

DM9 (Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Submission Version Havant Local Plan

DR1 (Delivery of Sustainable Development)
E4 (Development on the Coast)
E20 (Drainage infrastructure in new development)
E1* (High quality design)
H1* (High quality new homes)
E3 (Landscape and settlement boundaries)
E12 (Low carbon design)
E19 (Managing flood risk in new development)
E15 (Protected species)
E18 (Trees, hedgerows and woodland)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

Further Comments:

It would appear that the Agent has gone a long way in terms of addressing my initial concerns and objections to the scheme and this revised proposal is certainly significantly improved to a standard where I am able to now withdraw my objection on arboricultural grounds.

If permission is given then the following must be conditioned:

A pre commencement site visit I meeting must take place between the Site Manager, Arb Consultant and an HBC representative to ensure that all tree protection is in place prior to any works beginning on site.

All works within the RPA of trees must be supervised by the Arb Consultant to ensure no harm occurs.

The AMS and TPP must be strictly adhered to.

Any underground services must be installed outside of the RPA.

A comprehensive tree replanting scheme must be agreed in writing and any trees that fail within the first five years of planting must be replaced by the owner.

Original Comments:

Thank you for the Arb information requested.

I am unable to support this proposed development and raise objection for the following reasons:

. Sixteen (16) trees are to be removed to facilitate this project and can be broken down into the following groups:

x12 Cat C

x1 Cat B

x3 Cat U

While the CAT U are not a consideration the other trees contribute to the verdant character of the area and their loss is considered unacceptable.

. There is extensive work within RPA of a number of the retained trees which is again considered excessive when combined with the proposed tree loss on site.

. The proposed summer house is in a very close relationship with the trees and may well put excessive future pressure prune or remove trees in the future.

. In addition to this there is a requirement for "Cutting back as required for retained trees" to facilitate the project which is very 'loose' in terms of a description and could again reduce the quality of the tree cover on site.

Building Control

No comments received

Coastal Engineering

Coastal Partners have no objection in principle to the proposed development but are able to offer the following comments and advice.

The site is shown to lie partially within the Environment Agency's present day Flood Zone 3 and is therefore considered to be at risk from a 1:200 year (0.5% annual probability) extreme tidal flood event. The footprint of the current dwelling, however, is shown to lie within Flood Zone 1 (low risk of flooding -less than 1:1000 year /0.1% annual probability) for the lifetime of the development. The northern boundary of the site is partially located within Flood Zones 2 and 3.

For information, the present day 1:200 year extreme tidal flood level for Langstone Harbour is 3.3 m AOD, increasing to a predicted 4.4 m AOD by the year 2115 (design tide level), due to the effects of climate change.

The applicant has submitted a Design and Access Statement, which covers Flood Risk, compiled by Hebden design studio, referenced Rev 02, which sufficiently outlines how tidal flood risk at the site will be mitigated. As stated within the Design and Access Statement:

. The proposed floor levels will be at 4.95 AOD

. the development will incorporate flood resistance and resilience measures as recommended by the Environment Agency including:

- o Materials selected for their durability in times of flooding eg water resistant render
- o Closed-cell type insulation in cavity walls
- o Non-return valve in sewer pipe
- o Kitchen units on legs concealed by removable kick boards
- o Fridge on raised plinth
- o Raised electrical sockets
- o Permeable surfacing within the garden
- o Tiled internal floors
- o Sump pump in basement
- o Appropriate flood warning and evacuation plans will be in place to protect residents in the event of a flood

These measures are an improvement on the existing property. You, as the Local Planning Authority, may choose to condition these measures to ensure the development will be safe for its lifetime.

The summer house will be located within Flood Zone 3, however, the design and access statement states that it will be used for the storage of boats and other equipment and will not provide any habitable accommodation.

In all circumstances where flood warning and evacuation are significant measures in contributing to managing flood risk, we expect local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Community Infrastructure, Planning Policy & Urban Design

CIL Liable: <http://www.havant.gov.uk/community-infrastructure-levy-charging-schedule>.

Not SRMS liable as the application is for a replacement dwelling.

Councillor Clare Satchwell - Hayling East

No comments received.

Councillor I Scott Hayling West

No comments received.

Councillor Joanne Thomas

No comments received.

County Ecologist

Final Comments (in relation to revised CEMP)

This is fine and can be secured via a compliance condition.

Further Comments (sea wall omitted):

In respect to HRA – if we are asking for a CEMP to demonstrate that construction noise/visual disturbance is being avoided then that is essentially a mitigating measure. As such, HRA is required as impacts cannot be screened out i.e. there is potential for impact and actions are needed.

Further Comments:

Having now looked at the proposals myself I would suggest that there is clearly some potential, albeit very limited, for works to the existing sea wall to result in impacts to the Solent Maritime SAC. In summary:

- The sea wall is at the SAC boundary.
- Removal of the sea wall has potential to damage the strandline vegetation to the north of the wall. This is, from my review of the submitted ecology report, highly likely to equate to the SAC habitat 'Annual vegetation of drift lines' or 'Perennial vegetation of stony banks' Both are essentially vegetated shingle habitats covered by the SAC designation. The fact that there is vegetation on the shingle demonstrates that this habitat is not clean shingle routinely washed by wave action.
- Impacts to this habitat need to be assessed under the Habitats Regulations.

I am sure that, if carried out sensitively, the replacement of the sea defences would not result in permanent impacts to the SAC. The following conditions must be adhered to:

- The replacement defences must not extend beyond the existing footprint – there must be no land-take from the SAC at all. If there was, this would require more detailed assessment under the Regulations.
- Ideally, the new gabions would be situated inland of the existing footprint, within the lawn.
- All works must be conducted from landward side – no plant or machinery must enter the SAC.
- Any shingle habitat that is to be disturbed temporarily must be removed carefully and stored safely for immediate reinstatement.

Provided that there is a clearly worded CEMP, setting out the above measures as well as the recommended pollution control measures within the ecology report then I am confident that there would be no impact to the integrity of the SAC. However, due to the need for mitigating measures the HRA must screen-in potential damage to SAC habitat. This is in addition to potential impacts from construction and pollution, as described within the ecology report.

Hopefully this sums up the matters for consideration.

Original Comments:

The application is supported by a Phase 1 Ecological Assessment and Bat Roost Assessment by Philips Ecology (Oct 2020).

This development will affect bats, although I am confident that the survey work and proposed mitigation is acceptable and I would raise no additional concerns. Detailed comments are set out below:

Bats receive protection under UK law via the Wildlife and Countryside Act 1981 (as amended) and under EU law by the Habitats Directive, which is transposed into UK law by the Conservation of Habitats and Species Regulations 2010 (commonly referred to as the Habitats Regulations). Where developments affect European protected species (EPS), permission can be granted unless:

- the development is likely to result in a breach of the EU Directive underpinning the Habitats Regulations, and
- is unlikely to be granted an EPS licence from Natural England to allow the development to proceed under a derogation from the law.

Licences will not normally be granted in the absence of planning permission.

-Is the development likely to result in a breach of the EU Directive?

The application is supported by a report of the thorough and professional bat survey work that has been carried out at the site to appropriate methodologies and standards (Philips Ecology Oct 2020). This report includes results and conclusions of the full survey work, an assessment of the impacts to bats and the measures to ensure that any impacts to bats are avoided or compensated for.

The survey work identified that the existing building provides numerous points that can be used by bats for roosting and / or access to roosts, and small numbers of droppings were seen. Subsequent emergence and re-entry surveys identified 2x Soprano bat day roosts present to the southern elevation behind a roof tile close to the flat roof extension and beneath the roof of the flat roof extension. Small numbers of foraging and commuting bats were also recorded utilising the grounds of the site.

The development will result in the loss of roosts used by individual non-breeding bats. If avoidance measures are not taken then the work has the potential to kill / injure individual bats. The development will therefore result in a breach of the EU Directive.

- Is the development unlikely to be licensed?

An EPS licence can only be granted if the development proposal is able to meet three tests:

1. the consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'; (Regulation 53(2)(e))
2. there must be 'no satisfactory alternative' (Regulation 53(9)(a)); and
3. the action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range' (Regulation 53(9)(b)).

It is for you as the case officer to assess the proposals against the first two tests. In order to assess the development against the third test, sufficient details must be available to show how killing / injury of bats will be avoided and how the impacts to bat roosts will be addressed and how the loss of the roost will be compensated. In this case, a detailed mitigation strategy is provided that includes methods to be followed during the development to ensure bats are not disturbed, killed or injured, together with new roosting opportunities to be provided onto mature trees on site. I would support all these measures and, on the basis of the information currently available, and if you are satisfied that the first two tests can be met, I am confident that the development is not unlikely to be licensed.

I would recommend that LPA's engagement with the Habitats Regulations is detailed in your report.

Provided that these measures are implemented, I would have no concerns over these proposals. If you were minded to grant permission, I would simply suggest that the following condition be added to the decision notice:

Condition:

Development shall proceed in accordance with the measures set out in Section 15 Mitigation Recommendations, of the Phase 1 Ecological Assessment and Bat Roost Assessment by Philips Ecology (Oct 2020). Thereafter, the replacement bat roosts shall be permanently maintained and retained in accordance with the approved details. Reason; To ensure the favourable conservation status of bats in accordance with DM8 Conservation, Protection and Enhancement of Existing Natural Features of the Havant Borough Local Plan.

Crime Prevention -Minor Apps

No comments received.

Engineering/Drainage

No comments received.

Environment Agency**Further Comments:**Environment Agency Position

We request that the following condition be attached to any planning permission granted, and that the details in relation to the condition be submitted and approved by the Local Planning Authority. The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included.

Condition

The development shall be carried out in accordance with the submitted flood risk assessment (Ref; 'Planning Statement (Including Design, access and flood risk)' Rev 03, compiled by Hebden Design Studio) and the following mitigation measures it details:

- . [10. Flood Risk Assessment] Finished floor levels shall be set no lower than 5.05m above Ordnance Datum (ADD)
- . [10. Flood Risk Assessment] Water resistant materials shall be selected where appropriate
- . [10. Flood Risk Assessment] A non return valve shall be fitted in the sewer pipe
- . [10. Flood Risk Assessment] All electrical sockets shall be raised

These mitigation measures shall be fully implemented prior to occupation 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.

Reasons

To reduce the risk of flooding to the proposed development and future occupants
Advice to Applicant

Environmental Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- . on or within 8 metres of a main river (16 metres if tidal)
- . on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- . on or within 16 metres of a sea defence
- . involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- . in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03708 506506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Advice to LPA/Applicant

Flood Resistance and Resilience

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance. The following documents may also be useful:

Department for Communities and Local Government: Preparing for floods
<http://www.planningportal.gov.uk/uploads/odpm/4000000009282.pdf>

Department for Communities and Local Government: Improving the flood performance of new buildings: <https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

Signing up for Flood Warnings

The applicant/occupants should phone bloodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding - time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>.

To get help during a flood, visit <https://www.gov.uk/help-during-flood>.

For advice on what to do after a flood, visit <https://www.gov.uk/after-flood>.

Original Comments:
Environment Agency position

In the absence of an acceptable Flood Risk Assessment (FRA), we object to this application and recommend that planning permission is refused.

Reason(s)

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the development's flood risks. In particular, the FRA fails to:

- . provide site specific tidal flood levels
- . take the impacts of climate change into account
- . Assess finished floor levels for the dwelling against the site specific tidal flood levels (including climate change) and consider an appropriate freeboard allowance
- . consider how people will be kept safe from the identified flood hazards
- . consider how a range of flooding events (including extreme events) will affect people and property
- . consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event
- . include vulnerability classification of summerhouse (clarify whether it includes sleeping accommodation)

Overcoming our objection

To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above.

If this cannot be achieved, we are likely to maintain our objection. Please consult us on any revised FRA and we will respond within 21 days of receiving it.

Advice to the Local Planning Authority

If you are minded to approve the application contrary to our objection, we would be grateful if you could re-notify us to explain why material considerations outweigh our objection, and to give us the opportunity to make further representations. Should our objection detailed above be removed, it is likely we will recommend planning conditions to be included on any subsequent approval.

In accordance with the Planning Practice Guidance (Ref. 10: 20150415), please notify us by email within 2 weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Advice to Applicant - charged service

If the Applicant would like any further detailed advice we would be happy to provide this subject to a charge.

As part of this service you would have a dedicated project manager to coordinate the advice from different teams within the Environment Agency. It would also include bespoke technical and planning advice if you request this. This will allow you to have greater clarity about the assessments you need to accompany your planning application and certainty about whether the development is acceptable to us before you resubmit.

Hampshire Highways

Having reviewed the documentation submitted in support of the above planning application Highways Development Planning is satisfied that the proposal would have no detrimental impact on highway safety or operation. A recommendation of no objection would therefore be given.

The applicant should note that a Section 184 licence will be required to construct the new access, further details of which are available via the following link:
<https://www.hants.gov.uk/en/transport/developers/section-184>.

Highways England

Referring to the planning application for "Demolition of existing dwelling and erection of replacement dwelling including new summer house and garage with ancillary accommodation together with new driveway access with associated landscaping" referenced above, dated 19 January 2021 at 48 Sinah Lane, Hayling Island, P011 OHH. Notice is hereby given that Highways England's formal recommendation is that we:

a) offer no objection;

Highways Act Section 1758 is not relevant to this application.

This represents Highways England formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Landscape Team

Final Comments:

From a landscape perspective we have the following comments:

- Hard landscaping details are required for submission, this is particularly prudent given both mine and the arb consultants concerns with the impacts of the development on existing trees. T09 T12 appear to have a significant amount of hard surfacing falling within the RPA and without knowing the proposed surfacing the possible impacts are unknown. Given the nature of a driveway and the movement of vehicles over the RPA mitigation against compaction should be implemented.

Further Comments:

From a landscape perspective we have the following comments in relation to the amended drawings:

- The submitted tree survey and arb report are deemed to be contrary to BS 5837:2012 at present construction is occurring within the RPA of Tree nos. T44, T47, T48, T49, T28, T29 and T31. There is no mitigation strategy in place to ensure that the construction within the RPA will not adversely affect the existing trees. We have concerns with the impact on the landscape character which is exacerbated by the loss of 16 trees to facilitate the development.
- We require information on the principal of the hard and soft landscaping and building material palette prior to approval to understand the impact of the development and to ascertain its appropriateness within the existing landscape. Details of agreed specification can be conditioned.

Original Comments

From a landscape perspective we have the following comments:

- We require the tree survey (appendix 4 of tree report) plan to be submitted to understand the extend of the root protection area and subsequent mitigation strategy.
- A robust soft landscaping scheme is require to provide strong boundary treatments to help mitigate any overlooking of immediate neighbours. This should be in the form of tall native hedgerow punctuated with appropriate native trees to offer sufficient screening.
- We require additional soft landscaping to soften the impact of the excessively large garage and retain the leafy vernacular of Sinah Lane.
- There is a lack of material specification which we require clarification on to ensure suitability. As a minimum product spec should include manufacturer, colour and if possible an image of the proposed material.
- Hard landscape details are require for comment.
- Boundary treatments details are required for comment.

Langstone Harbour Board

The Board's Planning Sub Committee considered this proposal and had no objections relating to the proposed new dwelling. However, the Committee did have concerns about the slipway which enters Langstone Harbour from the property boundary. It remains unclear from the documents provided whether the slipway is new, or whether is it is existent. Should this slipway be a new addition to the property, or should the applicant intend to modify any slipway currently in situ, then the Committee stated that advice must be obtained from Natural England in relation to mitigating habitat loss or damage which may occur within the harbour's SSSI / SAC / SPA designation boundary.

Natural England

Thank you for consulting Natural England on the updated Habitats Regulations Assessment and Appropriate Assessment for the above application.

Natural England notes that your authority, as competent authority, has undertaken an appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process.

Your appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question.

Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given. Please find comments on the mitigation below.

NO OBJECTION SUBJECT TO SECURING MITIGATION

Construction Environmental Management Plan

The development is in close proximity to the Solent Maritime SAC, Chichester and Langstone Harbours Ramsar and Langstone Harbour SSSI. Without best practice working methods and mitigation there is risk during the construction phase of the development that pollution from machinery, equipment or materials may enter into the water. Natural England recommends that a Construction Environment Management Plan (CEMP) is produced prior to start of the works and submitted and approved in writing by your authority. This should be secured by an appropriate planning condition or obligation. The CEMP should include the following:

- A list of defined potential impacts on the SAC & SSSI and how they will be mitigated
- Details of methods for pollution control to ensure that no pollution (such as debris from dust or surface run off) is able to enter the water.
- Details on the storage and disposal of waste on site
- Details on how sediment/concrete/other debris that may be accidentally released during construction will be captured to prevent entering the water
- Details of Biosecurity to ensure that all equipment brought onto site does not bring any contaminants such as invasive species onto the site and into the waters.

Wherever possible, percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) should be avoided during the bird overwintering period (i.e. October to March inclusive). If such a condition is problematic to the applicant than Natural England will consider any implications of the proposals on the SPA bird interests on a case by case basis through our Discretionary Advice Service. Note: The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site).

Protected Species and Biodiversity Net Gain

Natural England does not hold locally specific information relating to protected species, local or national biodiversity priority habitats and species, local sites (biodiversity and geodiversity) and local landscape character. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the Hampshire Biodiversity Information Centre and other appropriate bodies. In some instances, further surveys may be necessary through an ecological appraisal to be agreed by an HCC ecologist.

Natural England has published Standing Advice on protected species. Please note Standing Advice is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation. If you have any specific questions not covered by our Standing Advice, or have difficulty in applying it to this application please contact us at consultations@naturalengland.org.uk.

In order for your authority to be assured that the proposal meets the requirements of the standing advice and the additional requirements for biodiversity enhancement and net gain as set out in National Planning Policy Framework paragraphs 8, 118, 170, 174 and 175d, Natural England recommends that the application is supported by a Biodiversity Mitigation and Enhancement Plan (BMEP), or equivalent, that has been agreed by the district ecologist or biodiversity officer.

The submission of an approved BMEP will help ensure your authority meets the requirements of Section 40 of the Natural Environment and Rural Communities Act (2006), which states that 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'. Biodiversity 2020: A strategy for England's wildlife and ecosystem services and Making Space for Nature (2010) also provide strong drivers for the inclusion of biodiversity enhancements through the planning process.

Please note that provided the district ecologist or biodiversity officer is satisfied with the submitted biodiversity mitigation and enhancement measures and the measures are secured by any permission then no further consultation with Natural England on this aspect of the proposal is required.

Public Spaces

No comments received.

Traffic Management, East Hampshire District Council

The Traffic Team have no adverse comment to make.

Waste Services Manager

No comments received.

Hampshire Biodiversity Information Centre

Adjacent SSSI Langstone Harbour

Adjacent SPA Chichester and Langstone Harbours

Adjacent RAMSAR Chichester and Langstone Harbours

Adjacent SAC Solent Maritime

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: 5

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 7

4 Representations of objection with 5 names

2 Representations of support with 3 names

1 Representation - neutral

Comment	Officer Comment
Support	
I am writing to you as (redacted text) and have followed the progress thereof with interest, as it of course impinges greatly on our own property and garden (Redacted text).	
Whilst initially having some of the same concerns as other residents, we have recently been in lengthy discussions with the applicant, and are pleased to see his revised plans which do address our main concerns.	Noted
We very much appreciate the additional time, expense, and effort that the applicant has expended on adapting several aspects, especially the reduction in heights of the front garage block and summerhouse, and the much smaller upstairs balcony, all of which contribute, in our opinion, to a design that we can happily live with.	Noted
We are rather puzzled however, by the consultee responses from both the Landscape Architect and Arborist, who seem to greatly regret the removal of up to sixteen "trees" on the boundary (Redacted text) and 48 (the applicant). With the greatest respect, we wonder if either consultee has done a site visit? We at (Redacted text), have the benefit of looking at these various "trees" 365 days a year, and whilst we very much love trees and natural landscapes, and indeed are owners/custodians of several wonderful examples on our own property, we would in no way describe the examples under discussion as anything other than a motley collection of overgrown shrubs, half-dead apple trees, a misshapen old fallen-down eucalyptus, and little of any merit. We (Redacted text) would welcome their overdue removal and thoughtful replacement with suitable fresh native specimens.	Revised Landscaping comments have been received.
In summary, we feel that the applicant has made efforts to adapt his design to suit the site, and that overall, the application should be supported now.	Noted

Objections	
As a resident at this address since 1968, I have a keen interest in any planning permission applications made in respect of local properties and feel obliged to make certain observations concerning the above proposals. The current housing stock fronting both sides of Sinah Lane is of traditional facades. Whilst some recent private house redevelopments have been built, these mainly lie within the "long" garden areas, and are thus generally not visible from the Lane. I am concerned that the very large proposed two storey garage/hobby/office structure would front directly onto Sinah Lane, and thus be totally out of character with the facades of all other residences on this part of the lane. The design of the two storey garage is large enough for a retrospective planning application for conversion in to a dwelling or even of a commercial office space which is not in keeping with a very rural residential lane. The section of Sinah Lane on which the proposed redevelopment would occur is very narrow, to such an extent that two passenger cars cannot generally pass without one giving way on the narrow verge, or in a drive entrance. What planning restrictions can be imposed to ensure that the construction traffic does not wreck the verges, or obstruct the carriage way? Can it be stipulated that the construction sequence must allow for the new garage/hobby/office building to be the last structure to be erected, thus allowing for the footprint of the demolished old house bounding the lane to be used for contractor vehicle parking, and for material storage during the overall construction sequence? Can it be stipulated that approved substantial fences shall be erected to all boundaries of the site before the lifting of the first "sod?" As may be appreciated, Sinah Lane is a very quiet, exclusively residential area. What "working hours" restrictions will be imposed upon the Client and contractors during the construction sequence which I believe will last for 9 to 12 months?	The frontage building has now been altered to a single storey garage see part 7. Construction phase requirements are set out in the submitted CEMP. Concerns in relation to potential damage to highway verges are likely to be a matter for the Highway Authority should this occur. A Construction Environmental Management Plan includes construction boundary proposals. Working hours are not normally imposed on planning permissions of this scale. Unsociable working would be a matter for consideration by Environmental Health.

I ask that my comments are considered and taken into account during the Local Authority's planning process in order that future conflict may hopefully be avoided.	
1. The proposed Garage elevations; The overall size and proportions of the garage are out of character with the rest of the buildings facing Sinah Lane,. The large door gives the impression of a commercial building 2. Main House. The size of the balcony greatly reduces the privacy to a number of dwellings, 3. The roof of the Summerhouse is out of keeping with the rest of the development . High pitch roof. 4. Planning Statement. The house numbering of the photographs are incorrect, . This document is misleading. 5 I fully agree with the Landscape Team HBC statement that the building lacks detailed information on materials to be used.	Amendments to the garage and balconies have been secured during the course of the applications consideration. The summerhouse has been amended to reduce its height.
The proposed plans have raised the main house and the summerhouse above ground level, therefore both buildings will have an overwhelming visual impact on neighbours, Langstone Harbour and on the environment. The summerhouse's excessive height appears to be 5m high - this is double the height of average summerhouses and totally out of character compared with other summerhouses on Langstone Harbour and with the proposed design of main house and garage. There doesn't appear to be any reason for this, as stated, it will be used for boats and equipment. The excessive garage is not in keeping with the character of Sinah Lane, one of the few original leafy lanes left on Hayling. As already stated by others, it is excessively oversized and rather a car-buncle. There is very little detail about the landscaping and I am particularly concerned about the pleached trees on the eastern boundary. Whilst it is good that some effort is being made to disguise the impact that the excessively large house is going to have on existing neighbours, the pleached trees will need to be in keeping with the environment, using native trees as detailed by the Landscape Team.	See section 7 The summerhouse height has now been reduced. The garage has been amended and the first floor removed. A landscaping condition is recommended.

There is more excess in the oversized balcony at the rear of the property which will cause loss of privacy and overlooking for all neighbours in their gardens in the immediate vicinity. It is proposed to be off a bedroom, therefore seems again, to be excessive for the proposed use. If it remains at the proposed size, it is not unreasonable to suggest that it would be used for many other people (5 double bedrooms). This proposal is going to have an overwhelmingly adverse impact on the existing residents of Sinah Lane.	See part 7.
I support the well articulated views about this development expressed by numerous neighbours who have already commented on this application. I would, however, like to highlight two specific concerns about the impact of this application to Sinah Lane - one of our oldest thoroughfares on Hayling Island. 1. The proposed Garage/Office block seems to me to be totally out of keeping with the existing residential properties - the design appearing more Commercial or Industrial than Domestic. In my opinion, the current proposal will "Stick out like a sore thumb". In addition, almost every property in this East/West stretch on the north side of the Lane is predominantly painted white. 2. Regarding the construction of the new property, I am very concerned about how that will be carried out considering the very narrow nature of Sinah Lane. Consideration will hopefully be given to avoiding any vehicles being allowed to drop off and park along Sinah Lane during the construction period. In the same vein, I trust there will be conditions imposed to control building activity and noise to within conventional working hours.	The garage has been amended. Materials are considered in part 7 and a condition is recommended.
Neutral	
With reference to our comment of 3 February regarding this application, we are now satisfied that our concerns regarding the garage block have been addressed and we therefore withdraw any objection to this development.	

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 the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Flood Risk
- (v) Impact on ecology
- (vi) Highways and Parking
- (vii) Impact on trees
- (viii) CIL and Developer Contributions

(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. The proposal is for a 1 for 1 replacement dwelling which is considered acceptable in principal.

(ii) Impact upon the character and appearance of the area

The existing dwelling is a cottage style property with pitched clay tile roofs front and back to ground floor level. The roof is half hipped to the sides and the property is rendered with a brick plinth. To the rear are single storey additions and a pitched roof family room. To the western side is a flat roofed garage/workshop.

To the frontage the existing access is to the western side. There is a mature garden and driveway leading to the garage. To the rear is an attractive garden sloping gently down to Langstone Harbour. There are trees and hedges to either side of the garden and also close to the foreshore.

The proposal would involve the demolition of the existing dwelling, the erection of a replacement dwelling set further north away from the road frontage than the existing dwelling in a modern style. The footprint would be unusual with angled design in particular on the western site. The property would be two storey in height with a basement. The building would incorporate shallow pitched and flat roofs and a balcony facing the harbour. The materials would include zinc to the first floor, render and natural timber to the ground floor. The dwelling's mass and bulk would be broken up by the single and two storey elements of the building. The building would have an unusual and eye catching design. It is noted that the character of development in the area is mixed and incorporates, traditional pitched roof designs and modern flat roofed designs.

In terms of the impact on the wider landscape, it is noted that the harbourside landscape is flat but has a backdrop of dwellings and trees. The siting of the proposed dwelling is set back from the road such that it would be positioned to the rear of No's 50 and 46, the main building would not therefore result in a significant impact in the streetscene. The proposed frontage outbuilding and its impact on the streetscene is considered further below.

Whilst the buildings siting would make it more prominent from Langstone Harbour than the existing building, its relatively constrained height (max 6.4m), positioning approx. 75m from the harbourside frontage, together with the extent of retained tree coverage would limit the building's visual impact in the landscape. It is also noted that there is a clear precedent for buildings to be sited to the rear of properties fronting Sinah Lane for example at No's 52, 56 to the west and 40 to the east. Overall, it is considered that subject to detailed assessment of materials and finishes and retention of significant trees secured by condition, the main building would have an acceptable impact on the character and appearance of the area.

There are two other buildings proposed as part of the re-development of the site, a garage building to the front of the site and a summer house to the Langstone Harbour frontage.

The proposed garage is located towards the front of the site and in line with the positioning of the dwellings to either side. The proposed garage would be single storey and flat roofed with timber finish to the walls and large sectional garage doors to south and north sides. The access position would be re-located from the western to eastern side of the frontage with hardstanding to the front of the garage and a driveway leading to the new dwelling and running down the eastern side of the site to a further area of hardstanding in front of the house.

The garage whilst having a large footprint would be single storey and clad in timber. The building would be set back from Sinah Lane to a position similar to buildings either side and there is an opportunity to provide replacement planting where the access is to be re-positioned. A landscaping condition is recommended to secure planting. Whilst it is acknowledged that the garage would present a different frontage building to the residential properties either side, the lane is varied in appearance with a variety of building styles. The building would be relatively recessive and it is considered that the garage would have a limited and acceptable impact on the street scene.

Finally, a summerhouse building is proposed to the Langstone Harbour frontage. The structure would be flat roofed with timber cladding and areas of glazing. It would include steps to a terrace. The structure would retain trees close to its positioning and this is considered important in terms of the landscape impacts. Subject to landscaping requirements it is considered that the building would have an acceptable impact on the wider landscape.

In conclusion, subject to conditions it is considered that the proposed development would have an acceptable impact on the character and appearance of this sensitive harbourside location.

(iii) Impact upon residential amenity

With regard to impacts on existing residents, the closest neighbouring properties are at No.50 and No.46 Sinah Lane.

The proposed house would be positioned to the rear of the neighbouring properties. There would be a significant separation gap between the south elevation of the new dwelling and the closest part of No.46. The gap is further between the two storey elements of both properties. The gap to the rear of No.50 is approximately 35m. These separation distances exceed the 20m required by the Havant Borough Design Guide SPD 2011.

The proposed south elevation contains a large bedroom window above a flat roofed single storey element. A condition is recommended to ensure that this flat roofed area is not used as a balcony.

The west elevation includes two first floor side windows directly facing west and these serve en-suites. A condition is recommended to ensure that these are obscure glazed. To the east elevation, there are no first floor windows proposed. Windows at ground floor level on the east and west elevations need to be considered in relation to final boundary treatments including retained hedges and trees and a condition is recommended in that respect.

A balcony and raised terraced areas are proposed. These are set off the common boundaries with neighbours and are considered to present an acceptable relationship to adjoining properties.

Overall and subject to appropriate conditions, it is considered that the main building would have a limited and acceptable impact on neighbouring residents.

The garage building would be single storey and flat roofed. It is considered to have an acceptable impact on neighbouring properties. The summer house is set to the Harbourside and is therefore distant from the neighbouring houses. There is glazing to the building and a raised terrace but given the siting of the building and retention of trees it is not considered that the summer house would result in unacceptable impacts on residential amenity.

Finally the proposals result in amended parking and a drive to the east of the site extending to the new dwelling. Given that this is a single dwelling, it is not anticipated that the maneuvering and entering/leaving of vehicles would lead to an unacceptable impact on neighbouring residents.

In conclusion the impact on neighbours is considered acceptable.

(iv) Flood Risk

In relation to flood risk, the application site is located mainly within Flood Zone 1 but small areas of the site adjacent to the harbour are within flood zones 2 and 3. A larger part of the site is shown within the future flood zone.

The Environment Agency have considered the application including revisions and raise no objections subject to the imposition of a condition requiring the development to be carried out in accordance with the FRA, floor level and flood resilience measures. The condition is recommended.

The replacement dwelling will incorporate flood resilience measures and is considered to be an improvement in terms of flood risk to the existing dwelling. The summer house would be located in flood zone 3, however no accommodation is provided in the building.

The development is considered acceptable in relation to flood risk.

(v) Impact on ecology

The site is located adjacent to Langstone Harbour and its national and international designations as a SPA, SSSI, RAMSAR and SAC. In addition the development involves the demolition of a building and the application is supported by a Phase 1 Ecological Assessment and Construction Environmental Management Plan (CEMP). The Ecological Assessment included bat surveys which established that the property supports two soprano pipistrell bat day roosts and as the property is proposed to be demolished a EPSM licence will be required. Bird species are also supported on site.

The Ecological Assessment sets out a mitigation strategy that would ensure the maintenance of the favourable conservation status of bats with the provision of replacement roost access/egress opportunities and the removal of roof materials by hand, under the supervision of a licensed bat worker.

As a European Protected Species has been identified to be present and impacted by the proposal, the Local Planning Authority need to consider the three tests that are set out in the Habitat Regulations. The Council's Ecologist has also provided advice in relation to the proposals.

The development will result in the loss of roosts used by individual non-breeding bats. If avoidance measures are not taken then the work has the potential to kill / injure individual bats. The development will therefore result in a breach of the EU Directive.

There is therefore a need to consider whether the development is likely to be licensed. An EPS licence can only be granted if the development proposal is able to meet three tests.

1. the consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment'; (Regulation 53(2)(e))

With regard to the first test, the proposal seeks a replacement dwelling within the built up area and results in a modern dwelling which is designed to address flood risk. The DAS proposes a sustainable design resulting in a dwelling that will suit modern living and be adaptable for future standards of living. Overall it is considered that the replacement dwelling would improve the housing stock on Hayling Island and meet the Council's adopted planning policies meeting social and economic needs.

2. there must be 'no satisfactory alternative' (Regulation 53(9)(a)); and

With regard to the second test, the proposal would address the applicant's requirement to provide a suitable replacement dwelling. The provision of a new dwelling necessitates the need to demolish the existing building.

3. the action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range' (Regulation 53(9)(b)).

In relation to the third test the Council's Ecologist has advised that:

In order to assess the development against the third test, sufficient details must be available to show how killing / injury of bats will be avoided and how the impacts to bat roosts will be addressed and how the loss of the roost will be compensated. In this case, a detailed mitigation strategy is provided that includes methods to be followed during the development to ensure bats are not disturbed, killed or injured, together with new roosting opportunities to be provided onto mature trees on site. I would support all these measures and, on the basis of the information currently available, and if you are satisfied that the first two tests can be met, I am confident that the development is not unlikely to be licensed.

Notwithstanding these conclusions the applicants will need to apply for a EPSM licence from Natural England and an informative is recommended in relation to this matter.

A condition is recommended to ensure that the mitigation specified in the submitted Ecological Report are secured. This includes a number of measures to address impacts on bats, birds and protected harbour environments. A CEMP has been submitted to address demolition and construction impacts on the SPA. This has been amended to take account of Natural England comments and has been considered and found acceptable by the County Ecologist. A condition is recommended to ensure that the CEMP is adhered to in the construction process. An HRA/AA has been completed in consultation with Natural England. Subject to these measures and conditions, the impact on Ecology is considered to be appropriately addressed,

(vi) Highways and Parking

The proposal would result in an alteration to the proposed access to Sinah Lane, County Highways raise no objection stating they are *satisfied that the proposal would have no detrimental impact on highway safety or operation*. In relation to parking, under the Council's Parking Standards SPD three car parking spaces would be required and there is ample garage and hardstanding space proposed to accommodate this. Cycle parking can be provided in the substantial garage.

(vii) Impact on trees

With regard to the impacts on trees and hedges, a number of trees are to be removed as a result of the development, these are located at the new site access, one at the foreshore, one to the western boundary and a number on the eastern side. These are category U and C trees. Replacement native planting will be secured through landscaping conditions. Details of boundary treatments will also be secured.

The Council's Arboriculturalist has confirmed that the works are now considered acceptable subject to conditions to secure pre-commencement site meeting, tree protection, underground services routing and landscaping etc. The Landscape Team have requested details of hardsurfacing to ensure tree protection and a condition is recommended.

(viii) CIL and Developer Contributions

The proposals would be CIL liable although it is noted that the applicant is claiming self build exemption. Based on the submitted floorspace calculations the CIL liability would be for 297 sqm floorspace (this takes account of the demolished floorspace of the existing dwelling).

As this would be a replacement dwelling there would be no SRMS or Nutrients requirements.

8 Conclusion

In conclusion, the proposal for a one for one replacement dwelling is considered acceptable in principle. The impact on the character and appearance of the area and on neighbours residential amenities has been carefully considered and is considered acceptable.

Flood risk resilience measures have been detailed to ensure that flood risk is adequately addressed, The impact on ecology has been assessed and subject to appropriate conditions would be acceptable. Highways matters are considered acceptable. The impact on trees is considered acceptable subject to conditions.

Planning permission can therefore be recommended.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/20/01223 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 Drawing No. 3.000
Site & Block Plan Drawing No. 3.010 Rev 05
Site Plan Part 1 Drawing No. 3.011 Rev 03
Site Plan Part 2 Drawing No. 3.012 Rev 03
Site Plan Part 3 Drawing No. 3.013 Rev 03
Window Distances Drawing No. 3.014
Aerial Overlay - Tree Canopies 3.015
Proposed Ground Floor Plan Drawing No. 3.100 Rev 01
Proposed First Floor & Basement Plan Drawing No. 3.101 Rev 03
Proposed Roof Plan Drawing No. 3.102 Rev 01 received 7th May 2021
Proposed Elevations Sheet 1 (South and West) Drawing No. 3.200 Rev 02

Proposed Elevations Sheet 2 Sheet 2 (North and East) Drawing No. 3.201 Rev 01

Proposed Garage Floor Plan Drawing No. 3.110 Rev 03

Proposed Garage Elevations Drawing No. 3.210 Rev 02

Proposed Summer House Elevations Drawing No. 3.220 Rev 02

Proposed Summer House Floor Plan Drawing No. 3.120 Rev 01

Deck, Summer, hs & Planters Drawing No. 3.302

Planning Statement (Including Design and Access Statement and Flood Risk) Rev 03

Tree Report - Revision 1 Received 23rd March 2021

Site & Block Plan - (Tree Protection) Drawing No. 3.010 Rev 05

Arboricultural Impact Assessment/Statement and Tree Protection Plan dated 11th March 2021

Proposed Materials Palette

Response to EA Flood Risk objection

Extended Phase 1 Ecological Assessment and Bat Roost Assessment Phillips Ecology Final Report April 2021.

A Construction Environmental Management Plan (Revised)

Reason: To ensure provision of a satisfactory development.

- 3 No development hereby permitted including demolition works shall commence unless and until a pre-commencement site visit has taken place between the Site Manager, the developers/applicants Arboricultural Consultant and a Havant Borough Council Arboricultural Representative to ensure that all tree protection is in place and installed to an appropriate standard. The tree protection shall remain in place during the demolition and construction phases.

All works within the Root Protection Areas of trees must be supervised by the Arboricultural Consultant to ensure that no harm to trees occurs.

Furthermore the approved Arboricultural Method Statement and Tree Protection Plan must be strictly adhered to.

Reason: To ensure that important trees are retained in the interests of the character and visual amenities of the area and ecology having due regard to policies CS11 and DM8 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 No underground services shall be provided with the Root Protection Zones of retained trees or hedges unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that important trees and hedges are retained in the interests of the character and visual amenities of the area and ecology having due regard to policies CS11 and DM8 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 No above ground construction works shall take place until a more detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced including a comprehensive tree replanting scheme, has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

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.

- 6 The development hereby permitted shall be carried out in accordance with the submitted flood risk assessment (Ref: 'Planning Statement (Including Design, access and flood risk)' Rev 03, compiled by Hebden Design Studio) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 5.05m above Ordnance Datum (ADD)
- Water resistant materials shall be selected where appropriate
- A non return valve shall be fitted in the sewer pipe
- All electrical sockets shall be raised

These mitigation measures shall be fully implemented prior to occupation 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 reduce the risk of flooding to the proposed development and future occupants having due regard to policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 Development shall proceed in accordance with the measures set out in Section 15 Mitigation Recommendations and 16 Enhancements, of the Extended Phase 1 Ecological Assessment and Bat Roost Assessment Phillips Ecology Final Report April 2021. Thereafter, the replacement bat roosts shall be permanently maintained and retained in accordance with the approved details.

Reason: To ensure the favourable conservation status of bats In accordance with DM8 Conservation, Protection and Enhancement of Existing Natural Features of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 The development hereby permitted including demolition shall be carried out fully in accordance with the approved Construction Environmental Management Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to control the demolition and construction phases to prevent harm to internationally and nationally protected sites and protected species together with the character and amenities of the area and neighbouring residents having due regard to policies CS11, DM8 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, the Wildlife and Countryside Act, the Habitat Regulations and the National Planning Policy Framework.

- 9 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and a full specification of the materials to be used externally on the buildings 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.

- 10 No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not occupied until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

Reason: In the interests of the amenities of the locality and the protection of trees having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 The finished floor and site levels shall be as approved on Site Plan Part 1 Drawing No. 3.011 Rev 03, Site Plan Part 2 Drawing No. 3.012 Rev 03 and Site Plan Part 3 Drawing No. 3.013 Rev 03

Reason: In the interests of reducing flood risk, the character and appearance of the area and residential amenities having due regard to policies CS15 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 The occupation of the building hereby permitted shall not commence until the existing vehicular access to the site from Sinah Lane has been closed and the highway verge re-instated.

Reason: In the interests of highway safety and having due regard to policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 13 The roof area on the southern side at first floor level shall at no time be used as a balcony.

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

- 14 The windows at 1st floor level in the west elevation of the building serving the ensuite bathrooms to the Master Suite and bedroom 2 shall:

at all times be and remain glazed entirely with obscure glass, the particular type of which glass shall provide a degree of obscuration no less obscure than that which is provided by Pilkington's Texture Glass Obscuration Level 4.

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.

- 15 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 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.

- 16 The dwelling hereby permitted shall not be occupied unless and until details of a privacy screen with a minimum height of 1.7m above finished balcony floor level have been submitted to and approved in writing by the Local Planning Authority to be positioned to the east and west sides of the balcony hereby approved. The approved screens shall be installed prior to occupation and thereafter retained and maintained in accordance with their approved design.

Reason: To safeguard the amenities of the locality and 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.

- 17 The car parking, servicing and other vehicular access arrangements 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.

- 18 Percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbA max – measured at the sensitive receptor) shall be avoided during the bird overwintering period (i.e. October to March inclusive) unless otherwise agreed in writing with the Local Planning Authority in advance.

Note: The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site).

Reason: In order to control the demolition and construction phases to prevent harm to internationally and nationally protected sites and protected species together with the character and amenities of the area and neighbouring residents having due regard to policies CS11, DM8 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, the Wildlife and Countryside Act, the Habitat Regulations and the National Planning Policy Framework.