iv) Flood risk
- (v) Trees
- (vi) Ecology

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. Policies CS9, and CS17 of the Core Strategy together with Policies AL1 and AL2 support residential development within the built up area and the need to provide small units to meet housing demand, which is also identified in the Annual Monitoring report.

The National Planning Policy Framework (NPPF) establishes a presumption in favour of sustainable development however this should not be to the detriment of the local area.

Paragraph 6 makes it clear that regard must be had to the document as a whole in determining what the Government's view of sustainable development means in practice. It promotes the effective use of land through the re-use of previously developed land. With paragraph 49 stating that *"housing applications should be considered in the context of the presumption in favour of sustainable development."*

However, paragraph 56 makes it clear that *"Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."* Paragraph 58, bullet 4 seeks to ensure

that development responds to local character, with bullet 6 requiring good architecture.

Paragraph 59 seeks to ensure the sustainable construction of the dwellings, whilst paragraphs 60 and 61 seek to ensure the development is designed well accounting for local context. Paragraph 64 however, requires development of poor design to be refused.

Policy CS16 of the Havant Borough Core Strategy Local Development Framework 2011 seeks to reflect the requirements of the NPPF at a local level. It and the local plan policies encourages the principle of development within the settlement area, provided that any new development pays proper regard to the character and appearance of the area, design and neighbour amenity.

(ii) Impact on the character of the area.

The site backs onto Chichester Harbour and the application has been amended to set the building back from the harbour, and whilst it would still come forward of the adjacent properties, it would not be intrusive owing to the spacing between the proposed dwelling and the existing dwellings, the relatively narrow frontage of the 2 storey element facing the harbour and it set back from the waters edge.

The dwelling is of contemporary design, and would be constructed in high quality materials, and whilst the existing dwellings are of more traditional design, there is a variety of form and materials and the proposal, the design of which has had regard to the landscaped character of the area including the use of muted colours and natural materials which will blend with the landscape, is considered appropriate for the site, achieving an acceptable visual impact in respect to the harbour and the street scene.

Chichester Harbour Conservancy has been consulted on the amend plans and rises no objection.

(iii) Impact upon residential amenity

The main impact would be to 4 Salterns Close, which is a 2 storey dwelling adjacent the eastern boundary. This property has been extended and has windows to principle rooms facing towards the harbour and enjoying views across the application site. Whilst loss of view would not be a supportable reason for refusal, the impact on light and outlook could be. The plans have been amended twice to reduce the extent to which the dwelling extends beyond the rear of No4. In the first instance the attached double garage was reduced to a single garage and the 2 storey element brought forward on the site. The second amendment brought the dwelling a further 1m towards the road and back from the harbour.

The occupiers of No 4 and the annex objected to the application as originally submitted and as now amended on the grounds that the development would be intrusive and detrimental to their outlook and result in loss of light. Originally they also objected to the impact on the oak tree within their garden, but this has now been addressed. At the time of the initial site visit No4 and the annex were visited and the potential impact viewed from both the ground and first floors.

The 2 storey element of the proposed dwelling as now submitted would project approx 5m beyond the rear of No4 on this boundary, but would be in excess of 8m

from the boundary. The single storey element would project 6.5m and be approx 7 from the boundary. This accords and exceeds the requirements the Borough Design Guide, and is considered to provide an acceptable relationship in respect to light. In terms of impact on outlook, given the extent of set back from the side boundary it is not considered that the impact would be unacceptably overbearing and therefore refusal on this ground could not be substantiated.

regarding the impact of the forward projection of the garage, No4 has a garage closest the boundary and this relationship is considered acceptable.

(iv) Flood risk _

The site, including the location for the dwelling, lies located mostly within flood zone 1, with the fore shore in zones 2 and 3. Additionally the access of Salterns Lane is within flood zone 2 but this is some distance further to the west. Given that neither the dwelling nor its access to Salterns Close would be located in flood zone 2 and 3, and hence the occupants would be safely able to access and exit the property in the event of flooding, and in terms of the sequential test the location is appropriate for the proposal. The Environment Agency has requested a condition in respect to the mitigation measures including a ground floor level of 3.7AO as specified in the FRA submitted with the application.

(v) Trees

There are a number of trees on and off site, and the proposal has been assessed by the Arboriculturalist who has advised that the revised drawing in conjunction with the report appears to demonstrate that in Arboricultural terms the tree constraints have been managed appropriately. Additionally the trees on the site has been assessed in respect to a Tree Protection Order, and which the walnut tree is shown to be retained, due to its form it does not meet the criteria for preservation.

(vi) Ecology _

The application has been assessed by the County Ecologist and Natural England. Overall, the site comprises a typical well-maintained garden plot containing lawns, boundary hedges and trees and ornamental plantings. None of the vegetation communities are considered to be of particular botanical value and the site is not considered to offer high potential for supporting protected species.

The proposal will result in a net increase in dwellings within proximity to the SPA and therefore subject to a financial contribution in respect of the Solent Recreation Mitigation Partnership pursuant to Policy DM24 of the Allocations Plan, and the appropriate payment and Deed have now been completed and therefore the requirements of the Policy have been met.

8 Conclusion

In conclusion, it is considered that the development would have an acceptable impact on the character and appearance of the area and on neighbours' and future occupants' residential amenities. Whilst it is recognised that the proposals would have a degree of impact upon the adjacent properties, the revised plans and separation distances involved are considered to mitigate this impact to an acceptable level. Arboricultural , Ecology, flooding and Highways issues are also appropriately

addressed and developer contributions have been secured. the proposal is CIL liable and the appropriate paper work has been provided.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/00614 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 PELP
Amended site plan PSPA3 Rev 3
Site plan coloured PSPCol A3 dated 15/08/16
Floor plans PFPA3 Rev4
South and North elevations E-south-north- A3Rev1
West elevation E-westA3Rev1
East elevation E-east A3 Rev1
Context elevation
Flood Risk Assessment (Scot White and Hookins) issued April 2016
Arboricultural Method Statement (Hellis tree Consultants) dated July 2016.

Reason: - To ensure provision of a satisfactory development.

- 3 No development shall take place until plans and particulars specifying the following matters have been submitted to and approved in writing by the Local Planning Authority:

(i) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development;

(ii) The provision to be made within the site for a material storage compound during site clearance and construction of the development.

Thereafter, throughout such site clearance and implementation of the development, the approved parking provision and storage compound shall be kept available and used only as such.

Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 No development hereby permitted shall commence until plans and particulars

specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.

Reason: To safeguard the health of nearby trees and the amenities of the locality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

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

- 6 The landscaping works shown on the approved plans shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following final occupation of the development hereby permitted, whichever is the sooner. 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.

- 7 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 or occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 No development shall take place until all trees and hedgerows that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. The fencing shall be retained throughout the period of construction and no activity prohibited by

BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 9 Notwithstanding the provisions of any Town and Country Planning General Permitted Development Order, no extension or building alteration shall be constructed within the curtilage of the site without the prior approval of the Local Planning Authority.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 The car parking, servicing and other vehicular access arrangements including the provision of a dropped kerb shown on the approved plans to serve the development hereby permitted shall be 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 DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 The rooflights at or above first floor on the west and east side elevations shall be obscure glazed up to a height of 1.7m above floor level unless otherwise agreed in writing by the local planning authority. .

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 In the event that suspected contamination (soil, groundwater or buried waste materials) is encountered during groundwork; works in affected areas of the site shall cease until 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 comprise separate reports/statements as appropriate, but unless specifically excluded in writing by the Local Planning Authority, 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 assessments, works, monitoring & other actions required by 1)-3) above (and B, below) shall be

undertaken by competent persons, and 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 and the National Planning Policy Framework, there is potential for contamination associated with a former landuse at the adjacent plot to exist at the site

- 13 Development shall proceed in accordance with the ecological mitigation and enhancement measures detailed within the Extended Phase1 Habitat Survey (Parkerssharp Environmental, April 2016) unless agreed in writing by the Local Planning Authority. Any such measures shall be implemented in accordance with the agreed details and secured in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: to provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

- 14 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).

Prior to the commencement of the development hereby approved, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will be implemented to minimise noise levels during the winter months, the creation and impact of dust, pollution of the harbour and waste disposal resulting from the site preparation, groundwork and construction phase of the development. Once approved, the Construction Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To ensure the conservation status of the Chichester and Langstone Harbours SPA, Ramsar and SSSI and having due regard to and Policy CS 11 of the Havant Borough Core Strategy March 2011.