

P/16/0421/FP

WARSASH

MR S HEATHORN

AGENT: M2 ARCHITECTURE

DEMOLITION OF EXISTING DWELLING & ERECTION OF REPLACEMENT DWELLING
DRIFT HOUSE BROOK AVENUE WARSASH SOUTHAMPTON HAMPSHIRE SO31 9HN

Report By

Susannah Emery - Direct dial 01329 824526

Site Description

This application relates to a site to the west side of Brook Avenue which lies on the banks of the River Hamble. The site is located within the countryside and abuts an area which has international recognition and protection for its biodiversity value. The adjoining land to the rear forms part of the Solent and Southampton Water Special Protection Area (SPA) and Solent Maritime Special Area of Conservation (SAC) designated at international level; the Solent and Southampton Water Ramsar site designated at a national level; and the Lee-on-the-Solent to Itchen Estuary Site of Special Scientific Interest (SSSI).

There is currently a detached two storey dwelling on the site which sits to the northern side of the plot. The dwelling occupies an extensive plot with a rear garden measuring in excess of 140m in length. An outdoor swimming pool and detached garage stood to the south side of the dwelling although the swimming pool has recently been demolished. The site has recently been cleared in preparation for development with the majority of landscaping removed from the site and the boundaries with neighbouring properties. A front boundary laurel hedge measuring approx. 3 metres in height has been retained along Brook Avenue. The levels on site slope gradually downhill from east to west with the site survey plan provided with the application showing the difference in levels to be approximately 9 metres from the road to a point towards the end of the rear garden.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

CS2 - Housing Provision

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

CS14 - Development Outside Settlements

CS15 - Sustainable Development and Climate Change

CS17 - High Quality Design

CS20 - Infrastructure and Development Contributions

Development Sites and Policies

DSP3 - Impact on living conditions

DSP6 - New residential development outside of the defined urban settlement boundaries

DSP13 - Nature Conservation

Relevant Planning History

The following planning history is relevant:

| | |
|----------------------------|--|
| <u>P/01/0427/FP</u> | Replacement Dwelling, Swimming Pool, Conversion/Extension of Existing Double Garage to Form Staff Annexe and New Double Garage. |
| | PERMISSION |
| | 07/12/2001 |

Representations

Sixteen letters were received in response to the original plans objecting on the following grounds;

- The house would dominate and have an adverse impact on the landscape
- View from public footpath adversely affected and will take decades to recover
- The design, layout and appearance of the dwelling is out of character with the area
- Excessive size, out of proportion to other houses along the waterfront
- The dwelling would extend across almost the entire plot
- Little architectural merit
- Institutional appearance of dwelling
- Detrimental to the character of the Lower Hamble Valley as set out in the Fareham Borough Landscape Assessment (1996)
- Extensive hard surfacing and raised terrace to rear of dwelling
- Dwelling should not extend further to the rear than neighbouring properties
- Insufficient space retained to replace the landscaping along the boundaries to screen the dwelling
- Detailed landscaping scheme required including extensive replacement planting to boundaries
- Overbearing impact on neighbouring properties detrimental to outlook and privacy
- Front wing would have overbearing impact on patio to front of Hamble's Edge
- Impact on protected species, birds and internationally protected sites
- Concerns over demolition of swimming pool and subsequent release of chlorinated water, burning on site and destructive clearance of trees/garden prior to planning permission being submitted
- Impact on water table
- There is no demonstrated need for such a large dwelling
- Loss of garden land
- Felling of boundary trees on common boundary may not have been within the ownership of Drift House
- Excessive car parking provision
- Extensive area of hardsurfacing to front of the property should be constructed of permeable material
- Use of Brook Avenue by construction traffic would be detrimental to highway safety
- There has been no commitment to repair any damage caused to Brook Avenue during construction
- Setting a precedent for destruction of other houses to build larger ones
- Contrary to local plan policies CS4, CS14, CS17, DSP6, DSP15
- Ecology report gives inadequate consideration to all protected species and does not provide Phase II bat surveys
- Insufficient information to determine impact of proposal on designated sites

- Japanese Knotweed present on the site

Fifteen letters were received in response to the amended plans with the following additional comments being received;

- Amendments are insignificant
- Size disproportionate to neighbouring properties
- Footprint of dwelling not adequately reduced and dwelling would sit too close to boundaries
- Ridge height would be above the existing dwelling
- Dominant and overbearing intrusion on the landscape
- Unsympathetic destruction of the environment has already occurred in the pursuit of profit with no consideration given to neighbouring properties
- Landscaping matters not addressed and those trees lost should be reinstated
- The removal of the 'wings' and replacement with a detached garage is a better solution but this would sit too close to boundary and adjacent annexe
- Rear elevation remains too bland
- Use of Brook Avenue by construction traffic and reinstatement of any damage
- Loss of view & property value
- Badgers, bats and slow worms are seen regularly in the area
- Japanese Knotweed report should be extended to include adjoining properties
- Impact on the SSSI needs to be considered more carefully
- There is confusion between the planting recommendations of the ecology report and the landscaping scheme
- Permitted development rights should be removed from the site

Consultations

EXTERNAL

Environment Agency - The Environment Agency has assessed this application as having a low environmental risk and raises no objection.

Natural England - The application site is within or in close proximity to a European designated site (also commonly referred to as Natura 2000 sites), and therefore has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The application site is in close proximity to the Solent and Southampton Water Special Protection Area (SPA) and Solent Maritime Special Area of Conservation (SAC) which are European sites. The sites are also listed as Solent and Southampton Water Ramsar site and also notified at a national level as Lee-on-the-Solent to Itchen Estuary Site of Special Scientific Interest (SSSI).

With regards to the SPA/RAMSAR/Solent Maritime SAC site it is advised that that the proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment. A condition is recommended to prevent percussive piling or works with heavy machinery to be undertaken during the bird overwintering period (October to March inclusive).

This application is in close proximity to Lee-on-the-Solent to Itchen Estuary Site of Special Scientific Interest (SSSI). However, given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on this site. A condition is recommended to ensure that all contractors on site are aware of the boundary of the SSSI

and are advised that any storage or encroachment on to the site, without consultation with Natural England, would be considered an offence.

INTERNAL

Highways - No highway objection is raised to this application, subject to a southward visibility splay of 2m by 30m being provided at the proposed access and the gates being set back a minimum of 5m from Brook Avenue.

Environmental Health (Contaminated Land)- A Japanese knotweed management plan is required and works shall be carried out in accordance with the approved plan.

Trees - The proposed landscaping around the dwelling, terrace and front garden is acceptable in arboricultural terms and will enhance the development. The majority of the rear garden should have planting that reflects the character of the area and ecology designations adjacent to the site. Therefore, native species should be used and some additional planting provided to fortify the north and south boundaries to mitigate what was removed.

Ecology - Further information has previously been requested to provide assurance of avoidance of effects to the European designated sites and also characterisation of the identified bat roost as required prior to consent. Information including Phase 2 Bat surveys, landscape plans (replacing recently removed mature trees with native species and providing a large area of unimproved meadow seeding), Japanese knotweed management plan and further ecologist's recommendations with respect to a planting scheme are provided. These have been reviewed. A detailed botanical assessment of the site has not been provided and is requested below to provide necessary information to ensure avoidance of effects on the designated sites.

Modifications to proposals are to be submitted to and approved by the Council in respect of Japanese knotweed management, limitation of herbicide, limitation of fertilizers, constraint of topsoil application and the distance of any meadow feature from extant wetland grassland typifying the Hamble estuary transitional zone, requirement for submission of modified landscape planting and management plan, bat and reptile mitigation strategy, construction environment management plan setting out timing and duration, schedule of works with lead time to obtain necessary licence/s, and avoidance measures (e.g. sPA birds), toolbox talks, pollution prevention measures, encroachment prevention, map of habitats and site set-out.

Planning Considerations - Key Issues

a) Principle of Development

The site is located within the countryside where the principle of the erection of a replacement dwelling is considered acceptable in accordance with Policy DSP6 of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies subject to an assessment of the impacts. Policy CS14 of the adopted Fareham Borough Core Strategy relates to development outside of the settlements and states that built development on land outside of the defined settlements will be strictly controlled to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function. In coastal locations, development should not have an adverse impact on the special character of the coast when viewed from the land or water.

Planning permission was granted in 2001 under officers delegated powers for the erection of a large two storey replacement dwelling on the application site with a width of 21.7 metres and height of approximately 10 metres. Whilst the permitted dwelling would not have extended as close to the southern boundary as is now proposed it was a substantial property with a two storey bulk similar to the dwelling now proposed with the addition of second floor accommodation within the roofspace.

b) Character/Appearance of the Area

The dwelling proposed on the application site would sit amidst a row of seven substantial dwellings which occupy a prominent position to the western side of Brook Avenue on the banks of the River Hamble. The rear elevation of the dwellings can be seen from the opposite side of the Hamble as well as on the river itself and from along the public footpath which runs along the eastern bank. There is typically ample vegetation along the boundaries between the plots which obscures and softens the appearance of the dwellings to differing extents. The existing dwelling on the site is dated and has no particular architectural merit.

The appearance of the dwelling from the waterfront and from the opposite side of the river has been of particular concern to Officers and it was considered that the proposal as originally submitted was excessive in terms of its scale and bulk and would have been visually intrusive and out of keeping with neighbouring properties. Officers have negotiated significant amendments to the proposal since it was originally submitted which included reducing the width of the two storey bulk of the dwelling from 30m in width to 20.8m in width. The distance between the proposed dwelling and the north and south boundaries has been increased to reduce the expansion of the dwelling across the plot. The depth of the property has also been reduced in part and the extensive terrace to the rear of the dwelling has been reduced in size with the outdoor swimming pool removed. When measured from the rear elevation the ridge height of the dwelling would be 12 metres which is 0.5 metre higher than the existing dwelling. The length of the highest part of the ridge line has been reduced since the originally submitted proposal from 9.4 metres to 3.4 metres with the remaining sections of the roof line to either side lowered to reduce the bulk of the roof. Front projecting wings to either side of the dwelling containing a double garage with first floor accommodation above have been replaced by a triple detached garage to be sited forward of the dwelling close to the southern boundary.

The proposed dwelling has been designed so that the main two storey bulk of the dwelling would be centrally positioned within the plot with a reduced height wing to either side with first floor accommodation within the roofslope. The second floor accommodation previously proposed within the roofspace and the proposed front and rear dormers have been removed. The amended plans introduced a front and rear facing central gable feature to the design of the dwelling and the increased articulation of the front and rear elevations gives added visual interest to prevent the formation of expansive and bland elevations. The main two storey bulk of the dwelling would measure 20.8m in width which having been significantly reduced would now be comparable to the two storey width of other properties along this section of Brook Avenue such as Strawberry Hill, Fenmead and Hamble's Edge.

The generous spacing between the dwellings along Brook Avenue are important in contributing to the character of the area. The proposed dwelling would not span the entire width of the plot, as has been suggested, and there would be approx. 4m between the proposed dwelling and the northern site boundary and 4.2m to the southern boundary. As the neighbouring properties are also set in from the party boundary there would be 11.6m

between the proposed dwelling and the nearest part of Fenmead to the north and 5.3 metres to Hamble's Edge to the south. The spacing between the proposed dwelling and Fenmead at ground floor level would be much the same at ground floor level as at present and the separation at first floor level would actually be increased by 5 metres. There is much variation in the separation distances between the dwellings along Brook Avenue at present but single storey additions and outbuildings are commonly sited close to the boundaries increasing the spread of the dwellings across the plots.

The sylvan nature of the landscape is part of the character of this stretch of coastline and the recent clearance of the ground and boundary planting on the application site has given it a stark appearance and left the site more exposed when viewed from the waterfront. The retention of the existing landscaping would have been beneficial in assimilating the proposed dwelling into its setting and whilst the loss of the planting is extremely unfortunate no consent from the Council was required to do so. A detailed landscaping scheme has been submitted which includes for the planting of mature trees along the south and north site boundaries. The tree planting would be denser closer to the dwelling to re-establish the boundary with the neighbouring properties becoming more sporadic closer the waterfront. Evergreen shrubs would also be planted along the southern boundary close to the dwelling to restore privacy to Hamble's Edge. The replacement trees would be planted at a mature age with a planting height of 4-5 metres. The centre of the site would be planted with six native wild cherry trees and ornamental planting would be carried out to the front and rear of the dwelling. A native wildflower meadow is proposed to be planted at the western end of the site adjacent to the waterfront in accordance with the Ecology Report to increase the biodiversity in the area. The hedgerow on the Brook Avenue frontage would be retained and due to the sloping levels on site the detached garage and chalet style wings to the dwelling would be less visible from the road therefore giving a greater sense of separation between neighbouring properties.

In summary whilst the proposed dwelling is undoubtedly large it is the opinion of Officers that the site is of sufficient size to accommodate a dwelling of this scale and the proposed dwelling would be in keeping with existing development along Brook Avenue. The proposed rear elevation 'streetscene' drawing demonstrates that the proposed dwelling would not be of excessive height in comparison to neighbouring properties and due to the separation distance between dwellings it is not considered that the height increase would be overly appreciable to those on the public footpath. It is considered that the separation distances between neighbouring properties would be respectful of the more spacious nature of the area.

c) Living Conditions of Neighbouring Residential Properties

In light of the separation distances between the neighbouring properties and the proposed dwelling it is not considered that the proposal would have a material detrimental impact on the living conditions of the occupants of the neighbouring properties in terms of loss of light or outlook. There are no habitable rooms within the side elevations of the neighbouring properties which would be adversely affected.

There are no first floor windows proposed within the side elevations of the proposed dwelling which would face towards the neighbouring properties. The proposed dwelling would not project significantly further to the front or rear of the neighbouring properties and the rear balconies would be enclosed by the building itself to prevent overlooking to the north and south.

The proposed garage would sit immediately to the north of the detached staff accommodation on the frontage of Hamble's Edge with a separation distance of 2.8metres. It is not considered that the location of the garage would have any adverse impact on the living conditions of the occupant(s) of the staff accommodation which has its primary outlook facing south and west.

The loss of views over and across the site towards the river from a property to the eastern side of Brook Avenue and the subsequent loss of property value is not a material planning consideration.

d) Ecology/Trees

The applicant has provided supporting ecological appraisals in the form of a Phase 1 Ecology Survey and Phase 2 Bat Surveys. Other submitted documents contain information relevant to consideration of the ecological impacts of the development, such as the landscaping specification and management proposals and the Japanese Knotweed Management Plan. Advice has been obtained from Natural England and Hampshire County Council ecology group. Taking into account the advice received Officers consider that there would be no basis to withhold consent on ecological grounds subject to a number of related conditions being imposed on any permission granted.

Under Regulations 61 and 62 of the Habitats Regulations there is a requirement for the Local Planning Authority to consider the impacts of the proposal on the European designated site and to undertake a Habitats Regulations Assessment. It is concluded that whilst the proposal is not necessary for the management of the European site the proposal is unlikely to have a significant effect on any European site, and can therefore be screened out from any requirement for further assessment. It is considered that the application sufficiently demonstrates that the adjacent designated site would be protected in accordance with Policy DSP13 (Nature Conservation) of the adopted Fareham Borough Local Plan Part 2.

The submitted bat surveys confirm that the main house is a brown long-eared bat roost. No bats were seen during the Phase 2 surveys so that the applicant's consultant is confident that no maternity roost is present and that large numbers of bats do not regularly use the site. However, the County's ecologist advises that "it is difficult to conclude that the house is not an occasional or transitional roost for small numbers of (or individual) long-eared bats (and potentially other species)".

The work has the potential to kill/injure bats and therefore will result in a breach of the EU directive underpinning the Habitat Regulations. When assessing an application where an offence under the Regulations is triggered the local planning authority must give consideration to three derogation tests and only grant planning permission if it is considered that Natural England would not be unlikely to grant an EPS license for the works.

An EPS license (from Natural England) can only be granted if the development proposal is able to meet three tests:

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

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

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

Officers consider that the socio-economic benefits of improving the Borough's housing stock meets the first of these tests. Whilst it would be possible to extend the existing house rather than demolish it, in practice the impacts on the existing bat roost from doing so may be little different to its destruction meaning that there would be no satisfactory alternative. The County ecologist has concluded that, on the basis of the information currently available, provided the first two derogation tests can be met, the development is not unlikely to be licensed by Natural England.

e) Highways

The site makes ample provision for on-site car parking in accordance with the Council's Residential Car & Cycle Parking SPD. Whilst there would be a large area of hard-surfacing to the front of the dwelling this is commensurate to the dwelling itself and would be finished with permeable block paving to prevent excessive run-off. The re-location of the access to the property is considered acceptable and would have no adverse impact on highway safety. The access gates to the dwelling have been re-positioned to ensure that there would be 5m between the gates and the edge of the highway to enable a vehicle to pull off the road and the visibility splay requested by the Council's Highways Engineer has been demonstrated. There are no highways concerns.

f) Japanese Knotweed

Concerns have been raised regarding the presence of Japanese Knotweed on the application site. Japanese Knotweed is a non-native invasive species of plant which has been found to be present on the application site and also adjacent land. Japanese Knotweed invades natural habitats and out-competes the native plants and wildlife and the vigorous growth can also damage buildings and hard surfaces. The disruption of the soil on the application site could encourage growth of the plants and this matter is a material planning consideration. A site management plan has been submitted with the planning application which details how it is intended to eradicate the Japanese Knotweed from the application site using one of the various approved methods. It is not known where the Japanese Knotweed has originated from and whilst the management plan includes for the treatment of plants located off-site within close proximity to the boundary with herbicides this land is outside of the control of the applicant so the local planning authority is unable to ensure that treatment of the plants off-site is carried out. Officers are of the view that it would be in the best interests of the relevant land owners to agree a comprehensive program of remedial works to prevent any cross contamination re-occurring in future.

Conclusion

In summary, Officers consider the proposal would have no materially harmful effect on the character or appearance of the site or surrounding area or on the living conditions of neighbours. There are no concerns with regards the impact of the development on highway safety. Satisfactory information has been provided to conclude that there would be no harmful effects on protected species or their habitat or the adjacent designated sites. The development can be carried out so as to avoid the spread of Japanese Knotweed known to be present on the site. There are no other material planning issues to suggest that planning

permission should be withheld.

The proposal has been carefully considered and found to be in accordance with the relevant policies of the adopted local plan, namely Policies CS2, CS4, CS5, CS6, CS14, CS15, CS17 & CS20 of the adopted Fareham Borough Core Strategy and Policies DSP3, DSP6, DSP13 & DSP15 of the adopted Fareham Borough Local Plan Part 2: Development Sites and Policies.

Recommendation

PERMISSION; subject to the following conditions;

1. The development shall begin within 3 years from the date of this decision notice.

REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.

2. The development shall be carried out in accordance with the following approved documents:

i) Site Survey - drwg No. 303

ii) Location Plan - drwg No. 101 Rev A

iii) Proposed Site Plan - drwg No. 200 Rev J

iv) Proposed Elevations and Floor Plans - drwg No. 301 Rev C

v) Garage Elevations & Floor Plans - drwg No. 302

vi) Phase 1 Ecology Report - February 2016

vii) Phase 2 Survey Report & Update

viii) Japanese Knotweed Management Plan - Remediation Report June 2016

REASON: To avoid any doubt over what has been permitted.

3. No development shall take place until details of the external facing and roofing materials to be used in the construction of the dwelling hereby permitted, have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details unless otherwise agreed with the local planning authority in writing.

REASON: To secure the satisfactory appearance of the development in accordance.

4. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the dwelling is first occupied or in accordance with a timetable agreed in writing with the local planning authority and shall thereafter be retained at all times unless otherwise agreed with the local planning in writing.

REASON: In the interests of residential amenity; in the interests of the character and appearance of the area.

5. Notwithstanding the provisions of Classes B and C of Schedule 2, Article 3, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no roof alterations (including the insertion of additional windows or dormer windows) shall be carried out to the roof of the dwelling hereby permitted unless first agreed in writing with the local planning authority following the submission of a planning application.

REASON: In the interests of the visual amenity of the area.

6. No development shall take place until a detailed landscaping and replacement tree planting scheme has been submitted to and approved by the local planning authority in writing. The scheme shall include a specification of the use of native plant species in accordance with the approved ecological report. The approved scheme shall be implemented within the first planting season following the commencement of the development or as otherwise agreed in writing with the Local planning authority and shall be maintained in accordance with the agreed schedule. Unless otherwise first agreed in writing, any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the local planning authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To ensure the provision, establishment and maintenance of a standard of landscaping; in the interests of nature conservation.

7. The dwelling hereby permitted shall not be occupied until the means of vehicular access has been constructed in accordance with the approved plans.

REASON: In the interests of highway safety.

8. No work relating to the construction of any of the development hereby permitted (Including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised public holidays, unless otherwise first agreed in writing with the local planning authority.

REASON: To protect the living conditions of the occupiers of nearby residential properties.

9. No development shall take place until details of the measures to be taken to prevent spoil and mud being deposited on the public highway by vehicles leaving the site during the construction works have been submitted to and approved by the local planning authority in writing. The approved measures shall be fully implemented upon the commencement of development and shall be retained for the duration of construction of the development.

REASON: In the interests of highway safety and the amenity of the area.

10. The development shall be carried out in accordance with the approved Japanese Knotweed Management Plan with regards to the treatment of Japanese Knotweed on the application site. A record shall be kept of the remedial works undertaken during the construction phase of the dwelling and for the length of any long term chemical treatment program undertaken and this report shall be made available to the Local Planning Authority on request.

REASON: To prevent the spread of Japanese Knotweed known to be present on the site; In the interests of nature conservation.

11. Development shall cease on site if, during any stage of the works, unexpected ground conditions or materials which suggest potential contamination are encountered, unless other agreed in writing with the local planning authority. Works shall not recommence before an investigation and risk assessment of the identified material/grounds conditions has been undertaken and details of the findings along with a detailed remedial scheme, if required, has been submitted to and approved in writing by the local planning authority. The remediation scheme shall be fully implemented and shall be validated in writing by an independent competent person as agreed with the local planning authority prior to the occupation of the dwelling hereby permitted.

REASON: To ensure any potential contamination found during construction is properly taken into account and remediated where required.

12. No development shall take place until a Construction Environmental Management Strategy (CEMS) including the following details has been submitted to and approved by the local planning authority in writing:

- a) how provision is to be made on site for the parking and turning of operatives vehicles;
- b) the areas to be used for safe storage of machinery, silt, fuel and other potential contaminations and measures to prevent contamination due to spillage;
- c) the storage of building materials, excavated materials and huts associated with the implementation of the development;
- d) how boundaries of sensitive habitat will be clearly marked and risk pathways and avoidance measures identified;

The development shall be carried out in accordance with the approved details unless otherwise agreed in writing with the local planning authority.

REASON: In the interests of residential amenity; in the interests of nature conservation.

13. No percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax - measured at the sensitive receptor) to be undertaken during the bird overwintering period (i.e. October to March inclusive) unless otherwise agreed in writing with the local planning authority.

REASON: In the interests of nature conservation.

14. The development shall be carried out in accordance with the Phase II Bat Survey and Report Update (David Leach, August 2016) including provision of the ecological enhancements set out in para 5.2 unless otherwise agreed by the local planning authority in writing.

REASON: In the interests of nature conservations and to enhance biodiversity.

Notes for Information

The applicant is advised that should storage or encroachment within the Lee-on-the-Solent to Itchen Estuary SSSI be found to occur, without prior consultation with Natural England, as a result of the proposals during or after the works, this will be considered an offence under Section 28 of the Wildlife and Countryside Act 1981 (as amended) whereby the applicant may be liable on summary conviction to a maximum fine of £20,000 or on conviction on indictment to an unlimited fine.

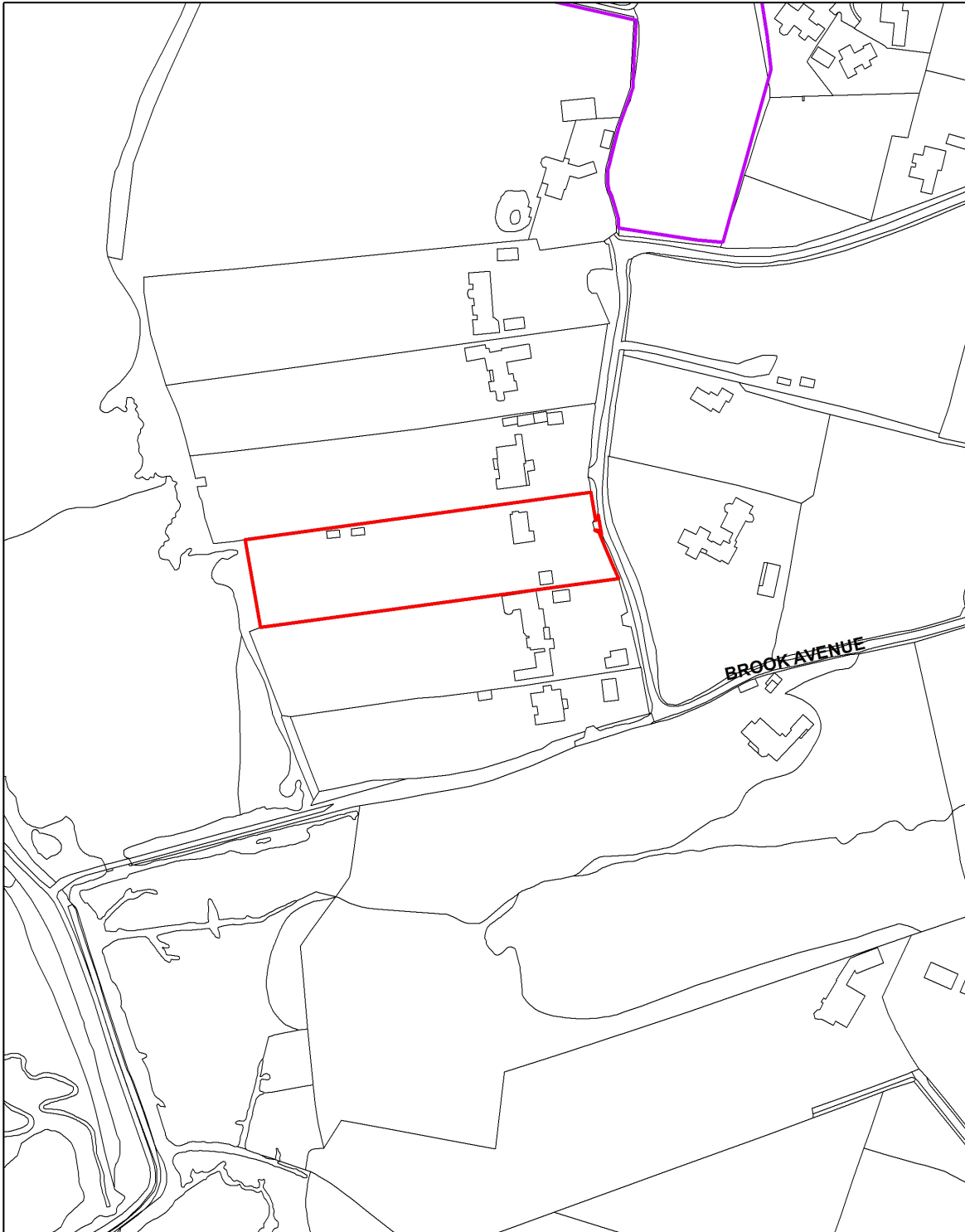
All contractors working on site should be made aware of the above and should be provided with a map that clearly shows the boundaries of the Lee-on-the-Solent to Itchen Estuary SSSI in relation to the development site.

Background Papers

P/16/0421/FP

FAREHAM

BOROUGH COUNCIL



Drift House
Brook Avenue
Scale 1:2500



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