

## **Land South of Romsey Avenue**

**PINS Ref: 3271412**

### **Suggested draft conditions**

*17<sup>th</sup> August 2021*

1. No development shall take place until details of the appearance, scale and layout of buildings and the landscaping of the site (hereafter called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority.

Application for approval of the reserved matters shall be made to the Local Planning Authority not later than twelve months from the date of this permission.

2. The development hereby permitted shall be begun before the expiration of two years from the date of this permission, or before the expiration of one year from the date of the approval of the last of the reserved matters to be approved, whichever is later.

3. The development shall be carried out in accordance with the following plans:

- (i) Site Location Plan No. 16.140.01C
- (ii) Site Areas Plan No. 16.140.28
- (iii) Proposed Access Drawing No. 5611.002D (included in the Transport Addendum (Oct 2019))
- (iv) Highway Works Plan No. 5611.025C (included in the Transport Addendum (Oct 2019))

4. No development hereby permitted shall commence until a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the principles set out within the Updated Surface Water Drainage Technical Note dated 26/5/21 and shall include:

- a) A technical summary highlighting any changes to the design from that within the approved documentation.
- b) Infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed once further plot specific details are submitted.
- c) Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.
- d) Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.
- e) Evidence that urban creep has been included within the calculations.
- f) Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
- g) Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.
- h) Details for the long term maintenance arrangements for the surface water drainage system including the maintenance schedules for each drainage feature type and ownership.

The development shall be carried out strictly in accordance with the approved scheme unless otherwise agreed in writing by the local planning authority. The surface water drainage system shall be maintained in accordance with the approved details thereafter.

#### **Prior to commencement**

5. No development hereby permitted shall commence until an intrusive site investigation and risk assessment has been carried out, including an assessment of the risks posed to human health, the building fabric and the wider environment such as water resources. Where the site investigation and risk assessment reveal a risk to receptors, no development shall commence until a detailed scheme for remedial works to address these risks and ensure the site is suitable for the proposed use has been submitted to and approved by the local planning authority in writing.

The presence of any unsuspected contamination that becomes evident during the development of the site shall be brought to the attention of the local planning authority. This shall be investigated to assess the risks to human health and the wider environment and a remediation scheme implemented following written approval by the Local Planning Authority. The approved scheme for remediation works shall be fully implemented before the permitted development is first occupied or brought into use.

On completion of the remediation works and prior to the occupation of any properties on the development, the developers and/or their approved agent shall confirm in writing that the works have been completed in full and in accordance with the approved scheme.

6. No development hereby permitted shall commence until details of the internal finished floor levels of all the proposed buildings and finished external ground levels in relation to the existing and finished ground levels on the site and the adjacent land 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.
7. The reserved matters to be submitted pursuant to condition 1 shall include the findings of a noise survey that captures noise levels from the current activities at AFC Portchester, the findings of which shall be submitted to the local planning authority. If required by the survey findings or as may be required by the local planning authority, the reserved matters shall include a scheme of noise mitigation measures to achieve appropriate internal and external noise levels at the proposed dwellings in line with BS 8233:2014.

8. No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP shall follow the principles of the Framework Construction Traffic Environmental Plan prepared by Stuart Michael Associates (Issue 3) to include, but not limited to the following:
- a) The parking of vehicles of site operatives and visitors;
  - b) Loading and unloading of plant and materials;
  - c) The routing of lorries in accordance with Plan No. 6729.002.
  - d) Storage of plant and materials used in the construction of the development;
  - e) Measures to control the emission of dust and dirt during construction
  - f) A risk assessment of potentially damaging construction activities;
  - g) identification of "biodiversity protection zones";
  - h) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) including in relation to the protection of badgers;
  - i) the location and timing of sensitive works to avoid harm to biodiversity features including nesting birds;
  - j) the times during construction when specialist ecologists need to be present on site to oversee works

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

9. No development shall take place until a programme of construction including the restriction of construction works in the period of October to February in the following year (to avoid the sensitive period for birds of Portsmouth Harbour SPA) has been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved programme of construction and no restricted construction works as identified in the approved programme shall be carried out in the period of October and February in the following year.
10. No development shall take place until an Ecological Design Strategy (EDS) addressing the Public Open Space and boundary hedgerows has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following:

- a) A description and evaluation of ecological features to be retained, created and managed such as hedgerows, attenuation ponds and trees.
- b) A planting scheme for the ecology mitigation and enhancement areas.
- c) Purpose and conservation objectives for the proposed works.
- d) Review of site potential and constraints.
- e) Detailed design(s) and/or working method(s) to achieve stated objectives.

- f) Extent and location/area of proposed works on appropriate scale maps and plans.
- g) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- h) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- i) Persons responsible for implementing the works.
- j) Details of initial after-care and long-term maintenance.
- k) Details for monitoring and remedial measures.
- l) Details for disposal of any wastes arising from works. The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

The development shall be carried out in accordance with the approved strategy.

11. No development shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority.

The content of the LEMP shall follow the principles of the Framework Landscape & Ecological Specification and Management Plan prepared by FPCR (July 2021) to include the following:

- a) A planting scheme for ecology mitigation and enhancement areas.
- b) A work schedule (including an annual work plan).
- c) The aims and objectives of landscape and ecological management and appropriate management options for achieving the stated aims and objectives.
- d) Details of the persons, body or organisation responsible for implementation of the plan.
- e) Details of a scheme for ongoing monitoring and remedial measures where appropriate.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

12. No reserved matters pursuant to condition 1 shall be submitted until a scheme of works to include the means for the formation, laying out and provision of the Bird Conservation Area (the “Bird Conservation Area Scheme”), the provision of which is secured through the unilateral undertaking from Foreman Homes **dated X**, has been submitted to the local planning authority. The submitted scheme must include, but shall not be limited to:-

- the design and layout of the Bird Conservation Area;
- the areas of wetland creation to provide shallow water conditions within the Bird Conservation Area;
- the boundary fencing, hedgerow planting and ditches to be provided within the Bird Conservation Area;
- the signage and educational interpretation boards to be provided within the Bird Conservation Area;
- the pond to be created in the Bird Conservation Area to provide suitable breeding and foraging opportunities for amphibians and reptile species; and
- a costed plan detailing how the Bird Conservation Area will be managed and maintained for the lifetime of the Development in accordance with the Bird Conservation Area Monitoring Scheme

No development shall take place until the submitted Bird Conservation Area Scheme has been approved in writing by the local planning authority.

13. No reserved matters pursuant to condition 1 shall be submitted until a scheme detailing how the Bird Conservation Area (the provision of which is secured through the unilateral undertaking from Foreman Homes **dated X**) will be monitored (the “Bird Conservation Area Monitoring Scheme”) including a system of reporting to the Borough Council to record the details of such monitoring has been submitted to the local planning authority. Unless otherwise agreed with the Council the scheme shall follow the principles of the Brent Goose Mitigation Area and Bird Reserve Proposal (Lindsay Carrington Ecological Services) (Aug 2020) and the principles of the Framework Landscape & Ecological Specification and Management Plan prepared by FPCR (July 2021) to include, but not limited to, the following:

- monthly monitoring visits of the Bird Conservation Area by a suitably qualified professional from October – March (inclusive) with such visits being undertaken within 2 hours of high tide.
- At least monthly inspection of the boundary fences at the Bird Conservation Area.
- Annual review meetings with the Borough Council to review the effectiveness of the Bird Conservation Area Monitoring Scheme and to allow any necessary revisions to ensure effectiveness; and

- Prescription for the monitoring of newly created habitats to ensure long-term effectiveness for biodiversity mitigation and enhancement as stipulated in section 6 of the Framework Landscape & Ecological Specification and Management Plan (July 2021)

No development shall take place until the submitted Bird Conservation Area Monitoring Scheme has been approved in writing by the local planning authority

#### **Prior to development proceeding beyond dpc level**

14. No development hereby permitted shall proceed beyond damp proof course (dpc) level until an Electric Vehicle Charging Strategy has been submitted to and approved by the Local Planning Authority in writing. The strategy shall identify the nature, form and location of electric vehicle charging points that will be provided, including the level of provision for each of the dwellings hereby approved and the specification of the charging points to be provided. The development shall be carried out in accordance with the approved details.

#### **During construction**

15. No work relating to the construction of any development hereby permitted (including works of demolition or preparation prior to operations) shall take place before the hours of 08:00 or after 18:00 hours Monday to Friday, before the hours of 08:00 or after 13:00 on Saturdays or at all on Sundays or recognised public holidays, unless otherwise first agreed in writing with the Local Planning Authority.

#### **Prior to occupation**

16. No dwelling hereby permitted shall be occupied until details of water efficiency measures have been submitted to and approved in writing by the Local Planning Authority. These water efficiency measures should be designed to ensure potable water consumption does not exceed a maximum of 110L per person per day. The development shall be carried out in accordance with the approved details.
17. No dwelling hereby permitted shall be occupied until a lighting design strategy for biodiversity has been submitted to and approved in writing by the local planning authority.

The strategy shall:

- a) identify those areas/features on site to which bats, brent geese and waders are particularly sensitive and that are likely to cause disturbance in or around their breeding sites and resting places, or along important routes used to reach key areas of their territory, for example, for foraging, and;

- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved strategy, and these shall be maintained thereafter at all times in accordance with the approved strategy.

Unless expressly authorised under the approved strategy, no external lighting shall be installed on the development site unless otherwise first agreed in writing by the local planning authority.

- 18. If the development hereby approved does not commence within 2 years from the date of the appeal decision, the approved ecological measures secured through Conditions 9, 11 and 12 shall be reviewed and, where necessary, amended and updated.

The review shall be informed by further ecological surveys commissioned to:

- a) establish if there have been any changes in the presence and/or abundance of reptiles, badgers and bats and;
- b) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures shall be revised and new or amended measures, and a timetable for their implementation, shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The development shall thereafter be carried out in accordance with the proposed new approved ecological measures and timetable.

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