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DEVELOPMENT MANAGEMENT COMMITTEE AGENDA

Membership:

Councillors Buckley, Hughes, Keast, Patrick, Perry, Satchwell and Lloyd

Meeting: Development Management Committee
Date: 27 July 2017
Time: 5.00 pm
Venue: Hurstwood Room, Public Service Plaza, Civic Centre Road,
Havant, Hampshire PO9 2AX

The business to be transacted is set out below:

Nick Leach
Monitoring Officer

18 July 2017

Contact Officer: Jack Caine 023 92446230
Email: jack.caine@havant.gov.uk

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PART A - (Items Open for Public Attendance)

1 Apologies for Absence

To receive and record apologies for absence.

2 Minutes

1 - 22

To approve the minutes of the Development Management Committee held on 29 June 2017

- 3 Matters Arising**
- 4 Site Viewing Working Party Minutes** **To Follow**
- To receive the minutes of the Site Viewing Working Party held on 20 July 2017
- 5 Declarations of Interest**
- To receive and record declarations of interests from members present in respect of the various matters on the agenda for this meeting.
- 6 Chairman's Report**
- The Chairman to report the outcome of meetings attended or other information arising since the last meeting of the Committee.
- 7 Matters to be Considered for Site Viewing and Deferment**
- The Committee are invited to consider any matters they wish to recommend for site viewing or deferment.
- 8 Deputations**
- To receive requests to make a deputation to Committee.
- 9 Applications for Development and Development Control Matters** **23 - 26**

Part 1 - Applications Viewed by the Site Viewing Working Party

- 9(1) APP/17/00388 - 128 Sea Front, Hayling Island, PO11 9HW** **27 - 62**
- Proposal: 2No. 2 bed maisonette flats above existing block of 4No. dwellings, new lift enclosure to the rear, bin and cycle stores and 2No.car ports
- Associated Documents:
<https://tinyurl.com/yb4jv6xo>
- 9(2) APP/17/00352 - Former site of, 1 Hawthorne Grove, Hayling Island** **63 - 76**
- Proposal: Non material amendment of Condition No.16 of Planning Permission APP/12/00966 relating to previously submitted layout for site access raised table location to be regularised with as-built construction.
- Associated Documents:
<https://tinyurl.com/ycavjl9p>

Part 2 - Applications Submitted by Havant Borough Council or Affecting Council Owned Land

- 9(3) APP/17/00342 - Foreshore at South Hayling, Sea Front, Hayling Island** **77 - 120**
- Proposal: Continuation with Beach Management Activities on the South Coast of Hayling Island (Ferry Inn to Hayling Island Sailing Club) by recycling beach material to protect Eastoke from flooding.
- Associated Documents:
<https://tinyurl.com/yaaxzkne>
- 10 Appointment of Chairman** **121 - 122**
- To consider the Appointment of Chairman for the next meeting of the Development Management Committee.

GENERAL INFORMATION

IF YOU WOULD LIKE A VERSION OF THIS AGENDA IN LARGE PRINT, BRAILLE, AUDIO OR IN ANOTHER LANGUAGE PLEASE CONTACT DEMOCRATIC SERVICES ON 023 92 446 231

Internet

This agenda and its accompanying reports can also be found on the Havant Borough Council website: www.havant.gov.uk. Would you please note that committee reports are subject to changes and you are recommended to regularly check the website and to contact *Jack Caine* (tel no: 023 92446230) on the afternoon prior to the meeting for details of any amendments issued.

Public Attendance and Participation

Members of the public are welcome to attend the Public Service Plaza and observe the meetings. If you wish to address the Committee on a matter included in the agenda, you are required to make a request in writing (an email is acceptable) to the Democratic Services Team. A request must be received by 5pm on **Tuesday, 25 July 2017**. Requests received after this time and date will not be accepted

In all cases, the request must briefly specify the subject on which you wish to speak and whether you wish to support or speak against the matter to be discussed. Requests to make a deputation to the Committee may be sent:

By Email to: jack.caine@havant.gov.uk or DemocraticServicesTeam@havant.gov.uk

By Post to :

Democratic Services Officer
Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant, Hants P09 2AX

Delivered at:

Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant, Hants P09 2AX

marked for the Attention of the "Democratic Services Team"



Havant

BOROUGH COUNCIL

PROTOCOL AT MEETINGS – RULES OF DEBATE

Rules of Debate

- Councillors must always address each other as “Councillor ...” and must always address the meeting through the Chairman
- Councillors may only take part in the debate if they are present at the meeting: video conferencing is not permissible
- A member of the Committee may not ask a standing deputy to take their place in the Committee for part of the meeting
- The report or matter submitted for discussion by the Committee may be debated prior to a motion being proposed and seconded. Recommendations included in a report **shall not** be regarded as a motion or amendment unless a motion or amendment to accept these recommendations has been moved and seconded by members of the Committee
- Motions and amendments must relate to items on the agenda or accepted by the meeting as urgent business
- Motions and amendments must be moved and seconded before they may be debated
- There may only be one motion on the table at any one time;
- There may only be one amendment on the table at any one time;
- Any amendment to the motion can be moved provided it is (in the opinion of the Chairman) relevant to the matter under discussion. The amendment can be a direct negative of the motion.
- The mover with the agreement of the seconder may withdraw or alter an amendment or motion at any time
- Once duly moved, an amendment shall be debated along with the original motion.
- If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the substantive motion on which any further amendment may be moved.
- If an amendment is rejected different amendments may be proposed on the original motion or substantive motion.
- If an amendment is lost, other amendments may be moved to the original motion or substantive motion
- If an amendment is lost and there are no further amendments, a vote will be taken on the original motion or the substantive motion
- If no amendments are moved to the original motion or substantive motion, a vote will be taken on the motion or substantive motion
- If a motion or substantive motion is lost, other motions may be moved

Voting

- Voting may be by a show of hands or by a ballot at the discretion of the Chairman;
- Councillors may not vote unless they are present for the full duration of the

item;

- An amendment must be voted on before the motion
- Where there is an equality of votes, the Chairman may exercise a second (casting) vote;
- Two Councillors may request, before a vote is taken, that the names of those voting be recorded in the minutes
- A Councillor may request that his/her vote be recorded in the minutes

Order of Business

Please note that the agenda order will be revised so that “uncontested” items are considered prior to 6 pm. The Contact Officer for this agenda can be contacted on (023) 9244 6232) on the afternoon prior to the meeting for details of the revised order, details of which are circulated at the meeting.

Who To Contact If You Wish To Know The Outcome Of A Decision

If you wish to know the outcome of a particular item please contact the Contact Officer (contact details are on page i of the agenda)

Disabled Access

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Emergency Procedure

Please ensure that you are familiar with the location of all emergency exits which are clearly marked. In the unlikely event of an emergency an alarm will sound.

PLEASE EVACUATE THE BUILDING IMMEDIATELY.

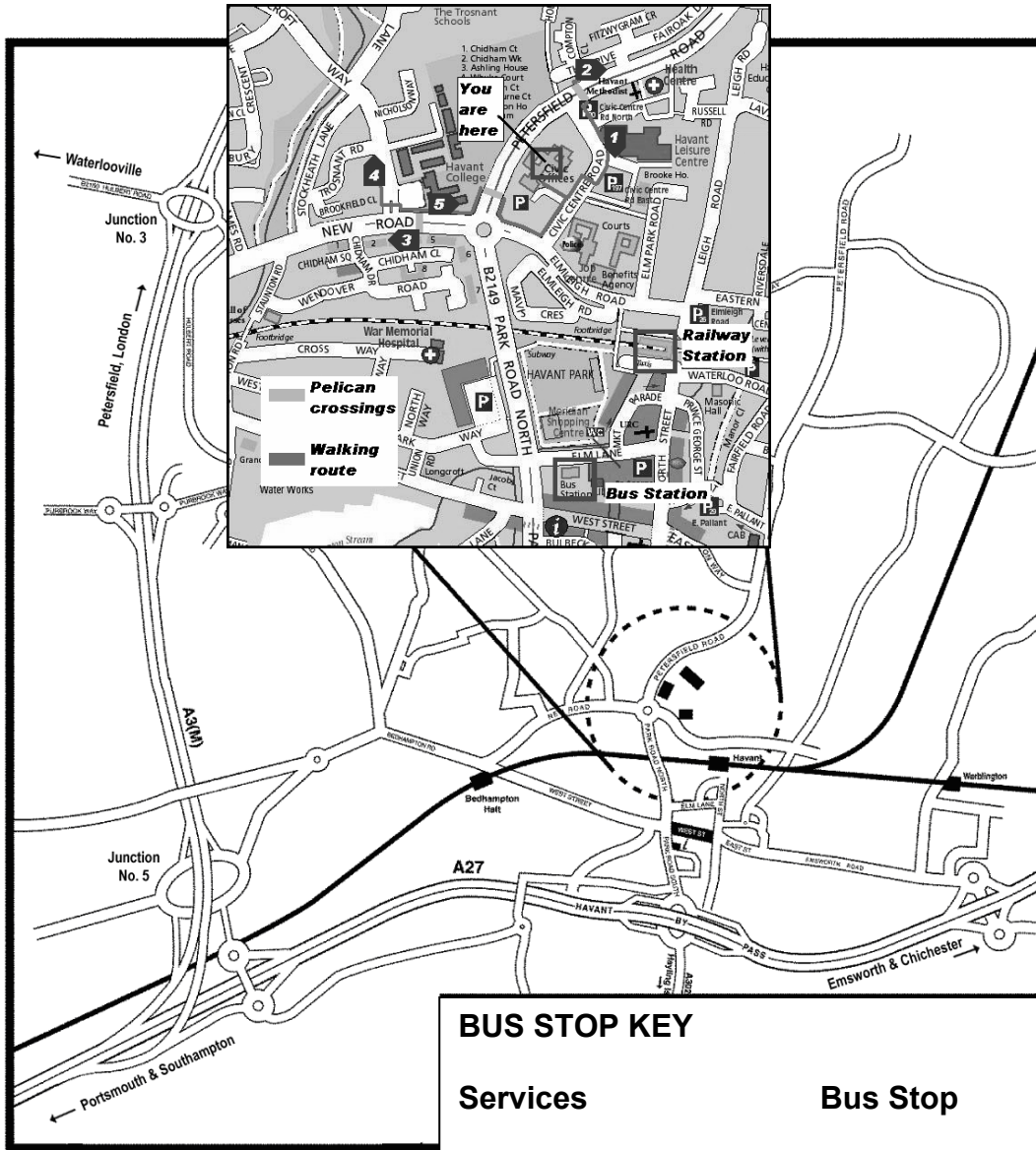
DO NOT RE-ENTER THE BUILDING UNTIL AUTHORISED TO DO SO

No Smoking Policy

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Parking

Pay and display car parking is available in the Leisure Centre car park opposite the Civic Offices as shown on the attached plan.



BUS STOP KEY

Services	Bus Stop
20, 21, 39, 63	1
20, 21, 36**, 39	2
23, 36**	3
23, 27**, 37	4
23, 27**, 36**, 37	5

** - also stops "hail and ride" opposite Stop 1 in Civic Centre Road



Havant
BOROUGH COUNCIL

Public Service Plaza
Civic Centre Road
Havant
Hampshire PO9 2AX

HAVANT BOROUGH COUNCIL

At a meeting of the Development Management Committee held on 29 June 2017

Present

Councillor Satchwell (Chairman)

Councillors Hughes, Patrick, Perry, Satchwell, Lloyd (Standing Deputy), Quantrill (Standing Deputy) and Guest (Standing Deputy)

15 Apologies for Absence

Apologies for absence were received from Cllrs Buckley, Keast and Bowerman.

16 Minutes

RESOLVED that the minutes of the last meeting held on 18 May 2017 were approved as a correct record and signed by the Chairman.

17 Matters Arising

There were no matters arising

18 Site Viewing Working Party Minutes

The Minutes of the Site Viewing Working Party, held on the 22 June, were received.

19 Declarations of Interest

Cllr Satchwell and Cllr Quantrill advised they had been nominated to the Chichester Harbour Conservancy, which were a consultee for one of the matters agenda. It was advised that this was not a pecuniary interest.

20 Chairman's Report

The Chairman advised that:

- Cllr Bowerman would no longer be a full member of the Committee and would act as a Standing Deputy. Cllr Lloyd had been appointed as a full member of the Committee.

- All members of the Development Management Committee and Standing Deputies had been appointed to the Local Plan Panel. The first meeting was to be held on the 3 July.

21 Matters to be Considered for Site Viewing and Deferment

No matters were considered for Site Viewing or Deferment.

22 Deputations

The following deputation requests were noted by the committee:

- 1) Hon Ald Gibb-Gray - (APP/16/00774) – Land North of Havant Road
- 2) Mr A Norton - (APP/16/00774) – Land North of Havant Road
- 3) Mrs A Wright - (APP/16/00774) – Land North of Havant Road
- 4) Cllr R Bolton - (APP/16/00774) – Land North of Havant Road
- 5) Cllr L Bowerman - (APP/16/00774) – Land North of Havant Road
- 6) Cllr R Cresswell - (APP/16/00774) – Land North of Havant Road
- 7) Mr R Hitchcock – (APP/16/01234 – Stables adjacent to Hollybank Cottage
- 8) Mr C Ashe – (APP/16/01234 – Stables adjacent to Hollybank Cottage
- 9) Cllr R Bolton– (APP/16/01234 – Stables adjacent to Hollybank Cottage
- 10) Cllr L Bowerman – (APP/16/01234 – Stables adjacent to Hollybank Cottage
- 11) Cllr R Cresswell – (APP/16/01234 – Stables adjacent to Hollybank Cottage
- 12) Mr T Peters – APP/17/00347 – Aura House, New Road

23 APP/16/00774 - Land North of Havant Road and West of Selangor Avenue, Emsworth

(The Application Site was Viewed by the Site Viewing Working Party)

The Committee considered the written report, in addition to the supplementary information, and recommendation from the Head of Planning Services to grant permission.

The Committee was addressed by the following deputees:

- 1) Honorary Alderman Gibb-Gray, who objected to the proposal for the following reasons:
 - a. The proposal was premature as the site was not included in the Local Plan Allocations and should await adoption of the new Local Plan 2036.
 - b. There are other, more suitable, identified sites that would be a better fit for the proposal
 - c. The proposal seeks to develop a greenfield site, which should be avoided. The proposal should instead seek to develop more urban areas and brownfield sites.
 - d. The level of affordable housing contributions in the proposal was 30% and this should be higher
 - e. The proposal would have a negative impact on the visual amenity of the local area, with specific negative impacts on the immediate neighbouring residents
 - f. The proposal was an over intensive use of the site and the potential increase in traffic could create a significant danger to the neighbouring roads, specifically Selangor avenue.

- 2) Mr A Norton, who objected to the proposal for the following reasons:
 - g. The Council's lack of a 5 year housing land supply should not dictate that policies are out of date. The proposal is in breach of policy CS17.
 - h. The site should be deemed a wildlife corridor and planning permission should be refused if these cannot be mitigated or avoided.
 - i. The officers report had highlighted drainage issues with the site.
 - j. The officer's report did not take into account that the noise impact assessment cited was conducted over 5 years prior.
 - k. The traffic prediction created by the modelling forecast did not appear to be justified or realistic.
 - l. The construction of the proposal posed significant issues and risks to the neighbouring residents due to a significant increase large heavy vehicles.

- 3) Mrs Wright, who supported the proposal for the following reasons:
 - m. The application was subject to a rigorous consultation forum which had taken into account the views of the public and planning officers. The proposal sought to mitigate the concerns that had been raised and as such had been reduced from 192 dwellings to 161.

- n. The proposal made contributions to affordable housing in the amount of 48 affordable homes.
- o. The proposal was sympathetic to the local area, taking into account the impact on greenery, by including large open spaces and play stays.
- p. Although not included in the adopted local plan, the principle of development was still supported by the Local Plan 2016 and reinforced a plan lead planning system.
- q. a consultation process had been followed and the proposal would include a robust traffic control system.
- r. The Council's policies regarding car parking had been met, with 353 spaces being designated for parking. This was well over the parking allocation for a proposal of its size.
- s. The site was situated within a flood zone 1 and was therefore not at any immediate risk of flooding. Additionally there would be a net reduction of flooding the local area due to a rain water storage system being installed on the site. Also Southern Water had raised no concerns with the proposal.
- t. The proposal would make a significant contribution via a s106 agreement.
- u. The proposal would make efficient use of the land available and include a green cycle link to the benefit of local residents.
- v. The proposal was of high quality, in accordance with adopted policies and the adopted local plan and would be of great benefit to the local area.

In response to questions raised by the committee, the deputies advised that:

- 1. If the proposal were approved, a construction management plan would be submitted to the Council for approval prior to commencing development.
- 2. a containment system for controlling run off water would be installed to the south of the site.
- 3. A traffic control system would be put in as part of an early phase of development. A traffic light system would be activated once occupation of the dwellings begins.
- 4. The applicant was confident in the limited noise levels on the proposed site.

4) Cllr Ray Bolton, who objected to the proposal for the following reasons:

- w. The noise levels reported in the impact assessment within the officers report were of a serious concern.
- x. There were significant highways issues that had not been addressed.
- y. The potential increase in traffic at peak times would have a significant detrimental impact on congestion in the local area.
- z. The proposed traffic management system had raised concerns over its viability and usefulness.

- 5) Cllr Bowerman, speaking on behalf of Cllr Cresswell, who objected to the proposal for the following reasons:
- aa. The proposed development of the green field site would instantly remove the local gap and Emsworth unique position. It would also have a negative impact on Emsworth historic value within the Borough.
 - bb. The increase in traffic and congestion could cause dangers to nearby residents and place additional pressure on local infrastructure, specifically Selangor Avenue and neighbouring roads.
 - cc. The local amenities would be significantly detrimentally affected, placing additional pressure on both Doctor's Surgeries and school places which were already overcrowded and congested. The additional traffic and population would lead to the loss of the attractive village status.
- 6) Cllr Bowerman, who objected to the proposal for the following reasons:

See appendix A.

In response to questions raised by the Committee, the depute advised that:

- 1) 1 Local School had reported a shortage of spaces for students. This was St James'.

In response to questions raised by the Committee, officers advised that:

- A noise impact assessment had been undertaken by a specialist in 2014.
- The design of the proposal was due to the site having a number of constraints including a gas main running along one of the borders; noise and landscaping features.

The Committee discussed the application in detail together with the views raised by the Deputies. During the course of the debate, members raised the following points:

- Whilst noise had been raised as a concern by deputies, the committee were satisfied that this was not unacceptable
- The layout and design of the site made efficient use of the space whilst being sympathetic to neighbouring properties
- The proposal would make positive contributions to the local area via traffic calming and traffic control features
- The proposal made a significant contribution to the housing need of the local area.

It was therefore

RESOLVED That the Head of Planning be authorised to GRANT PLANNING PERMISSION for application APP/16/00774 subject to:-

- (A) Completion of a Section 106 Agreement in a form satisfactory to the Council's Solicitor as set out in paragraph 7.35 of the committee report; and
- (B) The conditions as set out in the committee report amended and supplemented as follows:-
- 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 and documents:

Planning

Application Form

Letter to HBC addressing consultee and third-party comments 3rd March 2017

Infrastructure Delivery Statement March 2017

CIL Assumption of Liability Form

CIL Additional Information Form

Planning Design & Access Statement March 2017

Affordable Housing Statement April 2017

Statement of Community Involvement July 2017

Architect's Plans

Building for Life 12 Assessment

Topographical Survey

Planning Layout 18-259-100 Rev C

Storey Heights Plan 18-2059-102

Affordable Housing Plan 18-2059-103

External Finishes Plan 18-2059-104 Rev A

External Enclosures Plan 18-2059-105

Bin & Cycle Storage Plan 18-2059-106

Parking Strategy Plan 18-2059-107

Enclosure Details 18-2059-108

Housetype Plan 18-2059-109

Location Plan 18-2059-109

Sub Station Elevations & Floor Plans 18-2059-SUB-101

Constraints and Opportunities 18-2059-900 Rev A

Plots 53-61 (OPP) FRONT AND SIDE ELEVATIONS 18-2059-2BFA-2BFB-1BFA-101 Rev A

Plots 53-61 (OPP) REAR AND SIDE ELEVATIONS 18-2059-2BFA-2BFB-1BFA-102 Rev B

Plots 53-61 (OPP) GROUND FLOOR PLAN Floor Plans 18-2059-2BFA-2BFB-1BFA-103

Plots 53-61 (OPP) FIRST FLOOR PLAN 18-2059-2BFA-2BFB-1BFA-104
Plots 53-61 (OPP) SECOND FLOOR PLAN 18-2059-2BFA-2BFB-1BFA-105
GARAGE ELEVATIONS AND FLOOR PLANS 18-2059-GAR-101
GARAGE ELEVATIONS AND FLOOR PLANS 18-2059-GAR-102
PLOT 63 (AS) 3BH ELEVATIONS 18-2059-3BH-101 Rev A
PLOT 63 (AS) 3BH FLOOR PLANS 18-2059-3BH-102
PLOTS 6(AS) 7(AS) 50(AS) & 51(OPP) BUCHANAN ELEVATIONS 18-2059-BU-101
PLOTS 6(AS) 7(AS) 50(AS) & 51(OPP) BUCHANAN ELEVATIONS 18-2059-BU-102
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PLOT 62 (AS) TYPE 73 ELEVATIONS 18-2059-T73-105
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PLOT 117 (AS) ALVERTON (SPECIAL) ELEVATIONS 18-2059-AL+-107
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PLOT 129 (OPP) TYPE 73 ELEVATIONS 18-2059-T73-101
PLOT 129 (OPP) TYPE 73 FLOOR PLANS 18-2059-T73-102
PLOT 156 (AS) ESKDALE ELEVATIONS 18-2059-ES-101
PLOTS 1 (AS), 5 (OPP), 85 (AS) & 100 (OPP) TYPE 64 ELEVATIONS 18-2059-T64-102 Rev A
PLOTS 1 (AS), 5 (OPP), 85 (AS), 100 (OPP), 121 (AS) & 133 (OPP) TYPE 64 ELEVATIONS 18-2059-T64-103
PLOTS 2 (AS), 131 (AS) & 132 (OPP)TYPE 69 ELEVATIONS 18-2059-T69-105
PLOTS 2 (AS), 131 (AS) & 132 (OPP)TYPE 69 FLOOR PLANS 18-2059-T69-106
PLOTS 3(AS) 4(OPP) 86(AS) 91(OPP) 92(AS) 99(OPP) 122(AS) & 130 (OPP) TYPE 69 ELEVATIONS 18-2059-T69-101

PLOTS 3(AS) 4(OPP) 86(AS) 91(OPP) 92(AS) 99(OPP) 122(AS) & 130 (OPP) TYPE 69 FLOOR PLANS 18-2059-T69-102
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PLOTS 9(AS) 10(AS) 11(OPP) 12(OPP) 13(OPP) 14(OPP) 17(OPP) 22(AS) 33(AS) 49(AS) 78 (AS) 80 (OPP) 119 (AS) 138 (AS) &143 (AS) MAIDSTONE FLOOR PLANS 18-2059-MA-102 Rev A
PLOTS 16(OPP) 23(AS) 26(AS) 32(OPP) 120(AS) 137(OPP) 142(OPP) & 157 (OPP) ENNERDALE ELEVATIONS 18-2059-102
PLOTS 18(OPP) 21(AS) 30(OPP) 31(AS) 139(OPP) & 141 (AS) WOODCROFT ELEVATIONS 18-2059-WO-101
PLOTS 18(OPP) 21(AS) 30(OPP) 31(AS) 139(OPP) & 141 (AS) WOODCROFT FLOOR PLANS 18-2059-WO-102
PLOTS 19(OPP) 20(AS) & 140(OPP) WOODCROFT FLOOR PLANS 18-2059-WO-104
PLOT 19 (OPP) 20(AS) & 140(OPP) WOODCROFT ELEVATIONS 18-2059-WO-103
PLOTS 24 (OPP), 25 (OPP), 150 (OPP) & 151(OPP) FOLKSTONE ELEVATIONS 18-2059-FO-101
PLOTS 24 (OPP) 25(OPP) 150(OPP) & 151 (OPP) FOLKSTONE FLOOR PLANS 18-2059-FO-102
PLOTS 28 (AS) 82(OPP) 83(AS) 84(OPP) 101(AS) 102(OPP) 103(AS) 106(AS) & 107(OPP) FOLKSTONE ELEVATIONS 18-2059-FO-103
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PLOTS 34 (OPP), 144 (OPP), 160 (AS) & 161 (OPP) KINGSLEY FLOOR PLANS 18-2059-KG-103
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PLOTS 36(OPP) 37(AS) 66(AS) 134(OPP) 136(AS) 145(OPP) 148(AS) 155(AS) & 152(OPP) ROSEBERRY ELEVATIONS 18-2059-RO-101 Rev A
PLOTS 39-47 (AS) COLEFORD, HORNSEA & LOUGHTON FLOOR PLANS 18-2059-CO-HO-LO-103
PLOTS 39-47 COLEFORD, HORNSEA & LOUGHTON ELEVATIONS 18-2059-CO-HO-LO-101 Rev A
PLOTS 39-47 (AS) COLEFORD HORNSEA & LOUGHTON FLOOR PLANS 18-2059-CO-HO-LO-104

PLOTS 39-47 (AS) COLEFORD HORNSEA & LOUGHTON FLOOR
PLANS 18-2059-CO-HO-LO-105
PLOTS 39-47 (AS) COLEFORD HORNSEA & LOUGHTON
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(AS) ROSEBERRY ELEVATIONS 18-2059-RO-103
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2059-EN-105
PLOTS 71-76(AS) & 111-116(AS) AMBERSHAM & MALDON FLOOR
PLANS 18-2059-AM-MN-103
PLOTS 71-76(AS) & 111-116(AS) AMBERSHAM & MALDON
ELEVATIONS 18-2059-AM-MN-101 Rev A
PLOTS 71-76(AS) & 111-116(AS) AMBERSHAM & MALDON
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PLOTS 71-76(AS) & 111-116(AS) AMBERSHAM & MALDON FLOOR
PLANS 18-2059-AM-MN-104
PLOTS 77(OPP) 79(AS) 105(OPP) & 118(OPP) ESKDALE
ELEVATIONS 18-2059-ES-102 Rev A
PLOTS 77(OPP) 79(AS) 105(OPP) & 118(OPP) ESKDALE FLOOR
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PLOTS 87(OPP) 90(AS) 93(OPP) 95(AS) 96(OPP) & 98(AS) TYPE 67
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PLOTS 88 (AS) 89(OPP) 94(AS) & 97(OPP) TYPE 67 FLOOR PLANS
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PLOTS 121(AS) & 133(OPP) TYPE 64 ELEVATIONS 18-2059-T64-101
PLOTS 123-128(OPP) 2BFC & 2BFD ELEVATIONS 18-2059-2BFC-
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PLOTS 123-128(OPP) 2BFC & 2BFD FLOOR PLANS 18-2059-2BFC-
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PLOTS 123-128(OPP) 2BFC & 2BFD ELEVATIONS 18-2059-2BFC-
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PLOTS 123-128(OPP) 2BFC & 2BFD FLOOR PLANS 18-2059-2BFC-
2BFD-104
PLOTS 144(OPP) & 160(AS) KINGSLEY ELEVATIONS 18-2059-KG-
102 Rev A
PLOTS 158(OPP) & 159(AS) MAIDSTONE ELEVATIONS 18-2059-MA-
103
PLOTS 158(OPP) & 159(AS) MAIDSTONE FLOOR PLANS 18-2059-
MA-104
STREET SCENES 18-2059-SS-101 Rev A
STREET SCENES 18-2059-SS-102 Rev A
STREET SCENES 18-2059-SS-103 Rev A
STREET SCENES 18-2059-SS-104 Rev A

STREET SCENES 18-2059-SS-105 Rev A
STREET SCENES 18-2059-SS-106 Rev A
STREET SCENES 18-2059-SS-107 Rev A
STREET SCENES 18-2059-SS-108 Rev A
STREET SCENES 18-2059-SS-108 Rev A

Ecology

Biodiversity Checklist
Exhibition Board Notes
Ecological Mitigation and Management Plan Feb 2017
Bat Activity Survey Report Feb 2017
Wintering Bird Survey Report 28 Feb 2017
Extended Phase 1 Habitat Survey 1 March 2017
Reptile Presence/Absence Survey Report 1 March 2017

Drainage

Drainage Layout Sheet 1 of 2 CLXX(52) 2001 P3
Drainage Layout Sheet 2 of 2 CLXX(52) 2002 P3
Drainage Strategy Indicative Details CLXX(52)2003 P1
Flood Risk Assessment 1012052-CL-RPT-001 Rev C

Landscaping

Gap Report
Landscape Visual Impact Assessment Feb 2017 BDWS20345lvia Rev C
Landscape Management and Maintenance Plan BDWS20345man Rev B
Landscape Masterplan BDWS20345 10D
Landscape Proposals BDWS20345 20D Sheet 1
Landscape Proposals BDWS20345 20D Sheet 2
Landscape Proposals BDWS20345 20D Sheet 3
Landscape Proposals BDWS20345 11C Sheet 4
Landscape Proposals BDWS20345 11C Sheet 5
Landscape Proposals BDWS20345 11C Sheet 6
Landscape Proposals BDWS20345 11C Sheet 7
Landscape Proposals BDWS20345 20C Sheet 1
Landscape Proposals BDWS20345 20C Sheet 2
Landscape Proposals BDWS20345 20C Sheet 3
Hard Landscape Proposals BDWS20345 12 Sheet 1
Hard Landscape Proposals BDWS20345 12 Sheet 2
Hard Landscape Proposals BDWS20345 12 Sheet 3
Hard Landscape Proposals BDWS20345 12 Sheet 4
Hard Landscape Proposals BDWS20345 12 Sheet 5
Hard Landscape Proposals BDWS20345 12 Sheet 6
Hard Landscape Proposals BDWS20345 12 Sheet 7
Play Area Proposals BDWS20345 21
Soft Landscape Specification Rev A BDWS20345 March 2017

Highways

Revised Travel Plan April 2017 041.0025/TP/5
Addendum Transport Statement March 2017 041.0025/ATA/2
Havant Road & Church Lane A27 Roundabout Mitigation Proposals
041.0025.004 Rev F
Emsworth Road A27 Roundabout Mitigation Proposals 041.0025.005
Rev C
Havant Road Development Access Junction
Stage 1 Road Safety Audit April 2017
Havant Road Signal Junction & Pedestrian Crossing 041.0025.012 Rev
A
Proposed Signal Junction Arrangement Refuse Vehicle Tracking
041.0025.009 Rev D
Updated Modelling Havant Road - Development Access v7.lsg3x

Miscellaneous

Noise Impact Assessment Covering Letter R3173-4-RP 3rd March 2017
Noise Impact Assessment Technical Report R3173-3 Rev 2 17th Feb
2017
Economic Benefits Statement Draft Report March 2017
Archaeological Desktop Assessment July 16
Air Quality Assessment July 2016
Proposed Site Layout and Levels Sheet 1 of 2 CLXX(11) 1001 P3
Proposed Site Layout and Levels Sheet 2 of 2 CLXX(11) 1002 P3
Arboricultural Impact Appraisal and Method Statement BDWS20345aia-
amsA Rev B
Tree Protection Plan BDWS20345-03
Tree Report (Tree Survey and constraint advice) BDWS20345tr
External Lighting Report
Utility Service Statement 1012052-RPT-00002 Rev B
Minerals Assessment Letter Report 30/01/2017 J11145/DB/c07
Minerals Extraction Constraints Plan
Geophysical Survey Report Dec 11 LP1211L-GSR-v1.2
Updated Preliminary Desk Study & Ground Investigations Letter Report
26th July 2016 J11145/DB/c06
SGN Tree Planting Guidelines

Reason: - To ensure provision of a satisfactory development.

- 3 Notwithstanding the submitted details no development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.
Reason: In the interests of amenity and having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

- 4 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:

The provision to be made within the site for:

- (i) construction traffic access
- (ii) the turning of delivery vehicles
- (iii) provisions for removing mud from vehicles
- (iv) the contractors' vehicle parking during site clearance and construction of the development;
- (v) a material storage compound during site clearance and construction of the development.

Thereafter, throughout such site clearance and implementation of the development, the approved construction traffic access, turning arrangements, mud removal provisions, parking provision and storage compound shall be kept available and used as such.

Reason: To safeguard the amenities of the locality and 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

5 Prior to the commencement of groundworks within areas of the site that are 'brownfield' (previously developed land & land in its immediate vicinity as set out in Geophysical Survey Report Dec 11 LP1211L-GSR-v1.2 and Updated Preliminary Desk Study & Ground Investigations Letter Report 26th July 2016 J11145/DB/c06), an assessment of the nature and extent of contamination associated with previous land use in those areas shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall be undertaken by competent persons, and the findings presented as a written report.

The assessment may comprise separate reports as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

1) Site investigation appropriate to both the previous & approved use of the site, to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to future occupants.

2) The results of an appropriate risk assessment based upon (1), and where unacceptable risks are identified, a Remediation Strategy that includes;

- appropriately considered remedial objectives,
- an appraisal of remedial &/or risk mitigation options, having due regard to
- sustainability, and;
- clearly defined provisions for mitigation of the identified risks.

3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the Remediation Strategy (2) are complete, to include consideration of contingency action. All elements shall be adhered to unless agreed in writing by the Local Planning Authority

Reason: Having due regard to policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014, Contamination may be present at the site as a result of both previous land uses (&/or activities) that could pose a risk to future residential occupants.

6 No dwelling hereby permitted shall be first occupied anywhere on the site until the road(s) including the emergency access serving that dwelling have been laid to at least base course in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To secure suitable access for residents and to avoid excess soil being deposited on the existing roads and having due regard to policies CS20 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework

7 No development shall take place until the applicant has secured the implementation of a programme of archaeological assessment in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority. The assessment should take the form of trial trenches, some of which should be targeted upon the possible archaeological features identified by the geophysical survey. The remaining trenches should be spread across the site and located within the footprints of the proposed houses, garages and access roads so that any as yet unrecorded archaeological remains encountered are recognised, characterised and recorded.

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets and having due regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

8 No development shall take place until the applicant has secured the implementation of a programme of archaeological mitigation of impact, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the Planning Authority.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations and having due regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 9 Following completion of archaeological fieldwork a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations and having due regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 10 Notwithstanding the submitted plans no above ground development hereby permitted shall be commenced until further details of the soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced 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, specie sand 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 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

11 Notwithstanding the submitted details no above ground 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 be brought into use 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 having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

12 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 in consultation with the Minerals Planning Authority:

- i. a method for ensuring that minerals that can be viably recovered during the development operations are recovered and put to beneficial use; and
- ii. a method to record the quantity of recovered mineral (re-use on site or off site)

Reason: To encourage the identified opportunity for incidental mineral extraction, prior and as part of the proposed development and having due regard to the Hampshire Minerals and Waste Local Plan 2013 and the National Planning Policy Framework.

13 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.

- 14 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 (e.g. pumping stations) 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 amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality 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.
- 15 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 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.
- 16 Notwithstanding the submitted details no part of the development shall be first occupied until further 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.
- 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 Before first occupation, post validation testing shall be undertaken by a competent person to determine compliance with the noise impact assessment as provided by 24Acoustic (Technical report: R3173-3Rev2), dated 17 February 2017. Such testing can be achieved using sample dwellings, as per the measurement positions (as based on measurements done in 2012). This must be submitted to and agreed in writing by the Local Planning Authority. This report is to confirm the expected noise levels within the proposed dwellings have been achieved and are in line with those levels laid out in BS8233:2014, and recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB L Aeq,16 hour and at night (23:00 to 07:00) 30 dB L Aeq,8 hour for bedrooms.

Reason: To ensure the residential amenity of the property is not impacted upon by any external noise levels and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 19 No development shall be carried out within 3m of the high pressure gas pipeline and no piling or boreholes within 15m without the prior written consent of the Local Planning Authority in consultation with Southern Gas.

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.

- 20 No development shall take place until a scheme showing the off-site surface water drainage connection point has been submitted to and agreed in writing by the Local Planning Authority, in consultation with the Southern Water and/or the Highways Authority. No part of the development shall be occupied until the approved scheme has been implemented.

Reason: Without the provision of an appropriate surface water connection point the development cannot be appropriated mitigated 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.

24 APP/16/01234 - Stables adjacent to Hollybank Cottage, Long Copse Lane, Emsworth

(The Application was viewed by the Site Viewing Working Party)

The committee considered the written report and recommendation from the Head of Planning Services to grant permission.

The committee was addressed by the following deputees:

(1) Mr R Hitchcock who objected to the application on the following reasons:

- a. The National Planning Policy framework dictates that Local Planning Authorities should avoid granting planning permission for dwellings situated outside the developed area and the proposal south to add to the urbanisation of the local area
- b. Access to the site is situated down a narrow road and an increase in traffic that the proposal would cause would be dangerous for local residents
- c. The proposal would cause a loss of visual amenity to local residents and would cause a detrimental impact on the character of the area.

In response to questions raised by the Committee it was advised that:

- Cemetery Lane was between 1 and 1.5 miles from the application site.

(2) Mr C Ashe who objected to the proposal for the following reasons:

- d. The site has been partially developed unlawfully and no enforcement action to prevent additional development had been taken by Havant Borough Council.
- e. Observations of the activities of the applicants had posed some concerns regarding the ruling of Hampshire County Council Gypsy Liaison Officer.

(3) Cllr R Bolton, who objected to the proposal for the following reasons:

- f. The application posed significant concerns regarding environmental and community matters.
- g. The application sought for use of both a static caravan and a touring caravan which should be deemed 2 pitches which was an over intensive use of the site.
- h. The reasons set out in the officers report at points 7.23-7.28 giving reasons to grant permission do not stand up to scrutiny
- i. The Senior Landscape Architect quoted in the officer report outlines that the development would unacceptably increase the foot print for the site

(4) Cllr Bowerman, speaking on behalf on Cllr Cresswell, who objected to the proposal for the following reasons:

see appendix 2

(5) Cllr Bowerman who objected to the application for the following reasons:

see appendix 3

In response to questions raised by the committee, officers advised:

- The number of pitches available in neighbouring Local Authorities was irrelevant. Havant Borough Council had an identified need for gypsy and traveller pitches
- The applicants own the site
- The difference between touring caravans, static caravans and mobile homes.
- The definition of a resident dependent
- Enforcement action is discretionary and taken on balance regarding each individual breach or offence

The members discussed the application in detail together with the views raised by the deputees. Members discussed the character of the local area and the impact the proposal would have to the amenity of the site.

Whilst some members of the committee felt that the application was reasonable and would not have any significant detrimental impact, the majority of the committee felt that it represented demonstrable harm. The Committee discussed how the proposal was not inline with Council policy, was a development outside the urban area and would be unsympathetic to the neighbouring properties due to it's features and design. It was therefore

RESOLVED that the Head of Planning be authorised to REFUSE PERMISSION for application APP/16/01234 for the following reason:

The site lies within a rural area and the siting of the caravans in the countryside would be detrimental to the rural character and to the visual amenity of the area. The proposal is therefore contrary to policies CS11.1, CS 11.9, CS16, and CS17 of the Havant Borough Local Plan (Core Strategy) 2011, Policy AL2 of the Havant Borough Local Plan (Allocations) 2014, Paragraphs 25 and 26 of the Planning Policy for Traveller Sites 2015 and the National Planning Policy Framework 2012.

25 APP/17/00347 - Aura House, New Road, Havant, PO9 1DE

The Committee considered the written report and recommendation from the Head of Planning Services to refuse permission.

The Committee was addressed by the following deputee:

- (1) Mr Tom Peters, who supported the proposal for the following reasons:
 - a. While the site has a number of constraints the design of the proposal seeks to make the best and most efficient use of space.
 - b. The design is in keeping and sympathetic to the local area and street scene. The materials used in the proposal reflect similar designs in the local area

- c. The Highways authority had raised no concern over the development or the increase in parking spaces provided
- d. The proposal would block a view from the substation and train line to the rear of the site and therefore make a positive contribution to the street scene
- e. The economic development team supported the proposal as it would contribute to jobs in the local area, specifically those for young people who may find it difficult to find employment in their immediate local area
- f. The proposal was supported by a robust business case which is in line with the Havant Borough Council Corporate Strategy
- g. The proposal had gathered no objections from members of the public and would cause no adverse effects to neighbouring properties

In response to questions raised by the Committee, officers advised that a full list of changes from the previous application could be found detailed in the report.

The committee discussed the application in detail together with the views raised by the depute.

Members discussed that the proposal was highly sustainable, with good transport links and was an underdeveloped site. It was also discussed that the proposal would support the economic regeneration for the area and that jobs in the Borough should be encouraged. The majority of the committee considered that the proposal was an over intensive use of the site and the bulk of the design would be an incongruous feature to the street scene and was unsympathetic to the local area. It was therefore

RESOLVED that the Head of Planning be authorised to REFUSE PERMISSION for application APP/17/00347 for the following reason:

The proposed Office Extension would by reason of its prominent siting, design, size, height, mass and bulk have a harmful impact on the character and appearance of the area, detract from the appearance of the existing main building and represent an overdevelopment of this shallow and constricted site. The proposal would therefore conflict with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the Havant Borough Design Guide Supplementary Planning Document 2011 and the National Planning Policy Framework.

26 Appointment of Chairman

RESOLVED that Cllr Paul Buckley be appointed as Chairman for the next meeting.

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Chairman

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NON EXEMPT

HAVANT BOROUGH COUNCIL

Development Management Committee

APPLICATIONS FOR DEVELOPMENT AND OTHER DEVELOPMENT CONTROL MATTERS REPORT BY THE EXECUTIVE HEAD OF PLANNING AND BUILT ENVIRONMENT

Applications to be determined by the Council as the Local Planning Authority

Members are advised that all planning applications have been publicised in accordance with the Code of Practice for Publicity of Planning Applications approved at Minute 207/25/6/92, and have been referred to the Development Management Committee in accordance with the Delegation Procedure for Determining Planning Applications 'Red Card System' approved at minutes 86(1)/4/97 and 19/12/97.

All views of consultees, amenity bodies and local residents will be summarised in the relevant report only if received prior to the report being prepared, **otherwise** only those views contrary to the recommendation of the Executive Head of Planning and Built Environment will be reported **verbally** at the meeting of the Development Management Committee.

Members are reminded that all letters received are placed upon the application file and are available for Development Management Committee Members to read on request. Where a member has concerns on such matters, they should speak directly to the officer dealing with the planning application or other development control matter, and if appropriate make the time available to inspect the file and the correspondence thereon prior to the meeting of the Development Management Committee.

The coded conditions and reasons for refusal included in the recommendations are set out in full in the Council's Manual of Model Conditions and Reasons for Refusal. The standard conditions may be modified to meet the specific circumstances of each individual application. Members are advised to bring their copies to the meeting of the Development Management Committee.

In reaching decisions on the applications for development and other development control matters regard should be paid to the approved development plan, all other material considerations, the views of consultees, the recommendations of the Executive Head of Planning and Built Environment, and where applicable the views of the Site Viewing Working Party.

The following abbreviations are frequently used in the officers' reports:

EHPBR	Executive Head of Planning and Built Environment
HCSPR	Hampshire County Structure Plan - Review
HBLP	Havant Borough Local Plan (comprising the adopted Core Strategy 2011 and saved policies from the District Wide Local Plan 2005. A related emerging document is the Draft Allocations Plan 2012)
HWLP	Hampshire, Portsmouth & Southampton Minerals & Waste Local Plan
NPPF	National Planning Policy Framework 2012
HBCCAR	Havant Borough Council Conservation Area Review
AONB	Area of Outstanding Natural Beauty
CA	Conservation Area
LB	Listed Building included in the list of Buildings of Architectural or Historic Interest
SAC	Special Area of Conservation
SINC	Site of Importance for Nature Conservation
SPA	Site identified as a Special Protection Area for the protection of birds under the Ramsar Convention
SSSI	Site of Special Scientific Interest
FP	Definitive Footpath
POS	Public Open Space
TPO	Tree Preservation Order
HBC	Havant Borough Council
GPDO	Town & Country Planning (General Permitted Development) Order
DMPO	Town & Country Planning (Development Management Procedure)(England) Order 2010 amended
UCO	Town & Country Planning (Use Classes) Order
S106	Section 106 Agreement
Ha.	Hectare(s)
m.	Metre(s)

RECOMMENDATIONS

To reach decisions on the applications for development and other matters having regard to the approved development plan, all other material considerations, the views of consultees, the recommendations of the Executive Head of Planning and Built Environment, and where applicable the views of the Site Viewing Working Party.

Implications

Resources:

None unless detailed in attached report.

Legal:

Details set in the individual reports

Strategy:

The efficient determination of applications and making of other decisions under the Town & Country Planning Acts in an open manner, consistent with the Council's planning policies, Regional Guidance and Central Government Advice and Regulations seeks to ensure the appropriate use of land in the public interest by the protection and enhancement of the natural and historic environment; the promotion of the economy; the re-use of existing buildings and redevelopment of 'brownfield' sites; and the promotion of higher densities and good quality design in all new development all of which matters assist in promoting the aims of the Council's Community Strategy.

Risks:

Details set out in the individual reports

Communications:

Details set out in the individual reports

Background Papers:

Individual Applications with Case Officers

Andrew Biltcliffe
Head of Planning

Nick Leach
Monitoring Officer

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- 1.4 To the west of the site are three storey town houses at Nos.132A-132C Sea Front. These are set back in relation to the road when compared to the application site and incorporate a pitched roof design.
- 1.5 Properties in this part of the Sea Front are mainly 2, 2 1/2 or 3 storey in height.

2 Planning History

APP/15/01222 - Construction of 2No. 3 bed maisonettes on top of existing block to create a four storey building and associated parking and landscaping works. Refused 24/12/2015 for the following reasons:

1 The development would result in the introduction of a four storey building in an area characterised by lower dwellings. The proposed development would by reason of its height, mass, bulk, design and prominent siting in this sea front location have an unacceptable and intrusive impact on the Sea Front and be harmful to the existing character and visual amenities of the area. The development would therefore conflict with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Borough Design Guide SPD 2011 and the National Planning Policy Framework.

2 The proposal by reason of its height, mass, bulk, design and siting would result in an overbearing impact in relation to 132c Sea Front, and properties in The Sanderlings. In addition the proposed balcony (impacting 132c) and windows would result in unacceptable over looking and loss of privacy to neighbouring residents. Finally the development would result in an unacceptable loss of light to the amenity space to the rear of 132c. The proposal therefore conflicts with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Borough Design Guide SPD 2011 and the National Planning Policy Framework.

3 The proposal, without completion of the appropriate binding arrangements to secure a contribution towards the Solent Recreation Mitigation Project, is contrary to the Council's Policy on contributions towards measures of mitigation adopted by the Local Planning Authority. These seek to ensure that the provision is made from new development towards mitigating against increasing recreational pressure on the Solent SPA. The development is therefore contrary to policies CS11 and CS21 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy DM24 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework 2012.

APP/16/00584 - 2No. maisonette flats above existing block of 4No. dwellings, new lift enclosure at rear, bin and cycle stores and 2No. car ports (Resubmission). Refused 27/07/2016 for the following reasons:

1 The development would result in the introduction of a four storey building in an area characterised by lower dwellings. The proposed development would by reason of its height, mass, bulk, design and prominent siting in this sea front location have an unacceptable and intrusive impact on the Sea Front and be harmful to the existing character and visual amenities of the area. The development would therefore conflict with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Borough Design Guide SPD 2011 and the National Planning Policy Framework.

2 The proposal by reason of its height, mass, bulk, design and siting would result in an overbearing impact in relation to properties in The Sanderlings. In addition the proposed windows would result in unacceptable over looking and loss of privacy to

neighbouring residents. The proposal therefore conflicts with policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Havant Borough Council Borough Design Guide SPD 2011 and the National Planning Policy Framework.

3 Proposal

- 3.1 The proposal is for 2No. 2 bed maisonette flats above the existing block of 4No. dwellings, with a new lift enclosure to the rear, bin and cycle stores and 2No. car ports.
- 3.2 The current planning application follows the refusal of two previous planning applications on the site Ref: APP/15/01222 and APP/16/00584 which were refused planning permission for the reasons set out in part 2 of this report. The current application seeks to address the previous reasons for refusal and this has resulted in the revised design currently under consideration.
- 3.3 The proposal would result in the provision of two additional floors including a pitched roof design (with flat roof behind) such that the upper floor level of accommodation would be incorporated within the roof design.
- 3.4 Car parking arrangements would be amended and formalised with a total of 12 spaces provided (including the existing 4 garages). Bin storage would be provided to the front of the site and cycle storage and drying area to the rear.

4 Policy Considerations

National Planning Policy Framework 2012

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)

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)

Havant Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Local Plan Housing Statement 2016

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

5 Statutory and Non Statutory Consultations

Building Control, Havant Borough Council

The addition of the maisonettes would not comply with Requirement B5 for Fire Authority Access. Alternative measures such as a sprinkler system or a dry rising main should be considered.

Officer Comment: *An informative has been added to address this issue.*

Crime Prevention -Major Apps

No comments received

Hampshire Fire & Rescue

No comments received

Development Engineer (Highways)

The Highway Authority have no adverse comment to this application

Southern Water

It appears that applicant is proposing to divert a public sewer. Southern Water requests a formal application for sewer diversion under S185 of Water Industry Act 1991 in order to divert any public sewer.

Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site.

Southern Water requires a formal application for a connection to the public foul sewer to be made by the applicant or developer.

Informative requested regarding connection to the public sewerage system.

Officer Comment: *Should planning permission be granted an informative will be added highlighting the need for the applicant to apply for the necessary sewer diversion, and for connection to the public sewerage system.*

Waste Services Manager

No concerns over waste collection regarding this planning application.

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: 48

Number of site notices: 2

Statutory advertisement: Not applicable.

Number of representations received: 8 objections with 12 names

Summary:Character of Area

Object to height and bulk of flats
Height of building out of character with surroundings
Height of buildings on this part of Seafront exceeded
Conflicts with HBC Design Guide SPD 2011
Building line has moved nearer the road
Set forward in street scene - over dominance
Out of scale and proportion to properties on Sea Front
Prominence of balconies
Unacceptable visual impact

Impact on Neighbouring Properties

Windows cause loss of privacy to The Sanderlings
Overbearing
Stifling, claustrophobic ambience
Adds to existing overlooking
Building proposed does not consider its impacts on buildings to the north and staggered arrangement to buildings in The Sanderlings
Contrary to policy CS16 HBLP 2011
Plans exclude our rear conservatory and therefore distance between properties appears bigger than it is
Plans of Dilkusha Court inaccurate
Noise disturbance from additional units/cars/access to building
Loss of light to back of our property (already restricted)
Impact on light entering property
Loss of light to garden - worse in winter
Overlooking to bedrooms and living room
Stairs to rear overlook our property
Request full BRE assessment undertaken and results made available
Officer Comment - *The application has been assessed against the Council's planning policies and SPD guidance the applicant has also submitted a shading light assessment*
Impact on health/wellbeing of residents with specific developmental/health issues
Oppressive to Dilkusha Court and Town Houses either side
Overlooking to 132a-132c Sea Front
Impact on light - Dilkusha Court
Loss of daylight and sunlight
Loss of privacy
Overlooking to communal garden area/patio of Dilkusha Court
Air pollution from builders works - health impacts
Impact on outlook
Bin store large and intrusive
Cumulative impacts of developments
Loss of a view
Officer Comment: *Loss of a view is not a planning consideration that can be taken into account in the determination of a planning application.*
Oppressive balcony screening

Other Issues

Fire and ambulance access
Public sewer diversion concerns
Sets precedent
Parking spaces cramped and too few - limited parking in surrounding roads
Drainage concerns
Previous reasons for refusal totally relevant
Concern regarding suitability of building to support weight of additional scheme
Officer Comment - *This is a matter for consideration under the Building Regulations*

7 Planning Considerations

- 7.1 The current application represents a modified design to the previously refused schemes with the top floor modified and an amended design created that sets the upper floor accommodation within the pitched roofspace. Having regard to the relevant policies of the development plan it is considered that the main issues arising from this revised application are:
- (i) Principle of development
 - (ii) Impact upon the character and appearance of the area
 - (iii) Impact upon residential amenity
 - (iv) Parking and access
 - (v) Drainage
 - (vi) Developer Contributions
- (i) Principle of development
- 7.2 The application site is situated within the urban area where further development is normally considered acceptable subject to the usual development management criteria. In this case the impact on the character and appearance of the Sea Front and the impacts on residential amenities of adjoining residents are particularly important and considered in detail below.
- 7.3 In terms of housing requirements, the Council's Adopted Local Plan (Core Strategy 2011 and Allocations Plan 2014) covers the period until 2026 and continues to form the basis for determining planning applications in the Borough. However the Core Strategy was adopted prior to the NPPF and the housing target was based on the now revoked South East Plan. The NPPF sets out that it is a key requirement for the Council to prepare a Local Plan that will meet the full, objectively assessed need (OAN) for housing in its area. In March 2016 research commissioned by the Partnership for Urban South Hampshire (PUSH) produced an Objectively Assessed Housing Need study for the whole area and for Havant identified a need for 11,250 homes by 2036 (450 dwellings per annum). This far exceeds the housing target in the existing Pre-NPPF Local Plan of 6,300 by 2026 (315 dwellings per annum). In response the Council adopted the Local Plan Housing Statement in December 2016, which is the first stage in a review of the Local Plan which will address the housing need for the Borough in light of the updated evidence. Guiding Principle 3 of the Housing Statement affirms the Council's commitment to promote the use of brownfield land for residential development, and in this context the proposal would provide two additional dwellings on a previously developed site which would make a modest contribution to the Councils housing requirements.
- (ii) Impact upon the character and appearance of the area
- 7.4 The proposed development would result in significant changes to the existing two storey building with the addition of two additional floors and a redesign of the building with a pitched roof form concealing a flat roofed central element to the top floor and projection further towards the road with the proposed front balconies.

- 7.5 The site is located in a particularly prominent location on Hayling Sea Front. The site is viewed both in short and long distance views from the road and the coastal amenity space and car parking areas of Beachlands. The northern side of the Sea Front between the fair at Beachlands and Eastoke Corner is primarily residential in character with a combination of dwelling houses and flats predominating. The heights of these buildings are typically 2 or 2 1/2 storey with the occasional three storey building. The buildings are mixed in design but many incorporate traditional pitched roofs or flat roof designs. The properties either side of the site on the Sea Front are three storey or incorporate three storey elements. To the east of the proposed building is Nos.132A-132C Sea Front, a three storey building with pitched roof; and to the west is Dilkusha Court which is part two storey with a set back third storey with shallow pitched roof.
- 7.6 The existing two storey building with a flat roof on the application site is lower than the buildings on either side and has a rather squat appearance in the street scene. The siting of the building is set forward of Nos.132A-132C by approximately 5m and is in line with the main two storey element of Dilkusha Court.
- 7.7 The proposal would result in the provision of a third storey and a fourth storey within the roofspace which would read as a pitched roof from all directions but would conceal a flat roof area behind the pitch. The proposal also includes balconies to the south Sea Front elevation. Balconies are a common feature of this part of the Sea Front. The applicant has provided a street elevation which shows the building in its context. This shows the proposed ridge height to be 0.68m taller than that of Nos.132A-132C and 1.78m taller than the tallest part of Dilkusha Court. It is recognised that the siting of the building would increase its prominence within Sea Front, however, it is considered that the proposed design is in keeping with this part of the Sea Front. The use of the roof space to provide the fourth storey also helps to minimise the increase in height and the perception of mass and bulk when the building is viewed from Sea Front and the open public land to the south leading to the foreshore.
- 7.8 The building would be much less visible from the public viewpoint within The Sanderlings to the north where views would be restricted to glimpses between existing dwellings.
- 7.9 Overall it is considered that the development whilst relatively prominent in the Sea Front streetscene would have an acceptable visual impact as now proposed following the modifications from the previously refused schemes.

(iii) Impact upon residential amenity

- 7.10 With regard to residential amenity, there are two elements to consider, the first relates to the impact on adjoining properties and the second the amenities of the residents of the flats.

Impact on surrounding residents

- 7.11 Concerns have been raised by a number of residents in relation to the impact on them from the development as set out in Section 6 of this report. The main impacts are considered to be to No.132c Sea Front to the west, Dilkusha Court to the east, and to properties in The Sanderlings (in particular No's 3, 4 and 5) to the north.

132C Sea Front

- 7.12 This property incorporates garages at ground floor level with a balcony at first floor level and first and second floor windows set back from the balcony position. There are also a door and small window at ground floor level facing the application site and a second floor side elevation window facing the site currently looking over the existing flat roof.

- 7.13 In terms of the relationship to No.132C, the most significant issue is considered to be the impact of the staggered alignment of the properties and the proposed front balconies. In this regard it is acknowledged that there would be some additional impact in terms of the outlook from the closest front facing windows in No.132C (first and second floor) from the additional mass and bulk of the extension projecting above the existing two storey property. The balcony itself would be set in from the existing side wall of the flats to be extended with a 1.7m high obscure glazed screen providing privacy and preventing overlooking. Whilst the additional impact is acknowledged, No.132C enjoys an extensive southerly outlook from the front of the building and any additional impact from the proposed development is not considered sufficient to warrant a refusal of planning permission.
- 7.14 In terms of any impacts on side facing windows, the existing ground floor window and door face the existing side elevation of the application property and it is not considered that significant additional impacts would occur from the proposed development. The second floor window would be more impacted, however, this window is relatively small and effectively relies on borrowed light from the application site. It is not considered that the impact on this window would be sufficient to warrant a refusal of planning permission.
- 7.15 Additional windows and rooflights are proposed to the west facing elevation. One of the two windows would be obscure glazed as this would face the front balcony and windows in the front of No.132C. The proposed side kitchen window would essentially face the flank wall of No.132C. The rooflights are designed as high level to prevent overlooking.
- 7.16 In relation to light, as No.132C lies to the west of the application site morning light would be most impacted. In this regard the applicants have provided shadow diagrams of impacts based on 21st March and 21st December daylight. This effectively represents 'average' light conditions and 'worst case' light conditions. This demonstrates that on the 21st March 10am there would be a shadow to part of the flank wall of 132C and a very limited additional shadow to the rear communal area, this would not significantly change at 11.00am, by 12 there would be very little additional impact and in the afternoon no impact. The 21st December impacts would be more significant but with extensive shadowing already from the existing building this would not be significantly increased. In the afternoon there would be no additional impact. Overall, any additional light issues are considered to be relatively limited and acceptable.

Dilkusha Court

- 7.17 Dilkusha Court is an age restricted occupancy flatted development to the east of the site. The closest part of the development is set beyond the access to the rear of the application site and Dilkusha Court rear access way. The distance between the properties is approximately 8.5m. There are several windows in the closest part of the Dilkusha Court development facing the site but these are not considered to be unacceptably impacted by the development given the nature of the windows and the rooms that they appear to serve.
- 7.18 The agent has provided shadow diagrams for consideration showing impacts on afternoon/evening light on 21st March and 21st December. Given the set off between Dilkusha Court and the application site, these demonstrate only limited additional impacts in terms of light loss, these impacts are considered to be acceptable.

The Sanderlings

- 7.19 The properties closest to the application site in The Sanderlings (No's 3, 4 and 5) are two storey houses. The Borough Design Guide Supplementary Planning Document 2011 provides guidance in relation to recommendations for Back-to-Back Distances. This states that:

In order to maintain a reasonable relationship between new dwellings and neighbouring properties, the following minimum distances should apply:

Where windows of the new development and an existing dwelling occur back-to back there should be a minimum of 20 metres separation.

Where a new dwelling or the development is more than two storeys in height an additional four metres per storey should be added to the separation distance e.g. a separation distance of 24 metres is required between the new three storey building and existing two storey dwelling.

In this case it is necessary to consider to which properties this assessment should apply, whether there are facing windows providing a view and whether the development constitutes a full height four storey design.

- 7.20 The properties in The Sanderlings directly facing the site are Nos 3 and 4. There are no clear glazed additional windows proposed in the elevation facing The Sanderlings. The extended building has been designed such that the top storey is accommodated within the roof of the building. These design features are considered critical to assessment of the impact on the properties to the north of the site and given these features an insistence on a 28m separation distance would not be appropriate.
- 7.21 No.5 faces the rear of Nos.132A-132C Sea Front most directly (three storey block) and not the current application site. The application site would be viewed from the rear of No.5 at an angle. The application site is set off by a distance of approx 24m to the second floor element of No.5 and approx 21.5m to the ground floor rear extension of No.5. Given the angled relationship between the properties and the design which does not introduce overlooking windows, this relationship is considered to be acceptable. There are considered to be no significant additional impacts on light on the 21st March in the morning and no afternoon impacts. On the 21st December there would be some additional impacts in the morning, but by mid-day any shadow would be from the existing building at 132A-C. The impact on light to this property is considered to be limited and acceptable.
- 7.22 No.4 faces the application site directly and a section drawing showing the relationship has been provided by the agent. This indicates that there is a separation distance between these properties of 25.7m (excludes lift feature). No.4 has a rear conservatory which is set off approximately 23m. Given the set off, the lack of any new clear glazed overlooking windows and with the roof to the third floor sloping away, this relationship is considered to be acceptable. In relation to light, the relationship to this property (the closest 'in-line' property in The Sanderlings) meets the Council's Design Guide requirements. The shadow diagrams indicate that on the 21st March no additional impacts in terms of light. On the 21st December at 12 noon there would be a loss of light to the garden and ground floor of the house, however, there would be no change to the shadow from the existing situation by 3pm. It is not considered that this relatively limited impact on light in mid-winter would be sufficient to warrant a refusal of planning permission.
- 7.23 No.3 also faces the application site directly and again a section drawing showing the relationship has been provided by the agent. This indicates there is a separation distance between these properties of 32.9m (excludes lift feature). No.3 has a rear conservatory which is set off approximately 29.2m. There are a number of trees within the garden of No.3 which add an additional degree of screening particularly in parts of the year when the trees are in leaf. It is noted that concerns have been raised in relation to health impacts on residents within the property. Whilst these issues are capable of being material planning considerations, they seldom outweigh other material planning

considerations. It is appreciated that this property is set relatively close to the Dilkusha Court development, however, any additional impact from the development currently proposed is not considered sufficient on its own to warrant a refusal of planning permission. The light shadow diagram indicates no change to light on the 21st March and by 3pm on the 21st December the rear garden and back of No. 3 would be in shadow (as is the existing position). Additional light impacts are therefore considered limited and acceptable.

Amenities of the residents of the new flats

7.24 The proposals result in two additional residential units. It is considered that adequate external amenities can be provided on site including drying facilities, bin and cycle storage and car parking. Although there is a lack of external amenity space, balconies are provided and the site lies opposite the extensive open space and recreational facilities of Beachlands and the Sea Front.

(iv) Parking and access

7.25 The proposal retains the existing two vehicular access points to Sea Front. This leads to frontage parking and an existing driveway to rear parking. A total of 12 car parking spaces (including 4 existing garages) are provided to serve the existing and proposed flats. There would be a total of 6 two bedroom flats post development. The Council's Parking Supplementary Planning Document 2016 requires 2 spaces per flat and this requirement is met. The Development Engineer raises no objection to the proposed development.

7.26 In relation to cycle parking, 4 cycle lockers are proposed which would meet the requirements for the two new units proposed.

(v) Drainage

7.27 The proposal does not significantly increase surface water as the footprint of the building remains substantially unchanged.

7.28 In relation to foul drainage, the proposal would require the diversion of an existing foul sewer which would need the separate consent of Southern Water as would connection of foul drainage to the public sewer. Appropriate informatives are therefore recommended in relation to these matters.

(vi) Developer Contributions

7.29 The proposed development would be subject to CIL contributions. Based on the planning agents floorspace figures this would result in a contribution of £30,200.00 (indexed). It is noted however that self build exemption is being claimed. This claim is being considered by the Council's Community Infrastructure Officer.

7.30 This development would also increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Natural England's advice with regard to all new housing development within this zone is that it is likely to have a significant effect on the SPA. Policy DM24 of the Allocations Plan which was adopted on 30 June 2014, covers this issue and allows for a financial contribution to be made towards mitigation measures. This is set at £181 per dwelling to the Solent Recreation Mitigation Project (SRMP). For the proposed dwellings, plus admin and monitoring fee, a payment of £400 is due. This requirement is being addressed with the agent and members will be updated in relation to securing the required contribution.

8 Conclusion

- 8.1 The proposed development is located within the built up area where further residential development is considered acceptable in principle and would make a modest contribution to the Council's pressing housing requirements in a manner supported by the Local Plan Housing Statement. The application has been considered in detail with regard to its impact on the character and appearance of the area and on neighbours' residential amenities and is considered acceptable. Other matters in relation to parking and drainage can be appropriately addressed, as can the SRMP contribution requirement which must be secured prior to the issue of any permission.
-

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00388 subject to:-

(A) Completion of arrangements satisfactory to the Council's Solicitor to secure a contribution to the Solent Recreation Mitigation Project, as set at paragraph 7.30 above; and

(B) 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:

Block and Location Plan Drawing No. 15:027: 01 Rev B
Proposed Site Plan Drawing No. 15:027:05 Rev E
Proposed Floor Plans and Elevations Drawing No. 15:027:03 Rev N
Proposed and Existing Street Elevation Drawing No. 15:027:06 Rev L
Existing and Proposed Site Sections Drawing No. 15:027:09 Rev A
Existing and Proposed Site Sections Drawing No. 15:027:010 Rev A
Proposed Shadow Diagrams Drawing No. 15:027:11 Rev A

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 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 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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 The landscaping works shown on the approved plans Proposed Site Plan Drawing No. 15:027:05 Rev E 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 additional residential units 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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 No additional residential units 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.

- 7 The car parking (including garages), 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.

- 8 The first and second floor balconies hereby approved shall not be brought into use unless and until screens are fitted to the east and west elevations and between balconies with textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) to a height of no less than 1.7m above finished floor level, and retained as such thereafter.

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.

- 9 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the extension hereby permitted the following windows:

West Elevation:
Second Floor Living Area Window

North Elevation:
First Floor Communal Stair/Lift Lobby
Second Floor 2 x Utility, 2 x Store and Communal Stair/Lift Lobby

(All as shown on Proposed Floor Plans & Elevations Drawing No. 15:027:03 Rev N)

Shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.

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 additional residential units hereby permitted shall not be occupied unless and until full details and specifications of the proposed bin and cycle stores have been submitted to and approved in writing by the Local Planning Authority. The bin and cycle stores shall thereafter be provided prior to occupation and maintained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

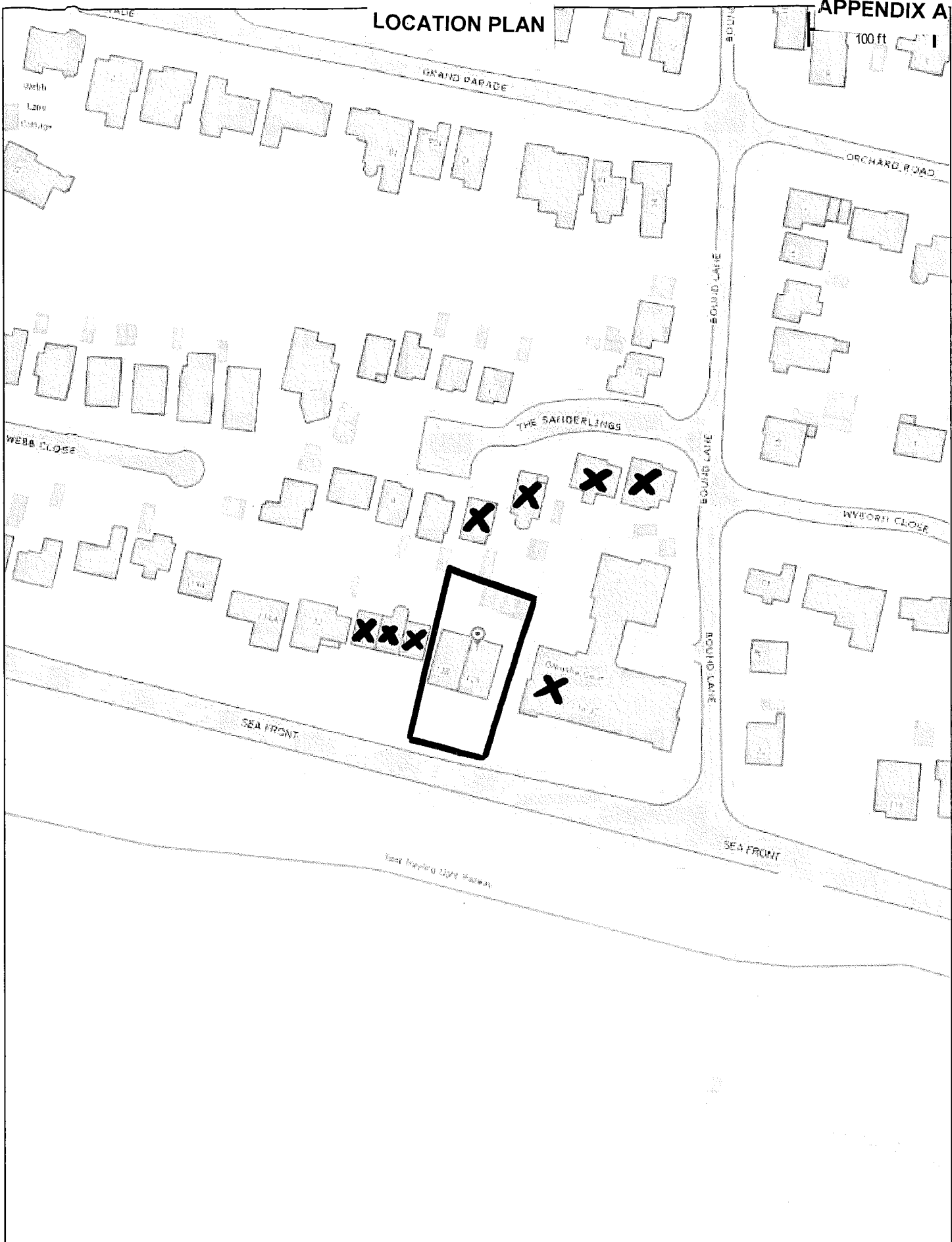
Reason: To ensure that appropriate bin storage is provided and in the interests of providing sustainable transport options having due regard to policies CS16, DM10 and DM13 of the Havant Borough Local Plan (Core Strategy 2011 and the National Planning Policy Framework.

Appendices:

- (A) Location Plan
- (B) Existing Block Plan
- (C) Proposed Block Plan
- (D) Existing Elevations
- (E) Proposed South and North Elevations
- (F) Proposed West and East Elevations
- (G) Proposed Ground and First Floor Plans
- (H) Proposed Second and Third Floor Plans
- (I) Proposed Roof Plan
- (J) Existing and Proposed Section to 4 The Sanderlings
- (K) Existing and Proposed Street Elevation

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LOCATION PLAN

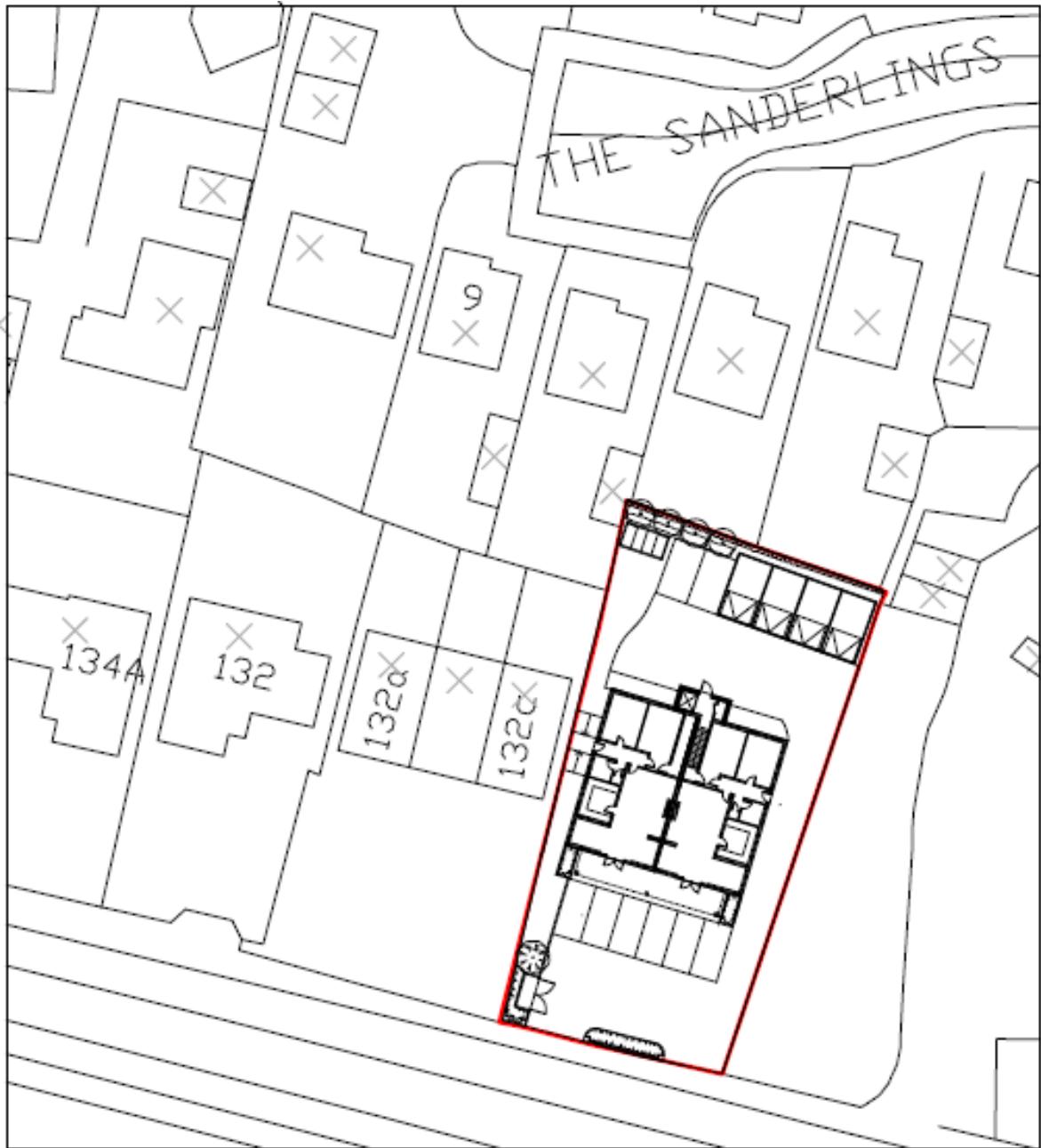


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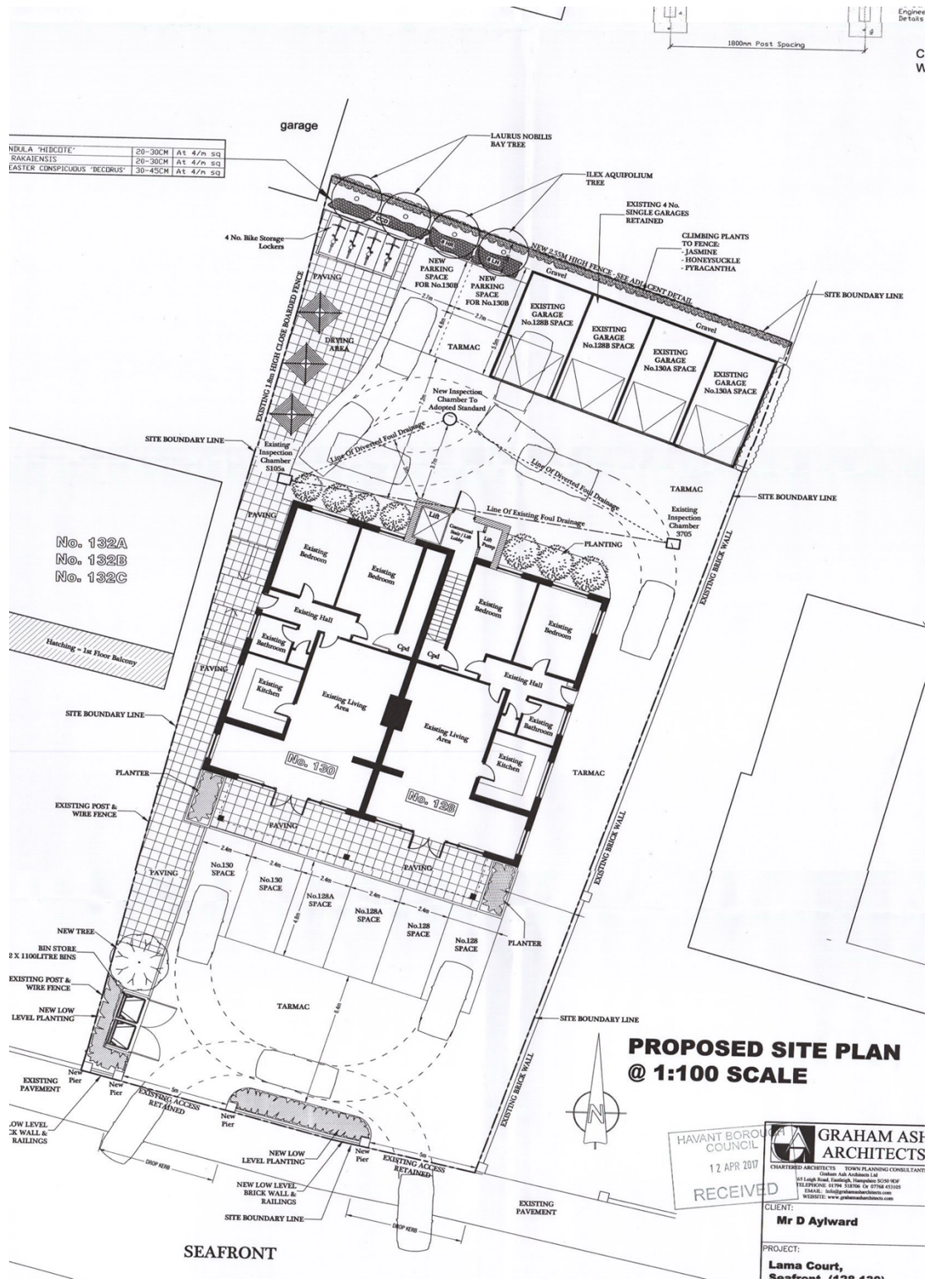
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128 Sea Front, Hayling Island
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NDULA 'HIDCOTE'	20-30CM	At 4/m	sq
RAKAIENSIS	20-30CM	At 4/m	sq
EASTER CONSPICUOUS 'DEGRUS'	30-45CM	At 4/m	sq



PROPOSED SITE PLAN @ 1:100 SCALE

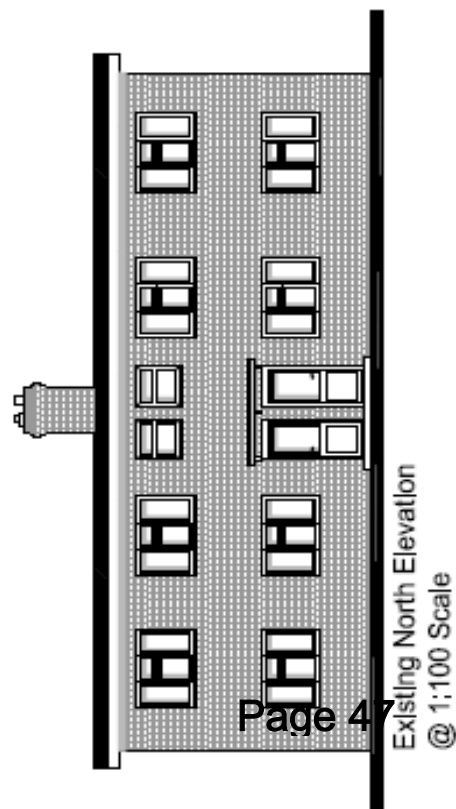
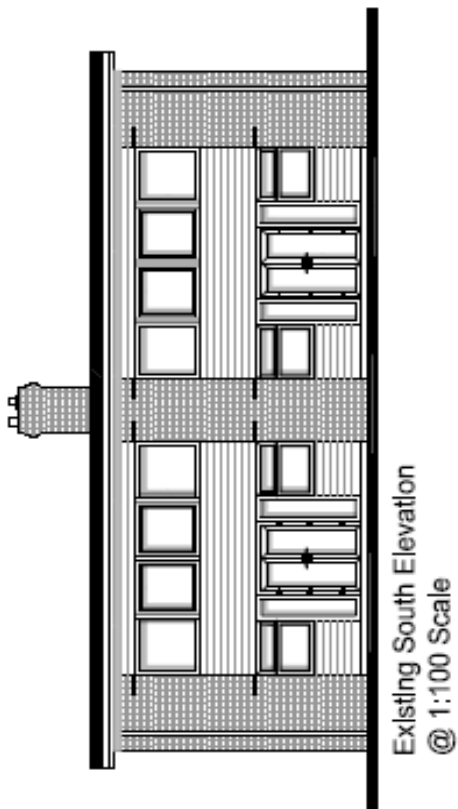
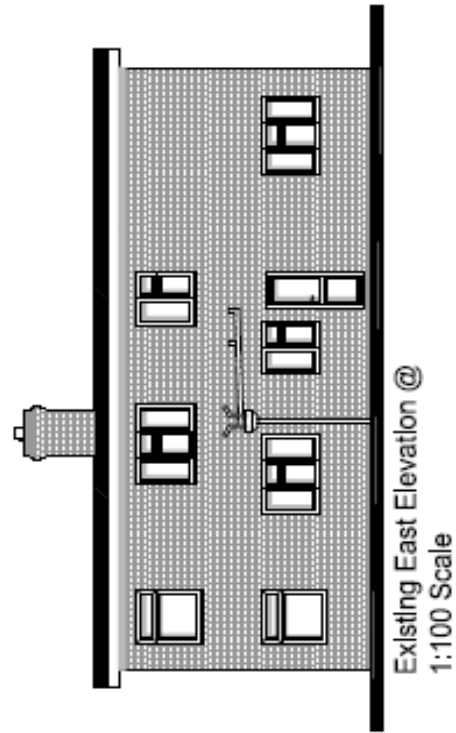
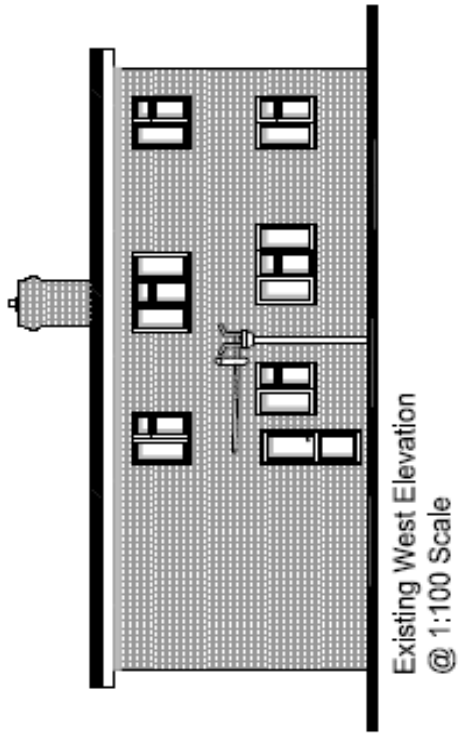
HAVANT BOROUGH COUNCIL
12 APR 2017
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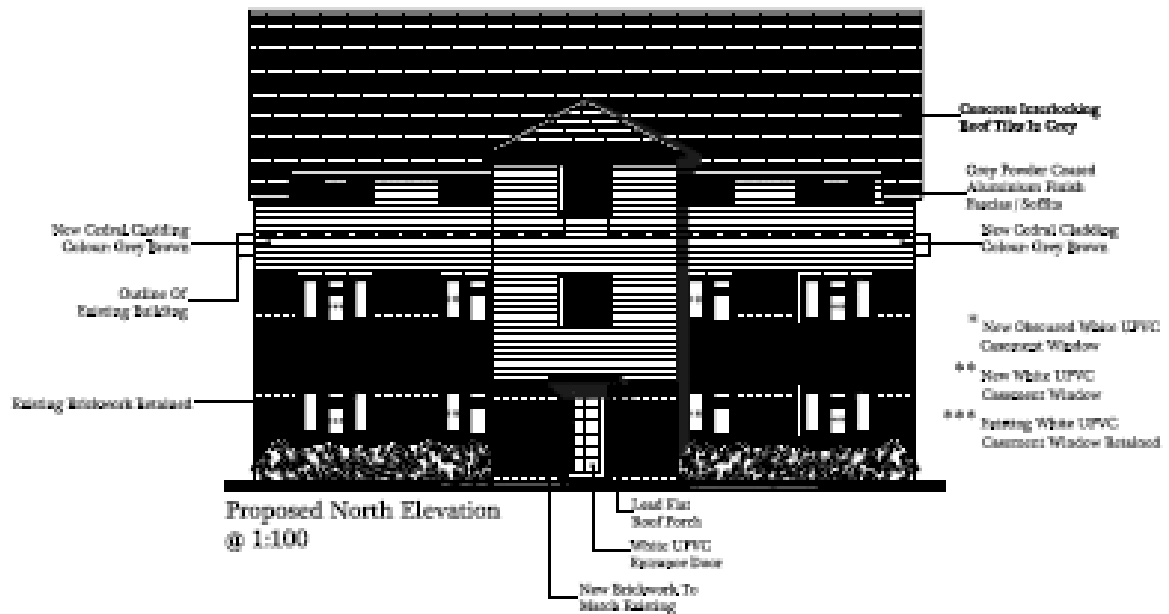
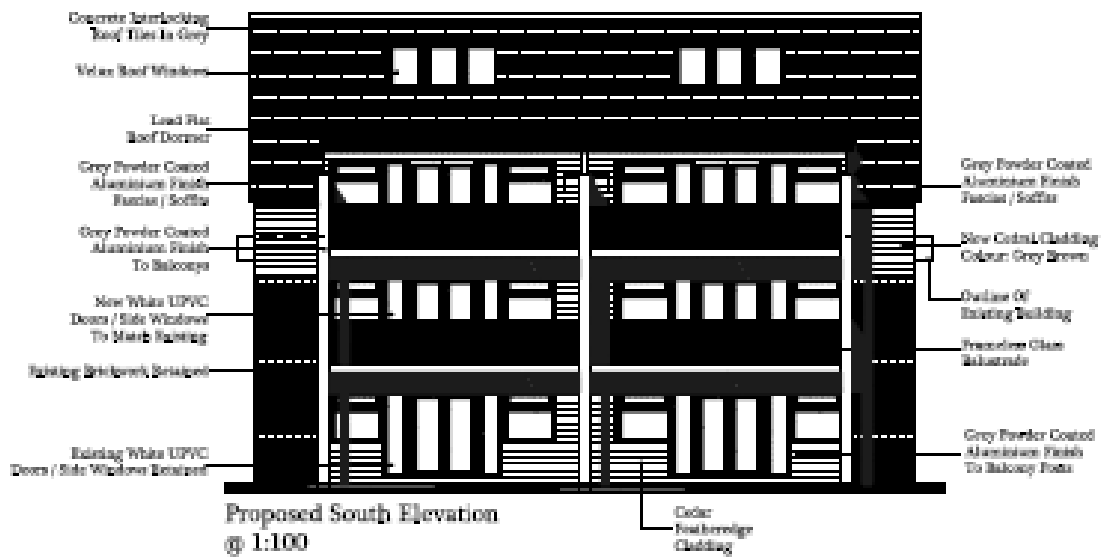
CLIENT: **Mr D Aylward**
PROJECT: **Lama Court, Seaford (128-130C)**

SEAFRONT

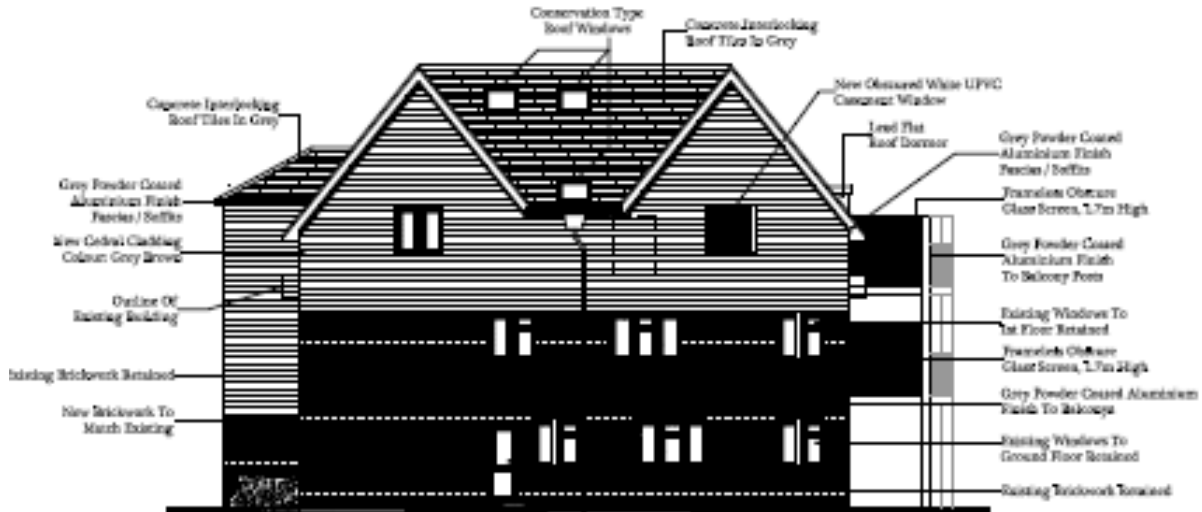
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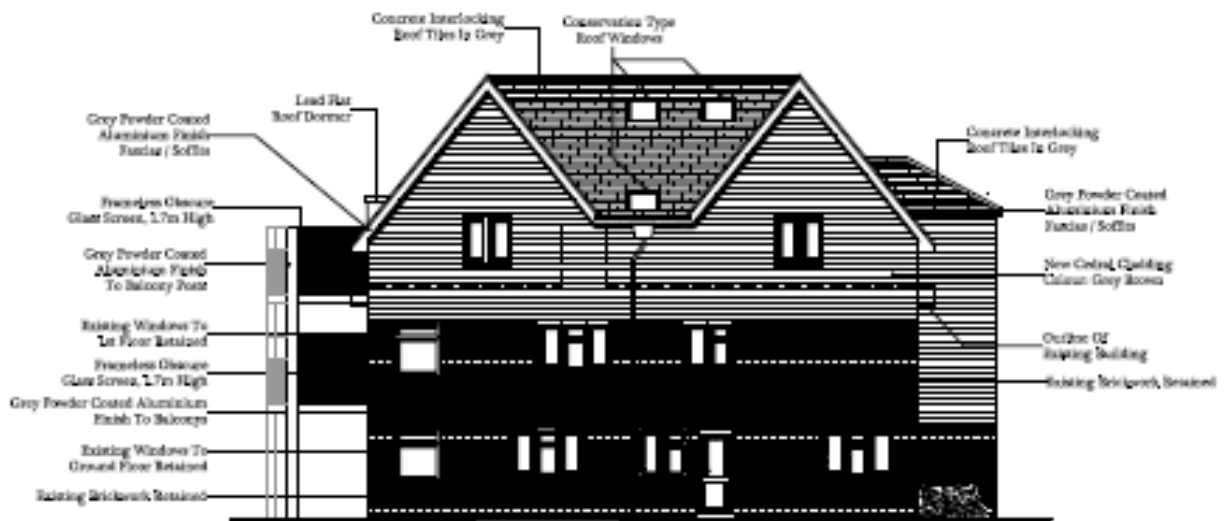
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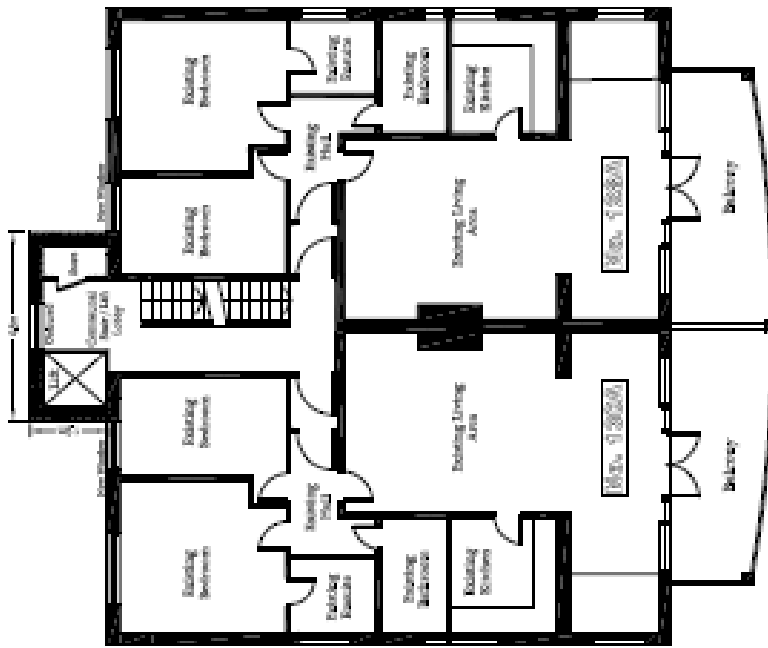


Proposed West Elevation
@ 1:100

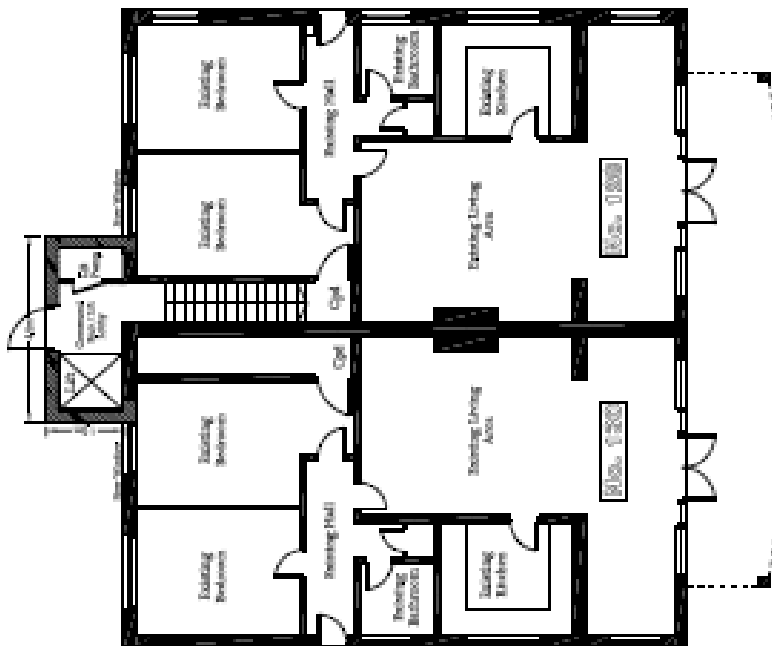


Proposed East Elevation
@ 1:100

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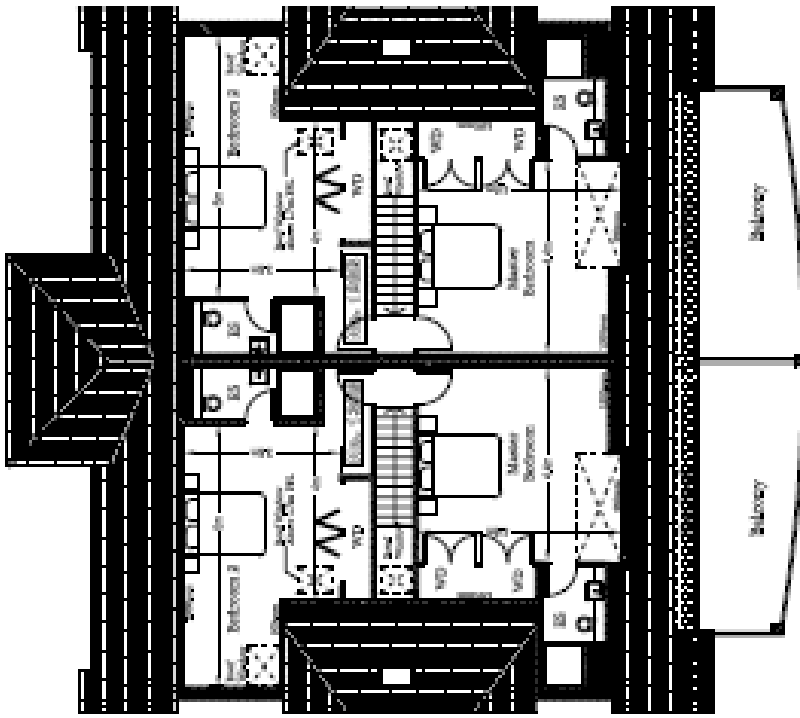


Proposed First Floor Plan @ 1:100

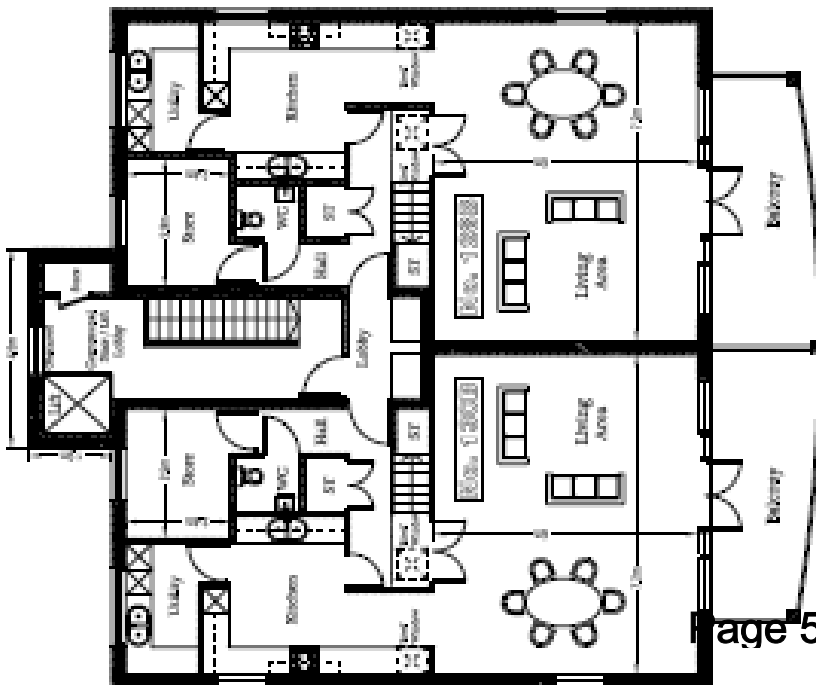


Proposed Ground Floor Plan @ 1:100

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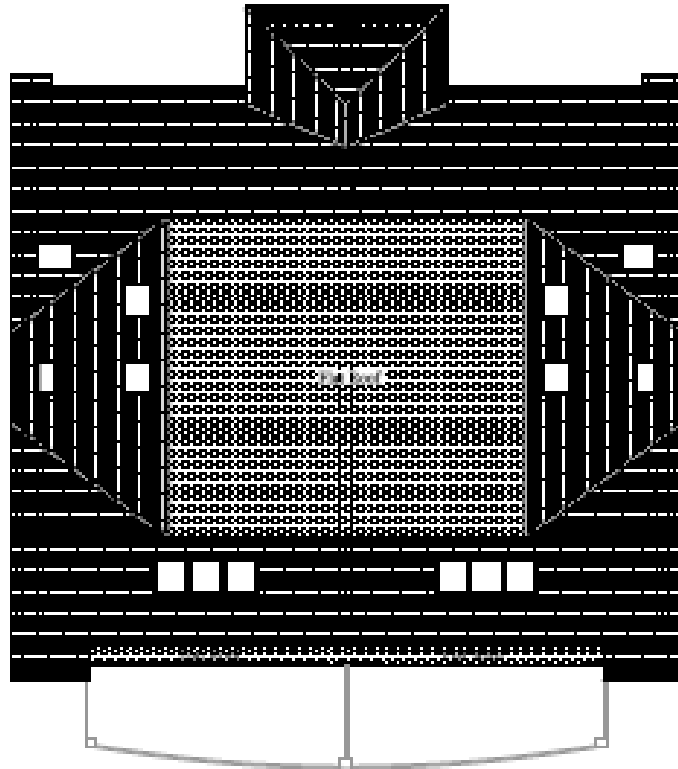


Proposed Third Floor Plan @ 1:100



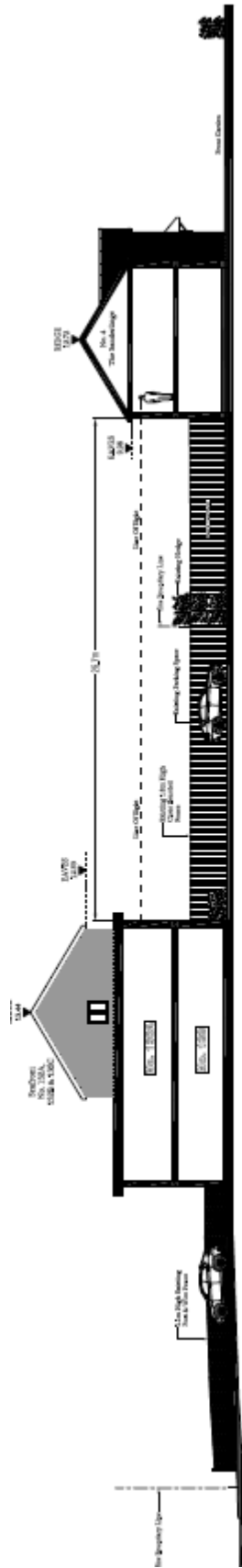
Proposed Second Floor Plan @ 1:100

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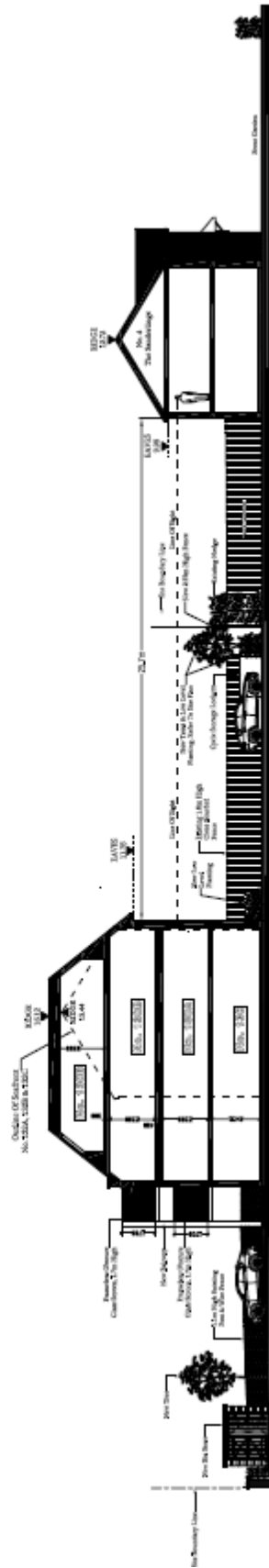


Proposed Roof Plan @ 1:100

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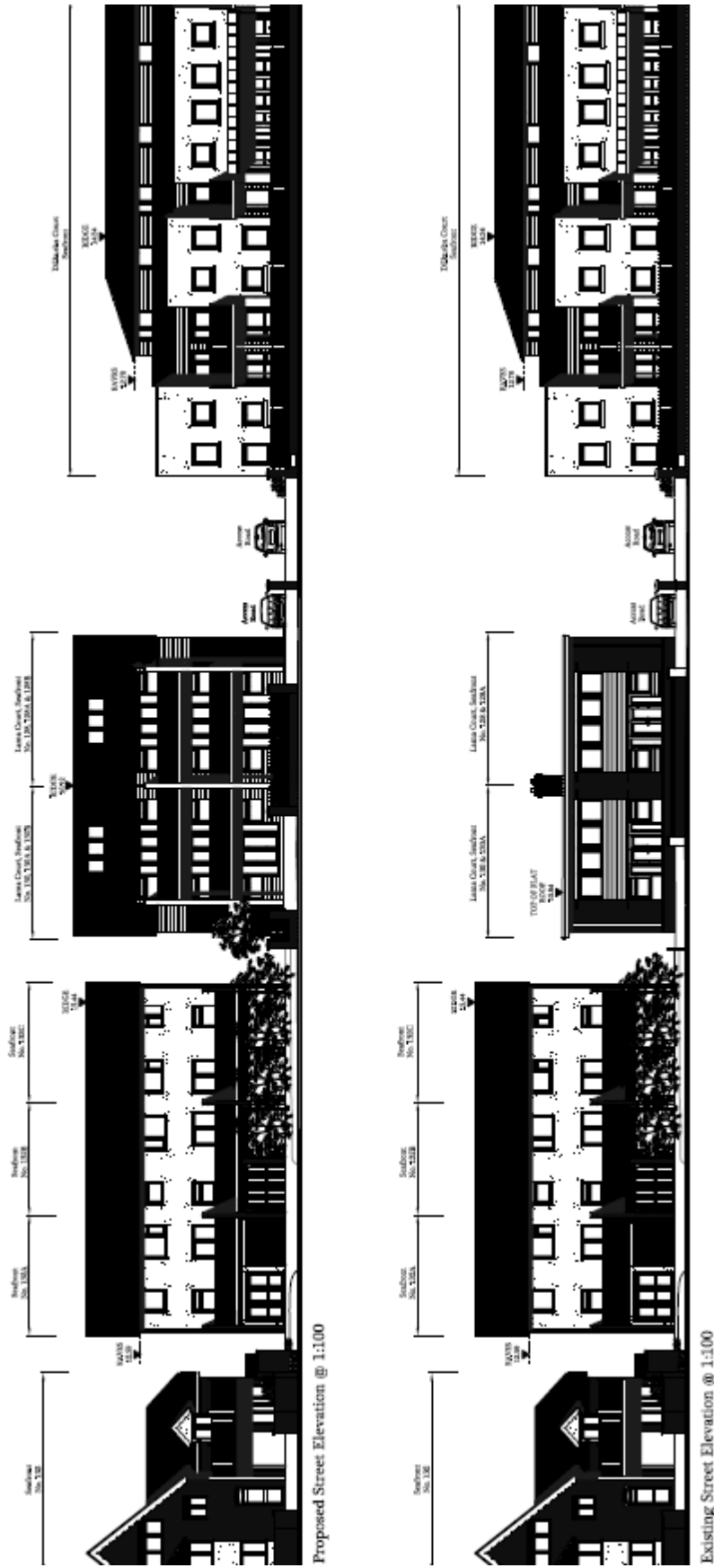


Existing Site Section A-A @ 1:100



Proposed Site Section B-B @ 1:100

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Proposed Street Elevation @ 1:100

Existing Street Elevation @ 1:100

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to No.3 Hawthorne Grove to the west, which has a brick boundary wall.

- 3.2 The application seeks to amend the previously approved position for a raised table feature within the access road, in order to regularise the as-built construction. There is an approximate variation of 6m in the position of the ramp serving the raised table, which lies further to the north than as originally approved (see Appendix B). The application does not propose to alter the alignment or width of the road. The applicants have advised that they chose to extend the length of the raised road table to the north to ensure protection of the root structure of an adjacent veteran oak tree (T7) which is the subject of a Tree Preservation Order (see Appendix C).

4 Policy Considerations

National Planning Policy Framework 2012

Planning Practice Guidance 2014

Havant Borough Local Plan (Core Strategy) March 2011

CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16 (High Quality Design)
CS20 (Transport and Access Strategy)
DM8 (Conservation, Protection and Enhancement of Existing Natural Features)
DM10 (Pollution)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

Having been to site I have assessed the ramp and there are no negative implications for the adjacent Oak tree.

A no dig cellular confinement sub-base has been use in conjunction with an Arboricultural Method Statement with full arboricultural supervision during installation.

No objection raised.

Building Control, Havant Borough Council

The alteration of the speed ramp/surface of the road would not require Building Regulation consent.

Environmental Health Manager

Comments provided following a site visit to 3 Hawthorne Grove.

As long as the road surface and "raised table" have been constructed within the parameters and acceptability of the Highway specialist, the noise of passing traffic, particularly with a high level wall alongside the property in question, is not a reason for Environmental Health to object to the application. Vibration (as included in noise) would not be different to roads constructed anywhere else.

Development Engineer

No objection.

6 Community Involvement

Applications requesting non-material amendments are not subject to any statutory requirements for publicity, however they are hosted on the Council's website and in this instance, in light of concerns raised about the location of the raised table by the adjoining occupier at No.3 Hawthorne Grove prior to receipt of the application, a neighbour notification letter was sent to this address.

Number of representations received: 2

- 6.1 Alleged structural damage resulting from vehicles transiting between the two road surfaces.

Comment: Allegations of private property damage are a private matter and not a material planning consideration.

- 6.2 Noise and vibration resulting from the raised table location causes disturbance to the adjoining property. Speeding cars and grounding of vehicles is particularly disruptive to No.3 Hawthorne Grove. Assessments of impact should be made during times of peak traffic flow.

Comment: A representative of the Council's Environmental Health Team has visited No.3 Hawthorne Grove and confirmed that any vibrations resulting from the revised position of the ramp for the raised table would not warrant an objection to the current layout for reason of noise or vibration.

- 6.3 The ramp serves no purpose and should be removed or levelled out.

Comment: The proposed "as built" position of the ramp relating to the raised road table meets a material planning consideration for the protection of a tree subject to a tree preservation order (T7). The Council's Development Engineer has raised no objections to the design of the ramp.

- 6.4 The speed table is not in the right place and is not effective in controlling speed.

Comment: The amendment requested retains a speed table, the only difference being that it has been extended 6m further north. The Council's Development Engineer has raised no objections to the design of the ramp.

- 6.5 Residents have made suggestions to the applicants of how to improve the current situation but have not been pursued.

Comment: Alternative highway designs are not before the Council for consideration – only whether the revised ramp location can be regarded as a 'non material' amendment to the existing permission.

- 6.6 A number of other matters remain to be resolved in relation to the 'Halyards' development.

Comment: This is not a relevant consideration for this application, which must be considered on its own merits.

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) Determination of the application as a non-material amendment
- (ii) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity
- (iv) Highways issues

(i) Determination of the application as a non-material amendment

7.2 Government guidance issued in 2014 set out the desirability for there to be flexible options for planning permissions. The Planning Practice Guidance from the DCLG states the following:

When planning permission is granted, development must take place in accordance with the permission and conditions attached to it, and with any associated legal agreements.

New issues may arise after planning permission has been granted, which require modification of the approved proposals. Where these modifications are fundamental or substantial, a new planning application under section 70 of the Town and Country Planning Act 1990 would need to be submitted. Where less substantial changes are proposed, a non material amendment may be used.

7.3 There is no statutory definition of "non material" as this determination will be dependent on the context of the overall scheme. The Local Planning Authority is, however, required to have regard to the effect of the change before deciding whether it is "non material" or not.

7.4 In reaching a conclusion as to whether the amendment applied for is material or not, it is considered that the principal considerations relate to its impact upon the character and appearance of the area; its impact on residential amenity; and its impact on highways issues.

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

7.5 The effect of the revised ramp location serving the raised table is to increase the extent of block paving used for the table by approximately 6m more than on the originally approved details. This is not considered significant in relation to the overall scale of the Halyards development and, if anything, is considered to have a beneficial impact upon the character and appearance of the area and is in the interest of the longer term health and vitality of a veteran oak tree subject to a Tree Preservation Order which is important to the visual amenity of the area.

(iii) Impact upon residential amenity

7.6 Considerations of noise and vibration have been assessed with regard to the impact on residential amenity. Having regard to the advice of the Council's Environmental Health officer who has visited the adjacent property at No.3 Hawthorne Grove to assess the impact of the usage of the revised ramp position at first hand, it is considered that there is no significant impact from the proposal in this regard. Allegations of private property damage are not a material planning consideration and cannot therefore be assessed when determining this application.

(iv) Highways issues

7.7 In terms of the operation of the road network serving the Halyards development, the proposed amendment retains the principle of a raised speed table within the entrance road leading to the estate, merely increasing the extent of the table by approximately 6m. This is not considered a '*fundamental or substantial*' revision to the approved plans. The Development Engineer has raised no objections to the amendment.

8 Conclusion

8.1 Having regard to the DCLG's Planning Practice Guidance with respect to the use of non material amendments to vary planning permissions, it is considered that, when

considering the context of the amendment proposed, the application does not represent a fundamental or substantial revision to the details originally approved as part of the Halyards development. The proposals are considered to have no material effect on residential amenity or highways issues, and are considered to marginally improve on the character and appearance of the area through preservation of a protected tree.

- 8.2 The application is therefore considered to meet the criteria of a non material amendment and the application is recommended for approval.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00352 subject to the following conditions:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drwg. No. 4159/01 Rev G - Engineering Layout

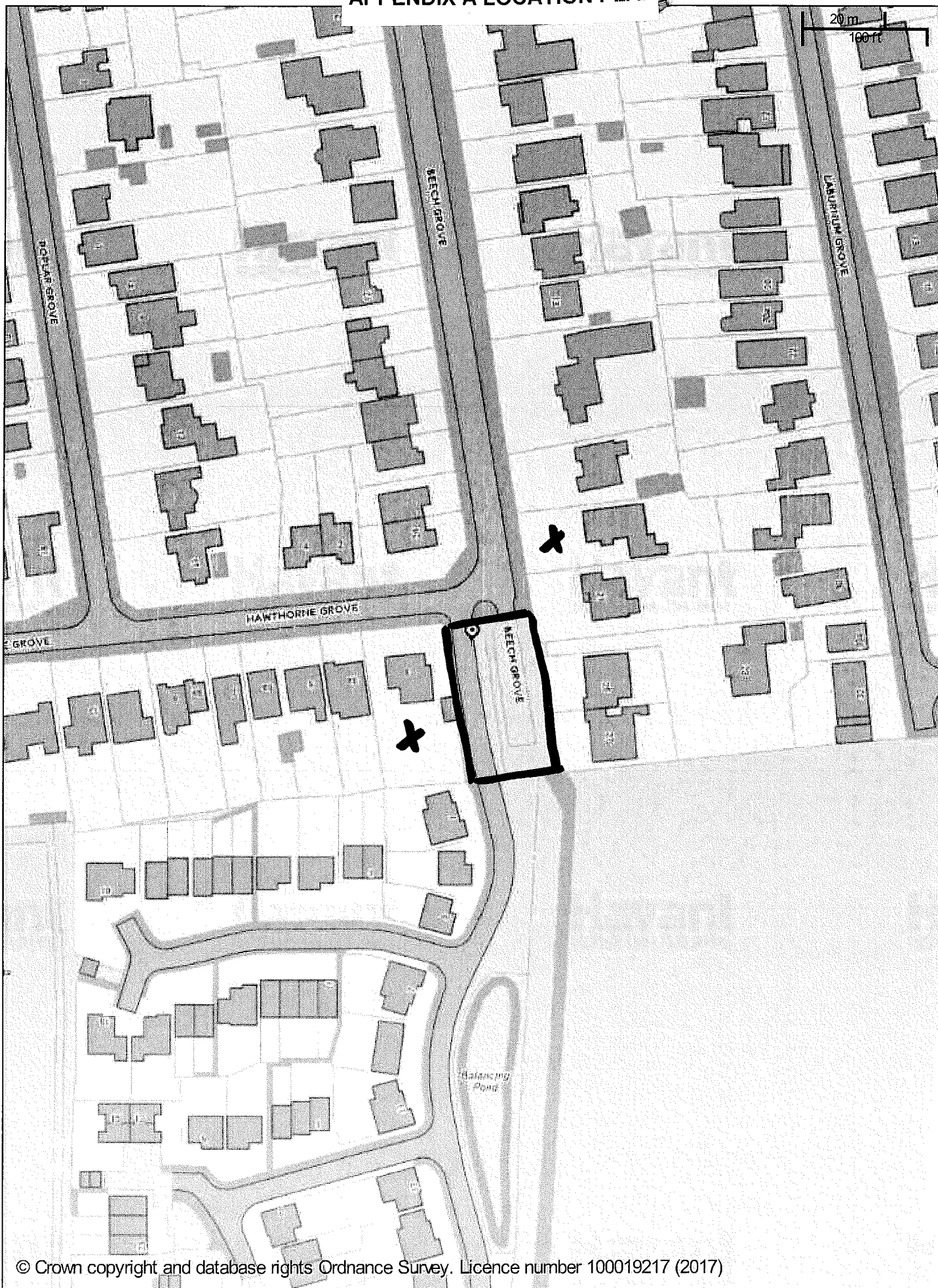
Reason: - To ensure provision of a satisfactory development.

Appendices:

- (A) Location Plan
- (B) Comparison Plan
- (C) Tree Protection Plan
- (D) 'No Dig' Cross Section

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APPENDIX A LOCATION PLAN



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Former Site of 1 Hawthorne Grove

Scale: 1:1250

Printed on: 17/7/2017 at 14:15 PM



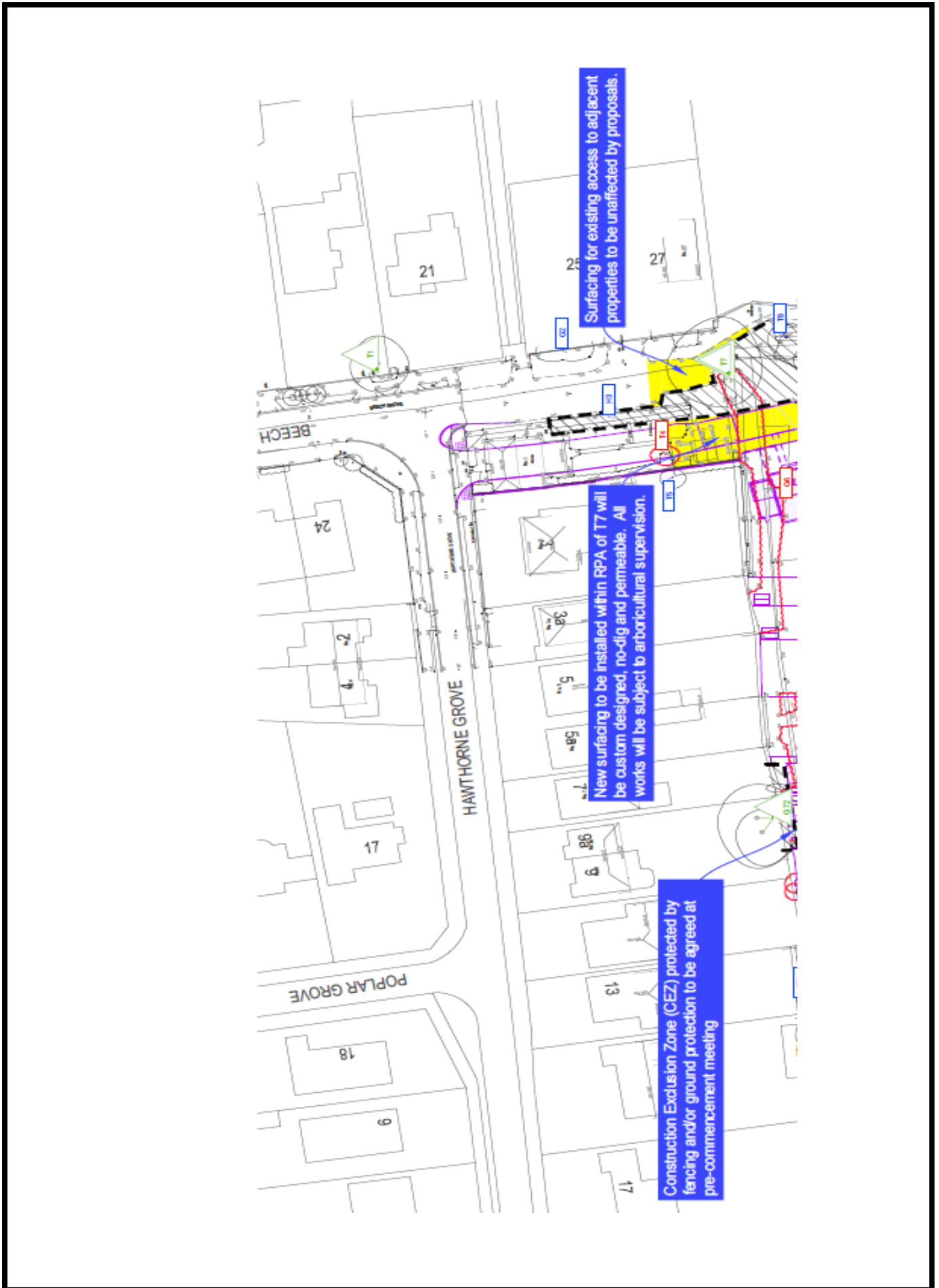
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APPENDIX B - COMPARISON



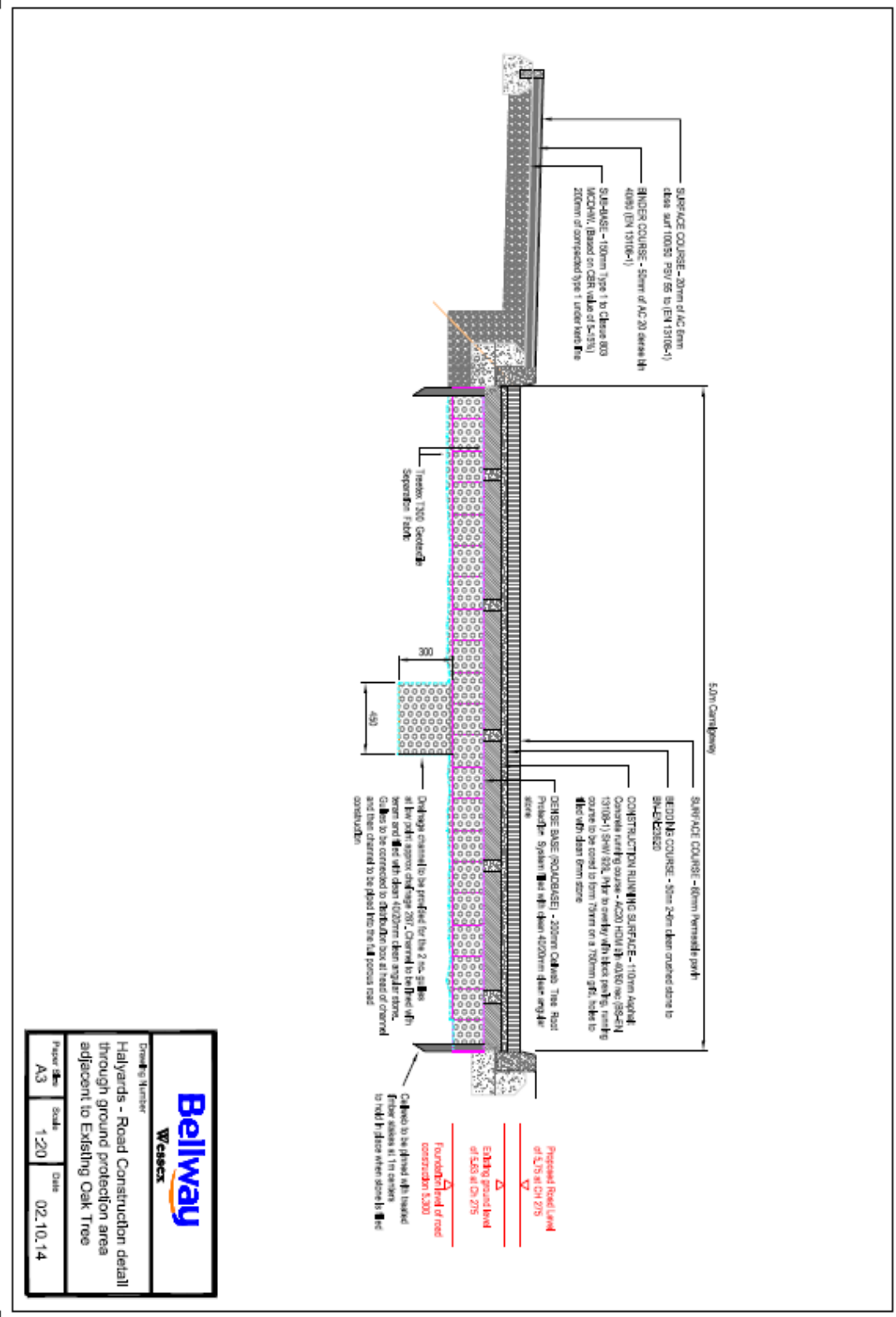
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APPENDIX C – BARRELL TREE PROTECTION PLAN



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APPENDIX D - NO DIG CROSS SECTION



Bellway
Wessex

Drawing Number
Halyards - Road Construction detail through ground protection area adjacent to Existing Oak Tree

Project No.	Scale	Date
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'Appropriate Assessment' are that there would be no significant effects as a result of implementation of the proposal on the Solent Maritime SAC, the Site of Special Scientific Interest (SSSI) the Chichester and Langstone Harbour Special Protection Area and the Ramsar Convention Site. The proposal is therefore recommended for permission.

1 Site Description

- 1.1 This application concerns the recycling of shingle beach material along Hayling Seafront. Appendix A demonstrates the stretch of foreshore the subject of this application.
- 1.2 The majority of the application site is owned by Havant Borough Council although the stretch of coast surrounding Sandy Point Nature Reserve is owned by Hampshire County Council.
- 1.3 Hayling Island is located on the south coast of England, fronting The Solent. Waves refract around the Isle of Wight meaning that Hayling is often subject to greater wave attack than other areas in the Solent, posing a greater risk from overtopping. The Eastoke Peninsula is a densely populated area of extremely low-lying land with a history of serious flood events particularly from the effects of wave overtopping. The implementation of Beach Management Activities (BMA) has effectively helped to reduce the flood risk to this area.
- 1.4 The Eastoke Peninsular and The Ness abuts Chichester Harbour. Chichester Harbour is an Area of Outstanding Natural Beauty (AONB), Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), and RAMSAR site. Part of the application site is also within the Sinah Common Site of Special Scientific Interest (SSSI) and abuts the Sandy Point Nature Reserve and the Beachlands Site of Interest for Nature Conservation (SINC).
- 1.5 The proposed Solent and Dorset Coast Special Protection Area extends from Lulworth Cove at its western end through to West Sussex in the east. This boundary encompasses sea areas identified as being the most important feeding areas for tern colonies of existing SPAs (Sandwich tern, Common tern, Little Tern), adjoining Chichester and Langstone Harbour SPA and Ramsar, Portsmouth Harbour SPA and Ramsar and Solent Maritime SAC. The Solent and Dorset Coast proposed SPA was re-consulted upon, in terms of designation between September 2016 and January 2017. No decision has been made to formally adopt this designation at the time of writing this report.
- 1.6 The South Hayling Island Beach Management Plan (2017-2022) covers a stretch of coastline approximately 8.4km long; the Eastoke Managed frontage is 2.2km in length and is included in this area. The Beach Management Plan stretches from the Hayling Island Sailing Club (HISC) on Black Point Spit in the east to the Ferry Boat Inn in the Langstone Harbour entrance in the west. There are 1555 residential properties and 170 commercial properties at risk from a 1 in 200 year flood event over the next 5 years from tidal flooding along the southern frontage at Eastoke.
- 1.7 The site comprises of the beach areas along the southern frontage above mean low water springs (MLWS). This includes the HBC compound along Southwood Road and the area behind the Inn On The Beach which may need to be used as part of the haul route and a secondary compound.

2 Planning History

APP/12/00999 - Construction of a new rock armour revetment, together with three new groynes. In addition there will be two access and drainage points, a beach recharge, refurbishment of the splash wall and improved access and stop logs at Bosmere and Nutbourne Road.,

Permission granted subject to conditions 14/12/2012

APP/10/00769 - Removal of Condition 8 of Planning Permission 09/53949/008 to remove the restriction on the quantity of beach material that can be moved per annum. Permission granted subject to conditions, 10/12/2010

09/53949/008 - To periodically recycle material from between Eastoke Corner and the "Inn On The Beach", and from "The Ness" inside Chichester Harbour back to Eastoke frontage, over a 10 year period.,
Temporary permission granted 18/01/2010 expiring 30 September 2019

05/53949/007 - Coastal defence works - beach renourishment of southern Eastoke frontage.
Permission granted subject to conditions 10/11/2005

03/53949/006 - Recycling of shingle beach material along Hayling Seafront from land west of Inn on the Beach to Eastoke Corner and from The Ness inside Chichester Harbour back to the Eastoke frontage over a 5 year period.,
Temporary permission granted 09/05/2003

97/53949/005 - To periodically recycle shingle beach material from between Eastoke Corner and Inn on The Beach and from 'The Ness' inside Chichester entrance channel back to the Eastoke Peninsula over a 5 year period. Permission granted 18/06/1997

97/53949/004 - To periodically dredge Chichester Harbour approach channel and deposit the arising onto the foreshore at Eastoke, Hayling Island over a 5 year period, Permission granted subject to conditions 18/06/1997

95/53949/003 - Coast protection works consisting of 4 stub rock groynes and 370m of rock revetment and shingle recycling,
Permission granted subject to conditions 28/02/1996

3 Proposal

- 3.1 The current Planning Permission 09/53949/008 allows for ongoing beach recycling works, however this consent expires in 2019. This application proposes a permanent permission, an extension of its boundaries, and additional sources of shingle for recycling and recharge. Although the South Hayling Island Beach Management Plan (2017-2022) funding period is for the next 5 years only, the permissions being sought are for as far into the future as possible. This would allow the continuation of beach management without having to reapply for the same licences and consents, making large savings to the project.
- 3.2 As part of this application a number of safeguards have been put place to protect the environment into the future. Integral to the new approach of this Planning and Marine Licence application is the Monitoring and Management Plan, as set out in the Environmental Statement. The Monitoring and Management Plan is proposed to be adapted to reflect changes on the ground and make the document an adaptive tool to enable the Coastal managers to provide protection to the residents and community of Eastoke, whilst protecting the environment in this dynamic environment.
- 3.3 The Eastern Solent Coastal Partnership (ESCP) are also looking to extend the permission to include the whole of the southern frontage, from the Ferry Boat Inn to the Hayling Island Sailing Club (see appendix A), allowing analysis of the whole sediment cell to be undertaken. This allows for greater flexibility in how Beach Management Activities are run, and unlocks additional sources of material to protect Eastoke.
- 3.4 Normally the most suitable timing for the proposed works, from the applicant's perspective, is before Easter and September to avoid the more frequent stormy period

during the winter, as the recently deposited material is most vulnerable with rapid movement. The summer period following Easter will allow the sediment to naturally sort, thus developing resilience to storms in the following winter.

- 3.5 The operation comprises the use of heavy earth moving equipment including a 360 degree excavator and articulated dump trucks. The material is loaded into dump trucks by the 360 degree excavator and transported along a haul route on top of the shingle storm beach. The material is then placed and graded using a bulldozer. Following the completion of the operation, the bulldozer will then be used to tidy the haul route and profile the front face of the beach. All extraction takes place on the seaward side of the haul route.
- 3.6 Material has previously and will continue to be recycled from The Ness, the Coastguard Revetment, Open Beach and West Beach. Extraction also takes place from the Chichester Harbour Approach Channel. This application requests that an additional potential source of shingle at Gunner Point can be used to recycle additional material back to the Eastoke Managed Frontage. These areas are illustrated in Appendix B.
- 3.7 In addition, localised movement of shingle along the Langstone Harbour entrance channel is proposed, to prevent localised erosion issues. Also, a small volume of sand recycling around Hayling Island Sailing Club is proposed to enable continued use of their pontoon.
- 3.8 The operation has historically taken three weeks to complete, with an average of five articulated dump trucks, one 360 degree excavator and a bulldozer. This is based upon a 20,000m³ operation; however variations in the quantity required will vary the duration of the operation or the construction plant required.
- 3.9 The proposal intends to increase the contractor working hours from the previously permitted 0700 hours and 1900 hours. The application proposes working hours of 06.00 - 22.00 hrs Monday to Friday and not at weekend or recognised public holidays. No machinery is allowed to be operated outside of these hours which include delivery, collection and maintenance. In addition, no weekend working is permitted, except in cases of emergencies. The application outlines that the previous timing restrictions have added to the impact of the works rather than helping to reduce impacts on residential amenities and the highway network. The contractor is obliged under the terms of the contract to douse the haul route when applicable during dry spells, to minimise dust pollution during this operation.
- 3.10 The Council as Local Planning Authority has obligations under Regulation 81 of the 2010 Habitats Regulations (as amended) to undertake an 'appropriate assessment' to ensure that any negative effects on the European site are identified and mitigated, and these are outlined in Appendix C. The application is therefore supported by an Environmental Statement and Habitat Regulations Assessment, which proposes a range of measures to ensure the proposed activities do not have a detrimental and negative effect on either the European designated sites or any habitats of importance found within the Hayling Seafont.
- 3.11 In registering a planning application, a Local Planning Authority also has to have regard to the provisions of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). Whilst coastal defence works are identified as a type of development under Schedule 2 of the EIA Regulations which may require an EIA, dependent upon whether the works would have significant effects, the maintenance and reconstruction of such works are specifically excluded from the requirement for an EIA under the Regulations. The proposal to recycle shingle beach material back to the Eastoke frontage to maintain the beach profile is considered to be maintenance and reconstruction of coastal work to combat erosion. Notwithstanding this the applicant has submitted a comprehensive Environmental Statement. The EIA work has considered water quality; marine, surface water and bathing conditions.

3.12 The application was submitted with the following documentation:

- Beach Management Plan
- Environmental Statement
- Habitats Regulations Assessment
- Planning Statement
- Water Framework Directive Assessment
- Construction Environmental Management Plan (CEMP) - in relation to the works to be undertaken in September 2017

3.13 In addition to seeking planning consent for the scheme a variety of other licences, consents and permission will need to be secured where the work is undertaken on the coast and adjacent to sites of nature conservation importance. These include:

- Marine Licence from the Marine Management Organisation
- Chichester Harbour Conservancy Works Licence
- Hampshire County Council Works Licence
- Natural England support

4 Policy Considerations

National Planning Policy Framework 2012

The 2010 Habitats Regulations

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations)

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS12	(Chichester Harbour Area of Outstanding Natural Beauty (AONB))
CS15	(Flood and Coastal Erosion)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS6	(Regeneration of the Borough)
CS8	(Community Safety)

Havant Borough Local Plan (Allocations) July 2014

AL4	(Coastal Change Management Areas)
AL1	(Presumption in Favour of Sustainable Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Chichester District Council

No Objection

Chichester Harbour Conservancy, The Harbour Office

The Local Planning Authority is advised that the Conservancy has no objection to this application.

Countryside Access Team

No Objection

County Archaeologist

Thank you for your recent consultation. I would draw your attention to the Planning Statement para 4.4 and the BMP Non Technical Summary table 7.1 which set out the archaeological considerations. Section 14 of table 7.1 indicates that the archaeological potential is low and will be mitigated by only moving material within the active beach, and will avoid any impact on the Second world war beach defences. It also indicates that should archaeological material be encountered provisions will be made to have it inspected and a judgement made as to best practice. At presents with the intention to work within active each material only such potential is low.

I would not raise any archaeological issues.

Council Ecologist

Response following submission of Construction Environmental Management Plan (CEMP)

I have reviewed the submitted Construction Environmental Management Plan (CEMP) (ESCP, May 2017) which seeks to provide details of proposed beach management activities for the initial phase of works in September 2017, entailing the movement of beach materials from parcels 2-7 over to Eastoke as well as some local movements within parcel 8. It is anticipated that most recharge material will be from existing beach supplies although some offshore materials may be required.

The CEMP details how ecological surveys will be used to determine precise haul routes (in order to avoid vegetated shingle) and how pre-works ecological walkover surveys will be used to identify any ornithological issues. There are clear procedures for addressing any pollution incidents, with spill kits and other resources available at key locations.

In summary, the submitted CEMP is acceptable and therefore should be implemented as proposed. Recommended condition:

Development shall proceed in accordance with the submitted Construction Environmental Management Plan (CEMP) (ESCP, May 2017) unless otherwise agreed in writing by the Local Planning Authority. All avoidance and mitigation features shall be implemented in strict accordance with the agreed details. Reason: to protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Initial consultation response

I was able to attend a site meeting in January 2017 to discuss the proposals with the project team. I'm therefore confident that I have a sound understanding of the site and the detailed proposals. Ecological surveys and monitoring is ongoing and will be used to inform specific measures going forward.

I have reviewed the submitted Environmental Statement, Habitats Regulations Assessment, ES Non-technical Summary and appendices (all ESCP, March 2017). These are substantial yet necessary works situated within and in close proximity to areas of ecological importance. Some areas of the foreshore support overwintering bird species whilst nesting shorebirds and non-breeding terns are present at the eastern and western extremities of the site. There are areas of vegetated shingle, coastal grassland and drift line vegetation present within the proposed works area and accordingly there

are several layers of designation present.

A series of mitigation measures are proposed, to include pre-works bird and vegetation surveys, with scope to temporarily halt/divert works to avoid sensitive features.

Restrictions on the timing of works to certain periods will be used at the eastern and western ends and be subject to ongoing monitoring and Natural England consultation to see if these can be amended.

There will undoubtedly be some residual but temporary impacts to certain ecological features. However, based on the information presented we can have confidence that impacts are understood and can be effectively mitigated.

If you are minded to grant permission, can I suggest that all ecological mitigation measures are secured by condition.

Development shall proceed in accordance with the ecological avoidance and mitigation measures detailed within the Hayling Island Beach Management Plan Environmental Statement and Hayling Island Beach Management Plan Habitats Regulations Assessment (ESCP, March 2017) unless otherwise agreed in writing by the Local Planning Authority. All avoidance and mitigation features shall be implemented in strict accordance with the agreed details. Reason: to protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011. I would also echo the comments from Natural England (response dated 15th May 2017) that a Construction Environment Management Plan (CEMP) should be submitted prior to each phase of works.

County Minerals

No response

Environment Agency

Response following submission of Construction Environmental Management Plan (CEMP)

Following recent discussions with Havant Borough Council and the Eastern Solent Coastal Partnership we are now in a position to recommend a revised condition for the above proposed works.

Planning Condition(s):

Condition - Bathing Waters

In the event that works within 1km of Beachlands West, Beachlands Central and Eastoke Bathing Water Areas have to be undertaken during the Bathing Water Season (May - September):

1) The Construction and Environmental Management Plan (CEMP) will be updated prior to each campaign. It will identify how works will comply with the requirements of the Bathing Waters Directive to ensure that the works are acceptable and will not have an impact on the Water Framework Directive Bathing Water Protected Area. The updated CEMP will be approved by the Environment Agency and once approved the CEMP shall be adhered to at all times.

2) The applicant is required to contact the Environment Agency at least one week prior to the commencement of works.

Reason: To protect bathing water quality and bathers in accordance with the Bathing Water Directive.

Initial response

We can confirm that the Environment Agency has no objection in principle to the

proposed development as submitted; however, we request that the following planning condition(s) be attached to any planning permission granted in order to make the development acceptable. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Planning Condition(s):

Condition

In the event that works within 1km of Beachlands West, Beachlands Central and Eastoke Bathing Water Areas have to be undertaken during the Bathing Water Season:

1.The proposed works must not be undertaken between 1st May and 1st September.

2.The applicant is required to contact the Environment Agency at least one week prior to the commencement of works.

Reason: To protect bathing water quality and bathers in accordance with the Bathing Water Directive.

Advice to Local Planning Authority (LPA) / Applicant:

Water Framework Directive

The proposed works are within the EU designated bathing waters of Beachlands West, Beachlands Central and Eastoke, and the works are scheduled to take place during the bathing season which runs from May to September. Mobilised sediment may pose a risk to bathing water quality particularly if it is associated with bacteriological contamination. While we accept that the levels of suspended sediments will be relatively low as a result of the coarse materials to be used, this still represents an additional risk to bathing water quality.

The applicant is required to contact the Environment Agency at least one week prior to the commencement. This is to allow both the Environment Agency and the Local Council to consider whether the Bathing Water Season needs to be closed earlier, before the end of September.

It is important that sediment disturbance from the proposed works is kept to a minimum to avoid detrimental impacts on bathing water quality. The risk to bathing water compliance can be completely mitigated by all works being undertaken outside of the bathing water season. However, we acknowledge that these works are proposed to take place in summer partly to reduce impacts on over-wintering birds.

Environmental Health Manager

No objection

Hampshire County Council - Public Rights of Way

Government guidance considers that the effect of development on a right of way is a material consideration (para. 7.2, Rights of Way Circular 1/09) and that rights of way and green infrastructure should be protected and enhanced, including by adding new rights of way to the network (para. 75 and 109, National Planning Policy Framework). This is in line with the aims of the Hampshire Countryside Access Plan 2015-2025. Rights of way and green infrastructure are also afforded consideration under Policies CS1, CS11, CS13, DM11 and DM12 of the Havant Borough Core Strategy (2011).

Comment

The Countryside Service supports this proposal for seeking to protect the integrity of the

rights of way and Countryside Sites which fall within the affected area, including:

- Havant Footpaths 104, 118, 504, 515
- Shipwrights Way (long distance walking route)
- Sandy Point (SSSI)
- The Kench (SSSI)

Should the proposal require any Temporary Closure Orders of a right of way, we ask that it is applied for at least 6 weeks before the commencement of works, and include a Health and Safety Risk Assessment which would seek to minimise any dust, noise or other obstruction to the right of way during the period of the works. Further information can be found at: <http://www3.hants.gov.uk/row/making-changes/temp-closures.htm>

Informatives

Should permission be granted for this application, we request that the applicant is made aware of the following requirements through informatives:

1. There must be no surface alterations to the right of way, nor any works carried out which affect its surface, without first seeking the permission of Hampshire County Council, as Highway Authority. For the purposes of this proposal that permission would be required from this department of the County Council. To carry out any such works without this permission would constitute an offence under S131 Highways Act 1980, and we would therefore encourage the applicant to contact us as soon as possible to discuss any works of this nature.

2. Nothing connected with the development or its future use should have an adverse effect on the right of way, which must remain available for public use at all times.

3. No builders or contractors vehicles, machinery, equipment, materials, scaffolding or anything associated with the works should be left on or near the footpath so as to obstruct, hinder or provide a hazard to walkers.

4. If there is likely to be an effect on the footpath in terms of dust, noise or other obstruction during the period of the works, we suggest that a Health and Safety Risk Assessment be carried out, and if there is deemed to be a risk to users of the footpath, the applicant should contact the County Council directly to discuss the Temporary Closure of the footpath for the duration of the works. Temporary Closure Orders should be applied for at least 6 weeks prior to the commencement of works and details of how to apply can be found at

<http://www3.hants.gov.uk/row/making-changes/temp-closures.htm>

5. Any damage caused to the surface of the public right of way by construction traffic will be required to be restored to the satisfaction of the Rights of Way Officer, to not less than its minimum width, on the completion of the build.

Hampshire Wildlife Trust

Thank you for consulting the Wildlife Trust on this application. We are aware that these proposals are in line with the approved strategy: the North Solent Shoreline Management Plan - 'hold the line' and the need to protect the assets located along the south Hayling coast therefore we have no objections to the proposals. We also support the environmental monitoring proposed in Section 3.3.3 of the Habitats Regulations Assessment¹ (HRA) to help mitigate/lessen/prevent the impacts of the proposed beach management works on the natural environment and the environmental restrictions detailed in Figure 3.2 of the HRA.

However, in line with the Government's drive to minimise impacts on and, provide net gains in biodiversity where possible, we consider that these proposals could provide opportunities to enhance parts of the coastline and provide sanctuary areas for wildlife. As such, we would like to recommend that further consideration be given to enhancement measures that could provide sanctuary areas for breeding waders such as ringed plover and high tide roosting sites for the assemblage of waders that utilise the area throughout the year.

Consideration could also be given to the creation of exclusion areas, for example at Gunner Point and Sinah Common and/or other areas along the Hayling coast. Such measures, if supported by interpretation could help inform users of the coastal defence works and also the sensitive nature of the vegetated shingle habitats and ground nesting and roosting birds.

It is acknowledged that some strategic mitigation measures are in place for over-wintering birds already but these do not help protect the vegetated shingle habitats or breeding birds, which, as you will be aware, are highly susceptible to trampling and disturbance.

The above advice is given based on the information made available at this time and may change should further or amended details be submitted. We trust that you will find our comments helpful and if you wish to discuss these matters further, please do not hesitate to do so. I also ask that you keep the Trust informed of the progress and outcome of this application.

Development Engineer

The Highway Authority has no adverse comment to this application.

Landscape Team, Havant Borough Council

The landscape team have no adverse comments regarding this application.

Marine Management Organisation

No response

Natural England Government Team

Response following submission of Construction Environmental Management Plan (CEMP)

Further to our response (15 May 2017) on the above application, we have been discussing with Lucy Sheffield at ESCP about the potential conditions recommended by Natural England. ESCP has suggested two 'catch-all' conditions which incorporate all the issues raised by Natural England to safeguard the environment, whilst allowing for adaptability. We have reviewed the proposed conditions and can confirm that these are acceptable from Natural England's perspective.

The proposed conditions are :

Condition 1

The Environmental Mitigation Plan (EMP), which is a live working document will be updated initially annually for the first 5 years and then on a rolling five yearly programme to come into line with the Beach Management Plan. Any changes to the environmental mitigation measures identified in the EMP will be agreed with Natural England.

Condition 2

Construction and Environmental Management Plan (CEMP); this will be updated prior to each campaign, it will identify how works will comply with the EMP to ensure that the works are acceptable and will not have an impact on the protected species or designated sites. The CEMP will be approved by NE and once approved the CEMP shall be adhered to at all times.

Initial response

No Objection – subject to conditions

Without the mitigation measures included in the application for the Continuation with Beach Management Activities, the proposals would:

- have an adverse effect on the integrity of the Solent Maritime Special Area of

Conservation, the Chichester and Langstone Harbours Special Protection Area and Ramsar site and the Solent and Dorset Coast potential Special Protection Area

- damage or destroy the interest features for which Sinah Common, Langstone Harbour and Chichester Harbour Sites of Special Scientific Interest have been notified.

In order to make the development acceptable, the following mitigation measures are required.

We advise that appropriate planning conditions or obligations are attached to any planning permission to secure these measures.

1. The South Hayling Island Beach Management Plan 2017-2022 Technical Report (January 2017) as submitted with the application shall be reviewed and approved by the local planning authority and Natural England every 5 years.

2. To ensure an adaptive risk management approach, the following annual reports shall be submitted to the local planning authority and Natural England for approval;

- Annual Vegetated Shingle and Bird Monitoring Report to be used to inform the amount of shingle to be extracted from more sensitive areas
- Annual Beach Monitoring Report
- Annual Beach Management Report to include details of agreed haul routes and volumes and locations of sediment for extraction and deposition prior to each campaign.

3. There will be no works at Gunner Point and Langstone Harbour entrance (BMP Units 6, 7 and 8) between March and August to protect vegetated shingle communities, annual vegetation of drift line and nesting birds.

4. In other areas there will be no working 1.5 hours before and 1 hour after high tide during the over winter bird period (October to March inclusive). These include Gunner Point, Langstone Harbour Entrance and Chichester Harbour Entrance (BMP Units 1, 2, 6, 7 and 8).

5. There will be an annual vegetated shingle survey in July / August which will feed into the Annual Vegetated Shingle and Bird Monitoring Report, and will inform where the haul route can go in the following year to protect in particular the seed bank in the shingle.

6. In BMP Units 1 to 5, there will be an Ecological walkover survey immediately prior to works in the nesting season (March to August inclusive). An exclusion area will be provided if nesting birds are discovered (minimum of 5 metre buffer distance). Additional surveys will be carried out if required to ensure that birds have not nested in the meantime.

7. The extraction of sand from around the Hayling Island Sailing Club (BMP Unit 1) will only be undertaken in order to keep the Hayling Island pontoon usable. The locations and volumes of sand to be extracted in BMP Unit 1 will be agreed with Natural England prior to each campaign, informed by vegetation surveys and details of accretion.

8. Prior to the commencement of each campaign, a Construction Environmental Management Plan shall be submitted to and approved in writing by the local planning authority and Natural England. The Construction Environmental Management Plan shall identify the steps and procedures that will avoid or mitigate the impacts on the designated sites. 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.

Internationally and nationally designated sites

The application site is within or in close proximity to European designated sites (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 within the Solent Maritime Special Area of Conservation (SAC), the Chichester and Langstone Harbours Special Protection Area (SPA) and the Solent

and Dorset Coast potential SPA, which are European sites. The site is also listed as the Chichester and Langstone Harbour Ramsar site¹ and also notified at a national level as Sinah Common, Langstone Harbour and Chichester Harbour Sites of Special Scientific Interest (SSSIs).

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.

Natural England notes that the HRA has not been produced by your authority, but by the applicant. As competent authority, it is your responsibility to produce the HRA. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

The assessment completed by the applicant concludes that the proposal can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. This conclusion has been drawn having regard for the mitigation measures built into the proposal that seek to avoid all potential impacts. On the basis of the information provided and the proposed conditions listed above, Natural England concurs with this view.

This application is within Sinah Common, Langstone Harbour and Chichester Harbour SSSIs. 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 these SSSIs do 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.

Planning Policy

Policy Status: The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan provide the development plan for the borough.

All the above documents are available at <https://www.havant.gov.uk/localplan>

The following policies are of particular relevance to this scheme:

Policy CS15 (Core Strategy): Flood and Coastal Erosion Risk states that the council will work with partners to implement the Coastal Policy Zones in the North Solent Shoreline Management Plan. That plan, amongst other things, identifies policies for future coastal defence investment.

Policy AL4 (Site Allocations) Coastal Change Management Areas is clear that proposals for new or replacement coastal defence schemes will be permitted where it can be demonstrated that the works are consistent with the management approach for the frontage presented in the relevant Shoreline Management Plan, and there will be no material adverse impact on the environment or that these impacts can be mitigated. Together, these policies are designed to manage flood risk and coastal change. The proposed scheme is designed to manage flood risk at Eastoke, which is clearly in line with this aim. As set out in the documentation supporting the application, the North Solent Shoreline Management Plan which was approved in 2010, recommends a policy of 'Hold the Line' for the whole of the South Hayling Island coastline. The Eastoke Sectoral Strategy, which covers the whole of the Eastoke Peninsula was approved and adopted in 2006, recommending 'Hold the Line' to a 1 in 200 year (0.5% annual) Standard of Protection (SoP) through Beach Management along the main southern

frontage.

In addition, policy CS6 Regeneration of the Borough expresses the borough's desire to bring about the regeneration of South Hayling Island, lending further support to this proposal.

There is therefore clear policy support for the principle of this scheme. In considering the details, however, you should have particular regard to policy CS11 Protecting and Enhancing the Special Environment and Heritage of Havant Borough, as a number of sections of frontage are covered by nature conservation designations: Chichester and Langstone Harbours SSSI, SPA, RAMSAR, SAC, Hayling Beach SINC and a Local Nature Reserve as well as uncertain Site for Waders and Brent Geese.

Portsmouth City Council

No Objection

Property Management (formerly County Estates Department) Hampshire County Council

No response

Property Services Manager

With reference to APP/17/00342 I would advise that the Estates Team has no objection to the application.

Public Health Team

No response

Ramblers Association

No response

Royal Society for the Protection of Birds

No response

Southern Water

No Objection

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: 300

Number of site notices: 20.

Statutory advertisement: 14/04/2017

Number of representations received: 2

- 6.1 There must be a better alternative. The current system is environmental vandalism. Not only is it harmful for the stones to be always going back into the sea but even more harm is done to marine life by then dredging for more stones. Marine animals, fish and plants all suffer. Additionally, the beach is decimated by this method of flood protection. Other places have found more permanent means to protect the coastline: creating lagoons with electricity producing turbines, placing offshore defences, making reefs etc. Also, it cannot be long term economic to have the current method of having to recycle on a regular basis

rather than find a permanent solution. Surely, more research should be done.
Officer comment: *Section 7 considers the environmental impact of this application.*

6.2 Loss of a private view.

Officer comment: *Loss of a private view is not a material planning consideration.*

7 Planning Considerations

7.1 This proposal is in a location and of a type that affects the natural environment in an area of Local, National, European and International ecological importance. The Council, as competent authority, are therefore required to undertake an 'Appropriate Assessment' under Regulation 81 of the 2010 Habitats Regulations before Planning Permission can be granted given:

- the potential importance to nature conservation of the application site given its proximity to Chichester and Langstone Harbours SPA, and the wetland of international importance designated under the RAMSAR convention and the Solent Maritime SAC;
- the duration of the operation;
- the involvement of the coastal processes which is fundamental to the maintenance of these sites.

7.2 Notwithstanding the view that an EIA is not required, in determining the planning application regard has to be had to the ecological importance of significant stretches of the Hayling Seafront, and to the advice contained in National Planning Policy Framework.

7.3 In light of the details submitted by the applicant, together with an assessment of the view of relevant consultees, the officer's Appropriate Assessment is attached at Appendix C. This concludes that, subject to proper mitigation measures, the proposed development would not have a significant effect on the European site.

7.4 As the Appropriate Assessment has ascertained that the proposal will not adversely affect the integrity of the European site, it is appropriate to continue to consider the proposal under the provisions of the development plan. The development plan identifies the main considerations in relation to the proposal as:

- (i) Environmental effects
- (ii) Impact on neighbouring properties
- (iii) Effect on tourism
- (iv) Highway implications

(i) Environmental effects

7.5 Solent European Maritime Site (SAC) and Chichester Harbour (SPA/Ramsar site):

The majority of the application site is outside of both the SAC and SPA/Ramsar designations. The only works to take place within the SAC and SPA/Ramsar are those at The Ness. The works would take place on shingle completely devoid of any vegetation and will not, given the short period of activity in the locality, have a detrimental impact upon migratory or waterfowl species which frequent the Harbour. Notwithstanding this, the works will be adjacent to an area where a high number of both migratory and nationally important birds roost during the winter months.

7.6 For this reason, Natural England have advised that to avoid damage and disturbance to breeding and ground nesting birds an ecological walkover will be carried out immediately prior to works in nesting season only on Beach Management Plan units (BMP) 1 to 5

(March to August inclusive). In addition an exclusion area for nesting birds discovered (minimum of 5 metre buffer distance). Furthermore additional surveys will be carried out if required to ensure that birds have not nested in the meantime. It has also been agreed that no works to take place in BMP units 6 to 8 between March and August inclusive, as a known nesting site. Following these comments the applicant has submitted a Construction Environment Management Plan (CEMP) 2017, which covers the proposed September 2017 works. This document includes the measures requested above. Natural England and the Council's Ecology consultant have been re-consulted on the CEMP 2017 and have confirmed that in their opinion, given the siting of the works and the time restrictions placed on works during the over wintering period, there will be no harm to this species or any over-wintering birds, provided that these measures are followed. A condition is proposed to ensure that the works are carried out in accordance with the CEMP.

7.7 For future phases of the work an updated CEMP would be required, which would include details of all avoidance and mitigation measures in relation to ecological features, to be informed by ongoing survey and monitoring works for this dynamic coastal environment. These measures are considered to be appropriate and are secured through conditions.

7.8 SSSI and SINC

The information submitted with the application considers those areas on Hayling Seafront foreshore that support features of ecological interest and those which should be avoided by the haul route and associated works. Whilst most areas can successfully be avoided there are two areas that cannot. Both of these areas are in the SSSI. Survey work is undertaken annually. These surveys show that there is no vegetation along the proposed haul route in both these areas and therefore the proposal is not likely to affect any flora of importance. Notwithstanding these findings the alignment of the haul route must be controlled in order to ensure vegetated areas adjacent to the haul route are protected from damage. These protection measures are secured through the CEMP 2017 and subsequent phases of the coastal defence works.

7.7 Sandy Point Nature Reserve

The Nature Reserve is fenced off from the foreshore where works will take place. The haul route can be satisfactorily accommodated without encroaching into any adjacent areas of vegetated shingle. On this basis the works are not considered to have any significant impact on this site.

(ii) Impact on neighbouring properties

7.8 As has been outlined in paragraph 3.9 this application seeks to extend the hours of operation of the works. The applicant has outlined that the previous timing restrictions have added to the impact of the works, through disturbance to neighbours of getting machinery in the correct locations, in order to carry out the beach replenishment work. Whilst the proposed increase in working hours would have some additional impact on amenity, the impact upon residents in the vicinity of the proposed works can be kept to a minimum by the imposition of conditions limiting the hours, days and season of the operation as well as the routing of vehicles to and from the application site. Whilst there will be short term inconvenience each year for local residents, and in particular those living in properties in Eastoke which would otherwise be at risk from tidal inundation, they will benefit in the medium/long term from the annual replenishment of the beach defences. Furthermore the Environmental Health team have considered this application and subject to appropriate controls outlined above, have raised no objection to this application.

(iii) Effect on tourism

7.9 The conditions proposed relating to limiting hours, days and season, and operation route,

will minimise the effect on the tourist function of Hayling Island. The proposed works will benefit Hayling Island in terms of sustaining a sea defence, the absence of which would place many of the Island's tourist facilities at risk from flooding.

(iv) Highway implications

- 7.10 The Development Engineer has not raised any concerns relating to the proposal subject to conditions set out within the Construction Environmental Management Plan 2017 (CEMP). This is consistent with the conditions applied to the previous permissions.

8 Conclusion

- 8.1 The scheme is required to implement the strategic policy accepted under the adopted Shoreline Management Plan and Eastoke Sectoral Strategy. During the lifetime of the scheme, the beach will protect the Eastoke Peninsula from flooding to a 1 in 200 year event. It will not have a detrimental impact on flooding from other sources including surface water, sewer and groundwater sources.
- 8.2 In addition the proposed CEMP would mitigate any impact on designated areas, as such the proposal would conserve the environmental integrity of the protected site and permission is therefore recommended. Planning conditions would limit the time of year, times of day and times of delivery. The CEMP would ensure best practices are adopted to protect the integrity of the protected sites, impact on residential properties, minimise pollution risks and noise during construction. In the event that minor changes are needed in the design of any features of this scheme as it progresses, there are provisions within planning procedures to allow for these without the need for further permission, but each judgement would be a matter of fact and degree.
- 8.3 Overall it is considered that the proposal would bring significant benefits to Hayling Island, through continuing to defend the coast line and therefore protecting residential properties, the tourism industry and wider economy of Hayling Island. The conclusions of the 'Appropriate assessment' are that there would be no significant effects as a result of implementation of the proposal on the Solent Maritime SAC, the Site of Special Scientific Interest (SSSI) the Chichester and Langstone Harbour Special Protection Area and the Ramsar Convention Site. The proposal is therefore recommended for permission.

9 RECOMMENDATIONS:

- (A) That the Development Management Committee, as 'competent Authority' for the purposes of an Appropriate Assessment under Regulation 81 of the 2010 Habitats Regulations, adopts the Appropriate Assessment at Appendix C which concludes that the proposed development would not have a significant effect on the European site subject to appropriate mitigation & conditions as detailed in Appendix C, including Table 1; and
- (B) That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00342 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:
 BEACH MANAGEMENT PLAN - NON TECHNICAL SUMMARY - REVISION 1.0
 ENVIRONMENTAL STATEMENT - BEACH MANAGEMENT PLAN - REVISION 1.0
 ENVIRONMENTAL STATEMENT APPENDICES - BEACH MANAGEMENT PLAN - REVISION 1.0
 HABITATS REGULATIONS ASSESSMENT REVISION 1.0
 PLANNING STATEMENT - BEACH MANAGEMENT PLAN REVISION 1.0
 WATER FRAMEWORK DIRECTIVE ASSESSMENT REVISION 1.0
 AERIAL BOUNDARY PLAN
Reason: - To ensure provision of a satisfactory development.
- 3 Development shall proceed in accordance with the ecological avoidance and mitigation measures detailed within the Hayling Island Beach Management Plan Environmental Statement and Hayling Island Beach Management Plan Habitats Regulations Assessment (ESCP, March 2017) unless otherwise agreed in writing by the Local Planning Authority. All avoidance and mitigation features shall be implemented in strict accordance with the agreed details.
Reason: To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011
- 4 The activities hereby permitted shall only take place between 06.00 - 22.00 hours on Mondays - Fridays and not at all on weekends and all recognised Public Holidays. Except when Emergency works are required, which need to take place as and when necessary.
Reason: To limit the impacts on neighbouring properties, the highway network and features of ecological importance in the area in accordance with policies CS11 and CS16 of the Havant Borough Core Strategy 2011
- 5 Development shall proceed in accordance with the submitted Construction Environmental Management Plan (CEMP) (ESCP, May 2017) for the September 2017 programme unless otherwise agreed in writing by the Local Planning Authority. All avoidance and mitigation features shall be implemented in strict accordance with the agreed details.
Reason: To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.
- 6 Prior to the commencement of each phase/campaign of development activities a Construction Environment Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority. This shall include details of all avoidance and mitigation measures in relation to ecological features, to be informed by ongoing survey and monitoring works. In addition it will identify how works will comply with the requirements of the Bathing Waters Directive, to ensure that the works are acceptable and will not have an impact on the Water Framework Directive Bathing Water Protected Area.
Reason: To protect biodiversity in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Appendices:

- (A) Site location plan
- (B) Beach Management activity and deposition sites

- (C) Officers Appropriate Assessment supplemented by appendix C table 1 - Appropriate Assessment – mitigation and likely significant effects of the proposed South Hayling Island Beach Management Plan to advise the Habitat Regulations Assessment
- (D) Site areas, compounds and haulage routes
- (E) Access routes and haul routes
- (F) Habitats and Environmental restrictions in Construction Environmental Management Plan (CEMP)
- (G) Design profile of coastal defences

APPENDIX A – LOCATION MAP AND BEACH MANAGEMENT PLAN UNITS (BMP) – Showing existing and proposed Beach Management Activities



South Hayling BMP

Licences/Consents Extents

- Future
- Existing

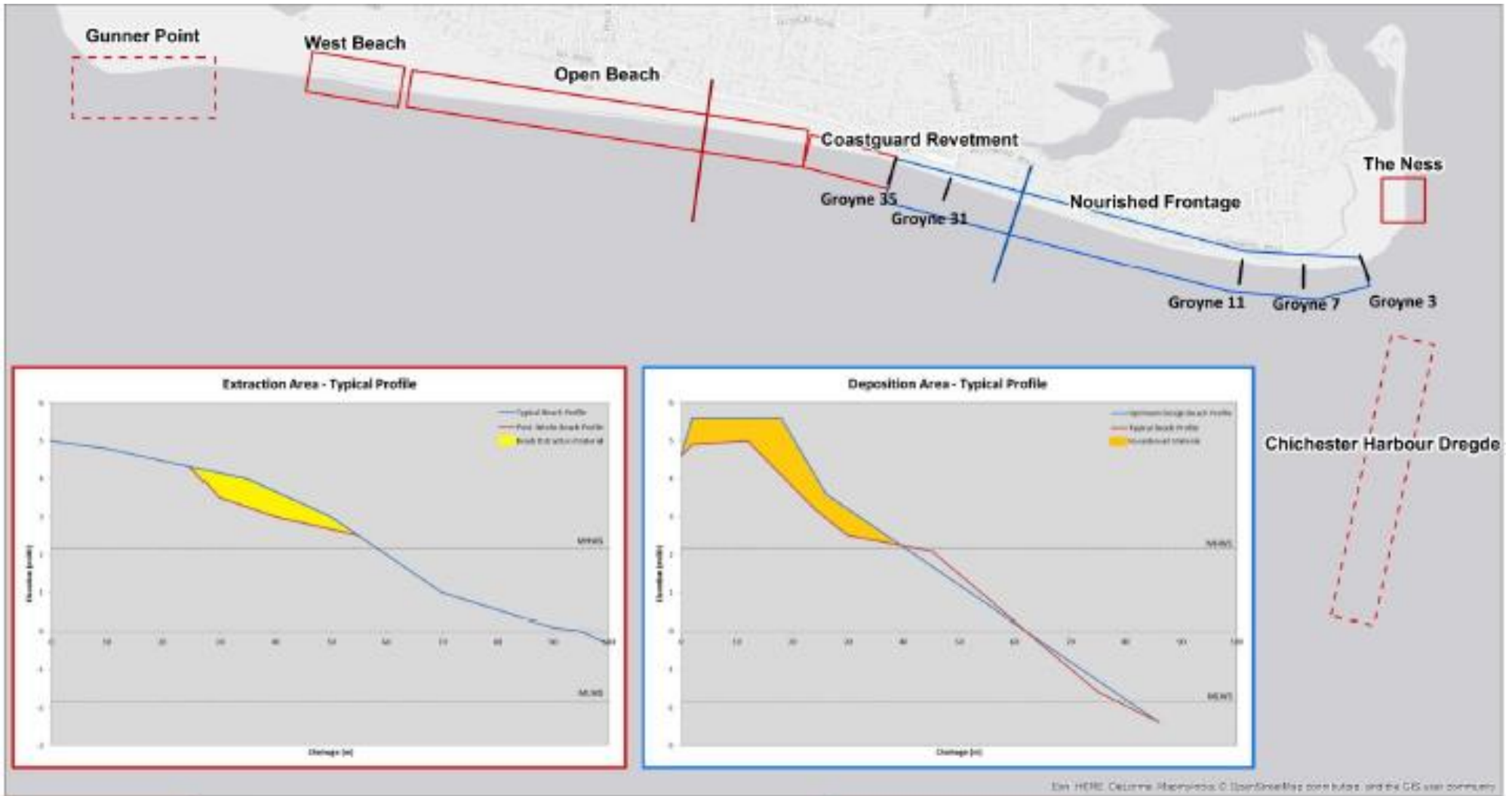
Aerial Photography: CCD (2013)



EASTERN SOLENT COASTAL PARTNERSHIP

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APPENDIX B – BEACH MANAGEMENT ACTIVITY AND DEPOSITION SITES



HAYLING ISLAND

Deposition Area

Potential Extraction Areas

Extraction Areas

 Deposition Profile
 Extraction Profile
 Groynes

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APPENDIX C – APPROPRIATE ASSESSMENT

FORESHORE AT SOUTH HAYLING – FERRY INN TO HAYLING ISLAND SAILING CLUB, HAYLING ISLAND. 2010 HABITATS REGULATIONS REGULATION 81 APPROPRIATE ASSESSMENT BY HAVANT BOROUGH COUNCIL

Chichester Harbour is part of the Solent Maritime Special Area of Conservation (SAC), Chichester and Langstone Harbour Special Protection Area (SPA) and is a Wetland of International Importance (a Ramsar Convention Site) for the conservation of wetlands.

Given the environmental sensitivity of this "European" site the above Regulations apply and are supplemented the National Planning Policy Framework, in particular Annex C (extract included at Annex I to this Appendix) which guides on the consideration of development proposals affecting SPA's and SAC's.

It is proposed to follow the steps identified in Annex C in completing this assessment which is based upon information contained within the documents supporting the application entitled:

- Habitats Regulations Assessment Revision 1.0
- Environmental Statement Beach Management Plan – Revision 1.0
- Environmental Statement Appendices – Revision 1.0
- Beach Management Plan – Non-Technical summary – Revision 1.0
- Water Framework Directive Assessment – Revision 1.0

The Solent Maritime SAC abuts but lies outside of the majority of the application site. However, the works at The Ness at the eastern end of the application site lie within both the SAC and the SPA.

1. Is the proposal directly connected with or necessary to site management from nature conservation?

No.

2. Is the proposal likely to have significant effects on the site?

No.

Tables I attached set out the interest features and conservation objectives of the SAC, SPA and Ramsar designations. This table summarises the consequences of the operation on the conservation objectives. Where consequences are likely mitigation measures are proposed.

The only feature of interest that may be affected by the operation given its proximity to the haul route is the annual vegetation of drift lines. The mitigation measure proposed involves the identification of the extent of the vegetated shingle and cordoning this off to ensure there is no disturbance from construction vehicles using the haul route. An annual assessment will be carried out by the applicant to monitor the effects of each annual operation on vegetated shingle habitats and on sediment supply and areas of erosion. The associated report will identify any further mitigation measures required where appropriate. The findings of the assessment will be reported to Natural England for comment on an annual basis and will enable the specific alignment of the haul route to be adapted each year to ensure it avoids ecologically sensitive areas of the foreshore which are subject to natural change.

There are no significant consequences for the other interest features identified within the SAC, SPA and Ramsar sites.

The duration of the operation is approximately 4 weeks. The operation at The Ness is expected to take up to 5 days. On this basis the impact upon the areas of nature conservation interest is considered limited. The recycling process of shingle beach material on the Hayling foreshore has been an ongoing operation for a period of 18 years. No evidence has been submitted by those consulted to show that previous operations have resulted in any adverse impact upon the areas of conservation interest or upon coastal processes. No change to the existing situation is therefore anticipated by the continuation of this process further continuous assessments will take place to evaluate the impact on the protected areas.

Conclusions of Appropriate Assessment

The conclusions of this assessment are that there would be no significant effects as a result of implementation of the proposal on the Solent Maritime SAC, the Chichester and Langstone harbour SPA and the Ramsar Convention Site.

References

- Habitats Regulations Assessment Revision 1.0
- Environmental Statement Beach Management Plan – Revision 1.0
- Environmental Statement Appendices – Revision 1.0
- Beach Management Plan – Non-Technical summary – Revision 1.0
- Water Framework Directive Assessment – Revision 1.0 ". " produced by Eastern Solent Coastal Partnership on behalf of Havant Borough Council

Table 1. — Appropriate Assessment – mitigation and likely significant effects of the proposed South Hayling Island Beach Management Plan to advise the Habitat Regulations Assessment

No	Potential Impacts of Scheme on European Sites	European Sites/Interest Features impacted	Mitigation / avoidance measures	Likely Significant effects [LSE] after mitigation	Requirement for further Appropriate Assessment / Imperative Reasons of Overriding Public Interest
1	<p>Damage and disturbance to breeding and ground nesting birds, and visual / auditory disturbance to roosting birds / terns from open beach recycling.</p> <p>Damage to vegetated shingle and drift line habitats through tracking machinery. Applies to the full Hayling Island Coastline</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Chichester and Langstone Harbour SPA and Ramsar; Solent and Dorset Coast pSPA with their associated interest features, listed in Section 4. <input type="checkbox"/> Sanderling, Ringed Plover, Dunlin, Common, Little and Sandwich Terns (with Turnstones and Oystercatchers in very low numbers). <input type="checkbox"/> Solent Maritime SAC, including vegetated shingle and drift line habitats. 	<p>Refer to Figure 3.2, which spatially illustrates the timing restrictions and BMP units discussed below.</p> <p>To avoid damage and disturbance to breeding and ground nesting birds: ecological walkover immediately prior to works in nesting season only BMP units 1 to 5 (March to August inclusive).</p> <p>Provide exclusion area if nesting birds discovered (minimum of 5 metre buffer distance). Additional surveys will be carried out if required to ensure that birds have not nested in the meantime. No works to take place in BMP units 6 to 8 between March and August inclusive, as a known nesting site.</p> <p>To avoid disturbance to roosting birds: Undertake activity outside of overwintering bird period where possible. If recycling undertaken between October and March inclusive, stop works 1.5 hours before and 1 hour after high tide along</p>	<p>No LSE expected due to the mitigation measures proposed. The appropriateness of the mitigation has been agreed with Natural England during preparation of this HRA through a DAS agreement. Initial bird surveys have indicated that there is low bird usage in the area along the main open beach (BMP Units 3 – 5). The wider harbours are the preferred feeding and roosting areas due to their sheltered nature. Ongoing bird surveys will be undertaken to ensure a complete understanding of the</p>	<p>No</p>

			<p>Eastoke and Gunner Point frontages only (BMP Units 1, 2, 6, 7 and 8). Extraction and stockpiling may still occur during high tide, outside of the sensitive bird areas. This tidal restriction will not apply between April and September inclusive, noting that BMP units 6 to 8 will not be worked on at all between March and August.</p> <p>To avoid impacts on vegetated shingle / drift line habitats: Undertake vegetation surveys in late July / August to guide works. Plan haulage routes to avoid vegetated areas. Measures will be deployed to prevent impacts to vegetated shingle communities, which will be recorded in a CEMP. The CEMP will also set out the best practice techniques to ensure no pollution is caused.</p> <p>To avoid disturbance to breeding terns: Terns feed offshore at all states of the tide (April to September inclusive), however they breed over 4km away within Chichester and Langstone Harbours. It is not considered that the open beach recycling activities will impact terns in any way, especially as works will rarely take place in the summer months when they are foraging within the wider Solent. Recycling activities are unlikely to cause increases in suspended sediments, and will therefore not impact foraging behaviour. This is because materials</p>	<p>use of this area by birds, which may lead to refinement of the tidal restrictions at Eastoke and Gunner Point (BMP Units 1, 2, 6, 7 and 8).</p>	
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			are course, and activities take place on the beach, not directly within the waterbody itself.		
No	Potential Impacts of Scheme on European Sites	European Sites/Interest Features impacted	Mitigation / avoidance measures	Likely Significant effects [LSE] after mitigation	Requirement for further Appropriate Assessment / Imperative Reasons of Overriding Public Interest
3	Damage and disturbance to breeding and ground nesting birds, and visual / auditory disturbance to roosting birds / terns from extraction of shingle from Gunner Point (BMP Units 6 and 7). Damage to vegetated shingle and drift line habitats / interruption to natural coastal processes.	<input type="checkbox"/> Chichester and Langstone Harbour SPA and Ramsar; Solent and Dorset Coast pSPA with their associated interest features, listed in Section 4. <input type="checkbox"/> Sanderling, Ringed Plover, Dunlin, Common, Little and Sandwich Terns (with Turnstones and Oystercatchers in very low numbers). <input type="checkbox"/> Solent Maritime SAC, including vegetated shingle and drift line habitats.	<p>To avoid damage and disturbance to breeding and ground nesting birds, including terns: No extraction of shingle from Gunner Point during the bird breeding season (March to August inclusive).</p> <p>To avoid disturbance to roosting birds, including terns: Works will only take place here between September and mid March to avoid wider impacts. September is the preferable month for extraction to avoid the overwintering bird period. If extraction takes place between Oct and mid March inclusive, work will stop for 1.5 hours before, and 1 hour after high tide. No works will take place during extreme cold periods (frozen ground conditions for more than 1 week).</p> <p>To avoid impacts on vegetated shingle / drift line habitats: Undertake vegetation surveys in late July / August to guide works. Plan haulage routes to avoid vegetated shingle</p>	No LSE expected due to the strict mitigation measures proposed, and the ongoing liaison with Natural England proposed. The appropriateness of the mitigation has been agreed with Natural England during preparation of this HRA through a DAS agreement.	No

			<p>areas. Measures will be deployed to prevent impacts to vegetated shingle communities, which will be recorded in a CEMP. The CEMP will also set out the best practice techniques to ensure no pollution is caused. A drift line habitat / vegetated shingle survey was undertaken in 2016 (see Figure 3.2, which illustrates the location of these). From 2017, extraction of beach material will be seaward of the drift line habitat boundary. Volumes of material to be extracted from Gunner Point will be agreed with Natural England and the landowner prior to each campaign, advised by vegetation surveys and details of accretion.</p> <p>To avoid impacts on natural coastal processes: There will be on-going detailed monitoring of beach levels to guide operations. We are working with natural coastal processes for the benefit of this frontage. Recycling from this point will maintain a flow of material to Gunner Point. This is a benefit, as lack of recycling and beach management would eventually lead to erosion at Gunner Point, and loss of vegetated shingle / drift line habitats.</p>		

No	Potential Impacts of Scheme on European Sites	European Sites/Interest Features impacted	Mitigation / avoidance measures	Likely Significant effects [LSE] after mitigation	Requirement for further Appropriate Assessment / Imperative Reasons of Overriding Public Interest
4	Impacts of recycling and recharge activities on Water Quality i.e. increased suspended solids in the waterbody. Potential impact on foraging visibility for terns.	<input type="checkbox"/> Chichester and Langstone Harbour SPA and Ramsar; Solent and Dorset Coast pSPA with their associated interest features, listed in Section 4. <input type="checkbox"/> Sanderling, Ringed Plover, Dunlin, Common, Little and Sandwich Terns (with Turnstones and Oystercatchers in very low numbers).	<p>To avoid impacts on the water quality: BMP works have been taking place for a number of years and suspended sediments have never increased enough to cause impacts on protected species and habitats. Background levels on this exposed stretch of coast in storm conditions are expected to be relatively high so ecology of the area is well adapted to fluctuating levels of disturbance in suspended solids.</p> <p>The sediment being recycled and recharged on the open coast is large and therefore the material settles out quickly in the water body. The works are extremely localised and do not take place within the waterbody itself. Also, as they occur along the open coastline, the dilution factor is major, with any suspended sediments rapidly dispersed. Works are generally undertaken outside of tern breeding season, and are over 4km away from the nearest breeding colonies within the harbours.</p>	No LSE expected due to the mitigation measures proposed.	No

No	Potential Impacts of Scheme on European Sites	European Sites/Interest Features impacted	Mitigation / avoidance measures	Likely Significant effects [LSE] after mitigation	Requirement for further Appropriate Assessment / Imperative Reasons of Overriding Public Interest
5	Damage and disturbance to breeding and ground nesting birds, and visual / auditory disturbance to roosting birds / terns from extraction of sand from around the Hayling Island Sailing Club slipway (BMP Unit 1). Damage to vegetated shingle and drift line habitats and impacts on intertidal /subtidal sandflats.	<input type="checkbox"/> Chichester and Langstone Harbour SPA and Ramsar; Solent and Dorset Coast pSPA with their associated interest features, listed in section4. <input type="checkbox"/> Sanderling, Ringed Plover, Dunlin, Common, Little and Sandwich Terns (with Turnstones and Oystercatchers in very low numbers). <input type="checkbox"/> Solent Maritime SAC, including vegetated shingle, drift line habitats and sandflats.	<p>To avoid damage and disturbance to breeding and ground nesting birds, including terns: ecological walkover immediately prior to works in nesting season (March to August inclusive). Provide exclusion area if nesting birds discovered (minimum of 5 metre buffer distance). Additional surveys will be carried out if required to ensure that birds have not nested in the meantime. To avoid disturbance to roosting birds, including terns: Undertake activity outside of overwintering bird period where possible. If recycling undertaken between October and March inclusive, stop works 1.5 hours before and 1 hour after high. This tidal restriction will not apply between April and September. Works to be stopped during extreme weather events (frozen ground conditions for more than 1 week). The curtailing the work will prevent any significant effect on the SPA birds which will be under additional feeding pressure from said environmental conditions.</p> <p>To avoid impacts on vegetated</p>	No LSE expected due to the strict mitigation measures proposed, and the ongoing liaison with Natural England proposed. The appropriateness of the mitigation has been agreed with Natural England during preparation of this HRA through a DAS agreement.	No

			<p>shingle habitats: Undertake vegetation surveys in late July / August to guide works. Plan haulage routes to avoid vegetated shingle areas. Measures will be deployed to prevent impacts to vegetated shingle communities, which will be recorded in a CEMP. The CEMP will also set out the best practice techniques to ensure no pollution is caused.</p> <p>A drift line habitat / vegetated shingle survey was undertaken in 2016 (see Figure 3.2, which illustrates the location of these). During the 2016 survey, no drift line habitats were present. Locations and volumes of sand to be extracted in the vicinity of the Hayling Island slipway will be agreed with Natural England prior to each campaign, advised by vegetation surveys and details of accretion. To avoid impacts on intertidal / subtidal sandflats: Any sand to be extracted in this area is intertidal sand and will remain as intertidal sand. Material will only be removed in order to keep the Hayling Island Sailing Club slipway usable. Any material removed will be placed back into the same intertidal sediment system at Eastoke, so the material will find its way back. These minimal extractions will not cut off any sediment supply to Black Point. Therefore there is no loss of intertidal sandflat, just some minor working of it. There will be no change in subtidal</p>		
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			<p>habitat, as material will not be removed from the subtidal area. As discussed above, each campaign will first be agreed with Natural England to ensure no LSE on this feature.</p> <p>To avoid impacts on natural coastal processes: There will be on-going detailed monitoring of beach levels to guide operations. We are working with natural coastal processes.</p>		
No	Potential Impacts of Scheme on European Sites	European Sites/Interest Features impacted	Mitigation / avoidance measures	Likely Significant effects [LSE] after mitigation	Requirement for further Appropriate Assessment / Imperative Reasons of Overriding Public Interest
6	<p>Damage and disturbance to breeding and ground nesting birds, and visual / auditory disturbance to roosting birds / terns from gentle beach reprofiling at Langstone Harbour entrance (BMP unit 8). Damage to vegetated shingle and drift line habitats through tracking machinery.</p>	<p><input type="checkbox"/> Chichester and Langstone Harbour SPA and Ramsar; Solent and Dorset Coast pSPA with their associated interest features, listed in section 4.</p> <p><input type="checkbox"/> Sanderling, Ringed Plover, Dunlin, Common, Little and Sandwich Terns (with Turnstones and Oystercatchers in very low numbers).</p> <p><input type="checkbox"/> Solent Maritime SAC, including vegetated</p>	<p>To avoid damage and disturbance to breeding and ground nesting birds: No works to be undertaken along this frontage during the bird nesting season (March to August inclusive).</p> <p>To avoid disturbance to roosting birds: Undertake activity outside of overwintering bird period where possible. If recycling undertaken between October and March inclusive, stop works 1.5 hours before and 1 hour after high tide. This tidal restriction will not apply in September. Works to be stopped during extreme weather events (frozen ground conditions for more</p>	<p>No LSE expected due to the strict mitigation measures proposed, and ongoing liaison with Natural England proposed. The appropriateness of the mitigation has been agreed with Natural England during preparation of this HRA through a DAS agreement.</p>	No

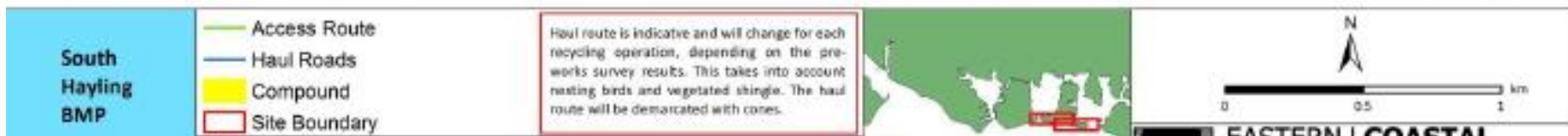
		<p>shingle and drift line habitat</p>	<p>than 1 week). The curtailing the work will prevent any significant effect on the SPA birds which will be under additional feeding pressure from said environmental conditions.</p> <p>To avoid impacts on vegetated shingle / drift line habitats: Undertake vegetation surveys in late July / August to guide works. Plan haulage routes to avoid vegetated areas. Measures will be deployed to prevent impacts to vegetated shingle communities, which will be recorded in a CEMP. A drift line habitat / vegetated shingle survey was undertaken in 2016 (Figure 3.2, which illustrates the location of these). No works along this frontage between March and August to protect drift line habitat development.</p> <p>To avoid impacts on natural coastal processes: Only very minor reprofiling works are being promoted here to avoid localised erosion of the car park and impacts on the navigation channel. We are not proposing to move any material away from this frontage. As the annual activity will vary, we will submit a CEMP in advance of each operation.</p>		

No	Potential Impacts of Scheme on European Sites	European Sites/Interest Features impacted	Mitigation / avoidance measures	Likely Significant effects [LSE] after mitigation	Requirement for further Appropriate Assessment / Imperative Reasons of Overriding Public Interest
7	Benefits of BMP activities on the wider South Hayling Island open coastline.	<input type="checkbox"/> Chichester and Langstone Harbour SPA and Ramsar; Solent and Dorset Coast pSPA with their associated interest features, listed in section 4. <input type="checkbox"/> Sanderling, Ringed Plover, Dunlin, Common, Little and Sandwich Terns (with Turnstones and Oystercatchers in very low numbers). <input type="checkbox"/> Solent Maritime SAC, including vegetated shingle and drift line habitats.	<p>Beach management and working with natural coastal processes is widely considered as a better FCERM alternative to the construction of hard structures to protect against flooding and erosion, where there is the ability to sustainably do so.</p> <p>The process of recycling and recharging beaches in line with a nationally approved BMP ensures that there are no areas within the sediment cell that will be starved of sediment, which is a major benefit for the full South Hayling Island open coastline.</p> <p>Utilising material accreting on the beach will reduce the need for importing additional sediment from outside the sediment cell, which is our preferred beach management option, both environmentally and financially. However there will at times be a need to renourish the beach with materials imported into the system that match the resident shingle. This maintains healthy and stable beaches, allowing the establishment of vegetated</p>	It is believed that delivery of the BMP, in line with the mitigation highlighted above, will have likely Significant environmental benefits to the South Hayling Island coastline.	No

			shingle communities and active drift lines of vegetation. (Such as the communities that have been building up at Gunner Point as a result of our historic BMP works). This also maintains the areas of beach utilised by roosting birds		
No	Potential Impacts of Scheme on European Sites	European Sites/Interest Features impacted	Mitigation / avoidance measures	Likely Significant effects [LSE] after mitigation	Requirement for further Appropriate Assessment / Imperative Reasons of Overriding Public Interest
8	In-combination impacts from other activities within / adjacent to the European designated sites.	<input type="checkbox"/> Chichester and Langstone Harbour SPA and Ramsar; Solent and Dorset Coast pSPA with their associated interest features, listed in Section 4. <input type="checkbox"/> Sanderling, Ringed Plover, Dunlin, Common, Little and Sandwich Terns (with Turnstones and Oystercatchers in very low numbers). <input type="checkbox"/> Solent Maritime SAC, including vegetated shingle and drift line habitats.	As discussed in the HRA (Section 5), other potential activities that could impact the European sites have been identified. If there is the potential that an ‘incombination’ effect could arise, programming of works would require reconsideration, until the activity that causes the in-combination’ effect has ceased. Due to the extensive mitigation built into the delivery of this BMP, as set out within this table, we are avoiding the likelihood of ‘in-combination’ impacts.	As explained in Section 5, many potential in-combination impacts are prevented by programming of works and avoiding sensitive times for key interest features of the European sites. In addition, by adopting appropriate mitigation, it ensures that any unforeseen in-combination impacts are quickly identified and can be actioned. Therefore, with the control measures in place no LSE is expected.	No, as no LSE expected due to mitigation / avoidance measures adopted.

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APPENDIX D – SITE AREAS, COMPOUNDS AND HALUAGE ROUTES



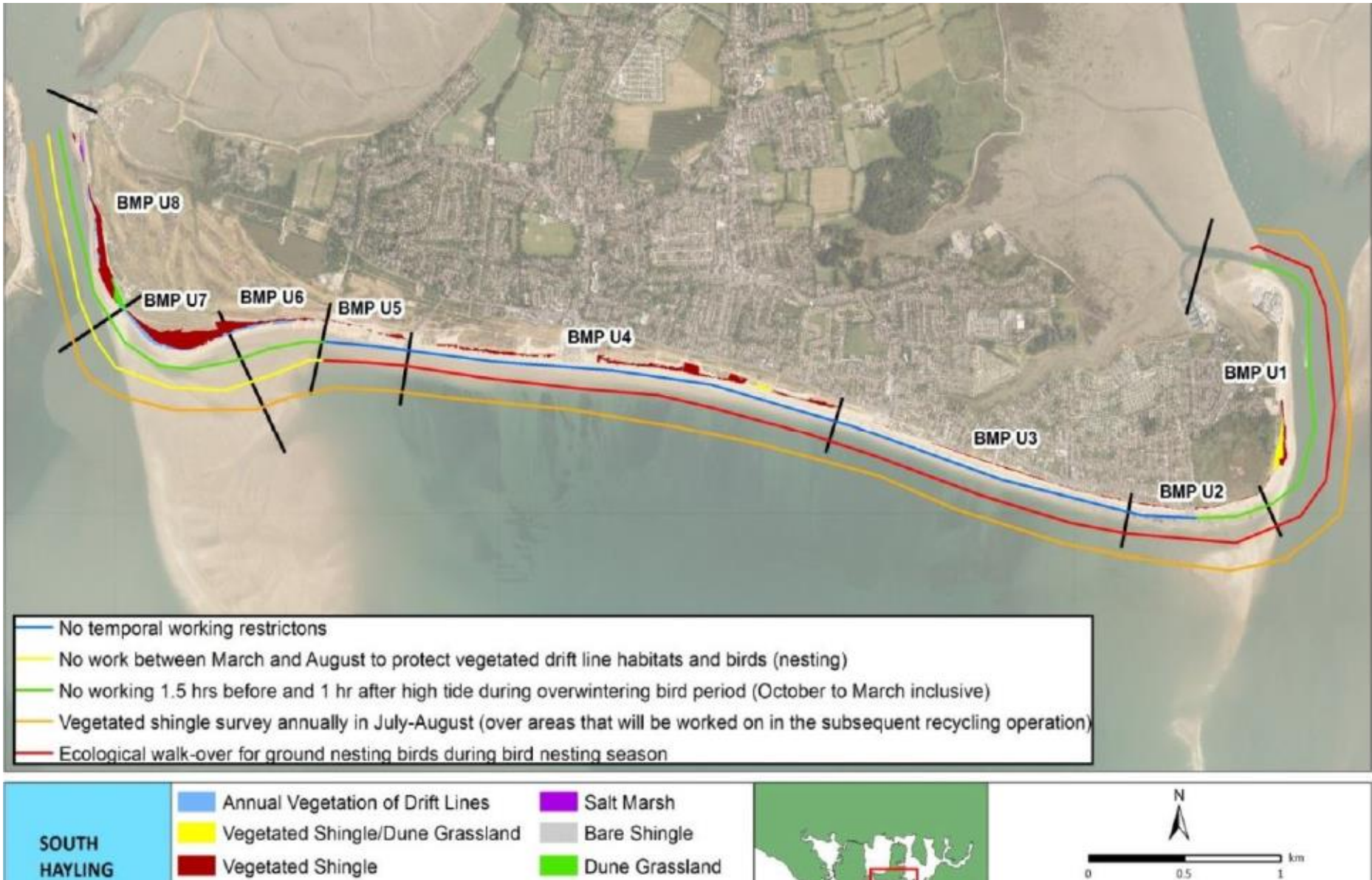
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APPENDIX E – ACCESS ROUTES AND HAUL ROUTES



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APPENDIX F – HABITATS AND ENVIRONMENTAL RESTRICTIONS IN CEMP



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APPENDIX G – DESIGN PROFILE OF EASTOKE COASTAL DEFENCES

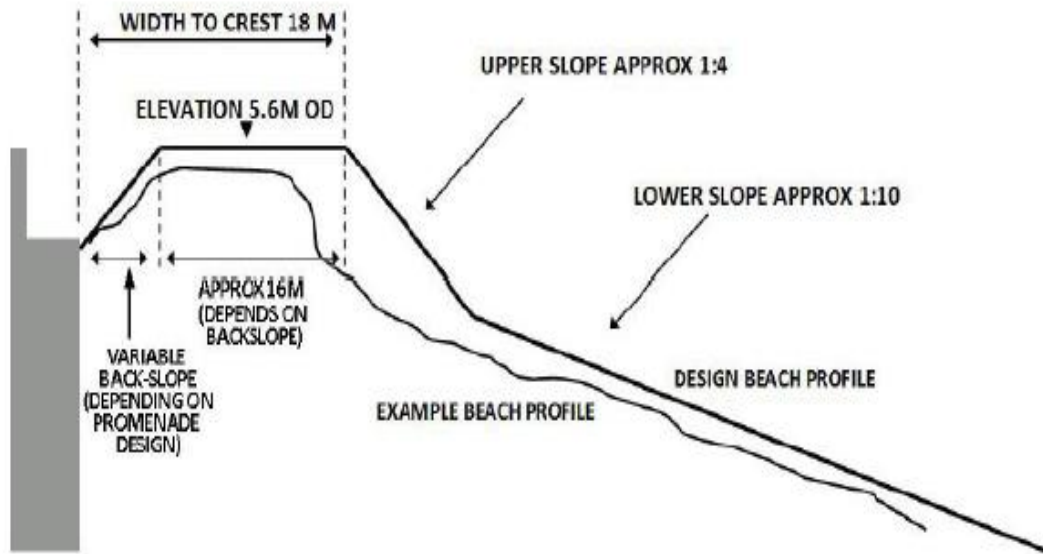


Figure 3.1 The design profile along the Eastoke Beach section

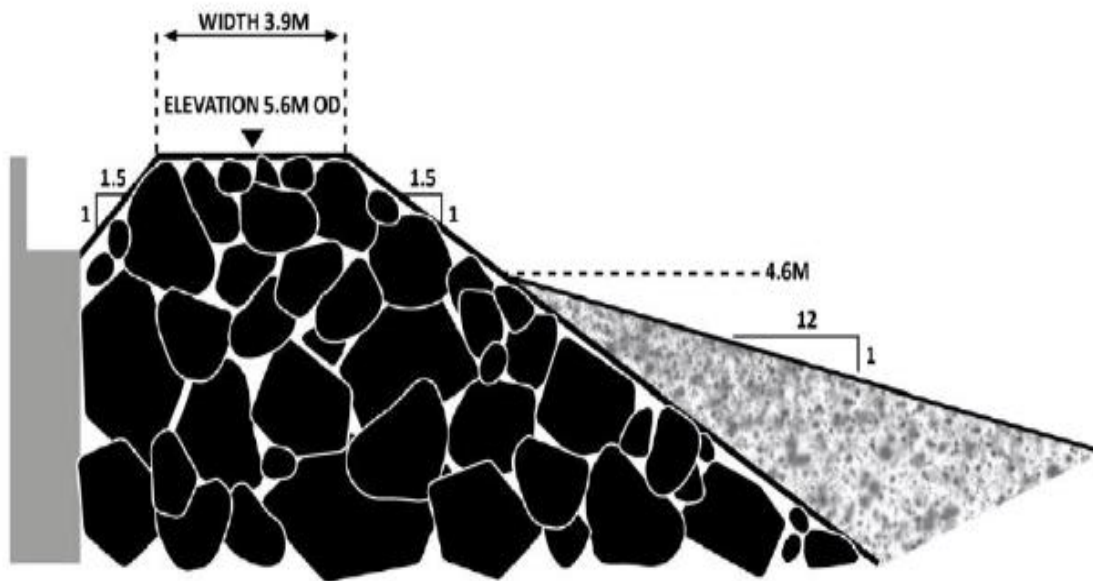


Figure 3.2 The design profile along the Eastoke Point Scheme section

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Rota for the rotating Chairmanship for the Development Management Committee 2017/2018

- Cllr Paul Buckley
- Cllr Gary Hughes
- Cllr David Keast
- Cllr Diane Lloyd
- Cllr Dianna Patrick
- Cllr John Perry
- Cllr Clare Satchwell

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