



NOTICE OF MEETING

PLANNING COMMITTEE

WEDNESDAY, 22 MARCH 2023 AT 10.30 AM

COUNCIL CHAMBER - THE GUILDHALL, PORTSMOUTH

Telephone enquiries to Democratic Services
Email: Democratic@portsmouthcc.gov.uk

If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

Please note the public health requirements for attendees at the bottom of the agenda.

Planning Committee Members:

Councillors Chris Attwell (Chair), George Fielding, Hugh Mason, Robert New, Darren Sanders, Russell Simpson, John Smith, Judith Smyth (Vice-Chair), Linda Symes and Gerald Vernon-Jackson CBE

Standing Deputies

Councillors Dave Ashmore, Lewis Gosling, Abdul Kadir, George Madgwick, Scott Payter-Harris, Steve Pitt, Asghar Shah, Lynne Stagg, Daniel Wemyss and Ian Holder

(NB This agenda should be retained for future reference with the minutes of this meeting.)

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

Representations by members of the public may be made on any item where a decision is going to be taken. The request needs to be made in writing to the relevant officer by 12 noon the day before the meeting and must include the purpose of the representation (e.g. for or against the recommendations). Email requests to planning.reps@portsmouthcc.gov.uk or telephone a member of the Technical Validation Team on 023 9283 4826.

AGENDA

- 1 Apologies
- 2 Declaration of Members' Interests

- 3 Minutes of the previous meeting held on 1 March 2023** (Pages 5 - 14)
- RECOMMENDED that the minutes of the meeting held on 1 March 2023 be agreed as a correct record.
- 4 22/01720/VOC - Sea Defences, Southsea Seafront from Long Curtain Moat in the west to Eastney Marine Barracks in the east.** (Pages 15 - 38)
- Application to vary condition 1 of planning permission 21/00820/VOC to seek approval of amended plans relating to sub-frontage 5 (Pyramids centre to Speakers Corner).
- 5 22/01721/LBC - Sea Defences, Southsea Seafront: Eastney Esplanade between the Pyramids and Speakers Corner** (Pages 39 - 46)
- Removal, repair and relocation of 7no. Grade II listed lamp columns along the seafront.
- 6 22/01722/LBC - Sea Defences, Southsea Seafront: Eastney Esplanade between the Pyramids and Speakers Corner** (Pages 47 - 54)
- Removal, refurbishment and relocation of 3no. Grade II listed seafront shelters.
- 7 22/00226/FUL - Former Royal British Legion, Sixth Avenue, Portsmouth PO6 3PD** (Pages 55 - 70)
- Construction of 4 storey building, comprising 23 No. flats with on site car parking and bicycle storage (following demolition of existing building).
- 8 22/01749/FUL - 163 Station Road, Portsmouth PO6 1PU** (Pages 71 - 78)
- Change of use from dwellinghouse (Class C3) to purposes falling within dwellinghouse (Class C3) or house in multiple occupation (Class C4).
- 9 23/00021/FUL - 108 Milton Road, Portsmouth PO3 6AR** (Pages 79 - 88)
- Change of use from dwellinghouse (Class C3) to house in multiple occupation for eight people (Sui Generis)
- 10 20/01092/FUL - 37 Toronto Road, Portsmouth PO2 7QD** (Pages 89 - 100)
- First floor side extension to form an additional two bedroom dwelling.
- 11 22/01765/HOU - 92 Havant Road, Drayton and Farlington, Portsmouth PO6 2RA** (Pages 101 - 106)
- Construction of 1.5 storey side extension, infill extension at rear, external alterations, and construction of raised terrace platform at rear (including

swimming pool) (resubmission of 22/0071/HOU).

12 22/01761/CPL - 119 Bath Road, Southsea PO4 0HX (Pages 107 - 110)

Application for certificate of lawful development for the proposed construction of rear dormer and installation of rooflights to front roofslope.

Public health guidance for staff and the public due to Winter coughs, colds and viruses, including Covid-19

- Following the government announcement 'Living with Covid-19' made on 21 February and the end of universal free testing from 1st April, attendees are no longer required to undertake any asymptomatic/ lateral flow test within 48 hours of the meeting; however, we still encourage attendees to follow the public health precautions we have followed over the last two years to protect themselves and others including vaccination and taking a lateral flow test should they wish.
- We strongly recommend that attendees should be double vaccinated and have received any boosters they are eligible for.
- If unwell we encourage you not to attend the meeting but to stay at home. Updated government guidance from 1 April advises people with a respiratory infection, a high temperature and who feel unwell, to stay at home and avoid contact with other people, until they feel well enough to resume normal activities and they no longer have a high temperature. From 1 April, anyone with a positive Covid-19 test result is still being advised to follow this guidance for five days, which is the period when you are most infectious.
- We encourage all attendees to wear a face covering while moving around crowded areas of the Guildhall.
- Although not a legal requirement, attendees are strongly encouraged to keep a social distance and take opportunities to prevent the spread of infection by following the 'hands, face, space' and 'catch it, kill it, bin it' advice that protects us from coughs, colds and winter viruses, including Covid-19.
- Hand sanitiser is provided at the entrance and throughout the Guildhall. All attendees are encouraged to make use of hand sanitiser on entry to the Guildhall.
- Those not participating in the meeting and wish to view proceedings are encouraged to do so remotely via the livestream link.

Members of the public are permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting nor records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue. Whilst every effort is made to webcast this meeting, should technical or other difficulties occur, the meeting will continue without being webcast via the Council's website.

Agenda Item 3

PLANNING COMMITTEE

MINUTES OF THE MEETING of the Planning Committee held on Wednesday, 1 March 2023 at 10.30 am in the Council Chamber - The Guildhall, Portsmouth

These minutes should be read in conjunction with the agenda and associated papers for the meeting.

Present

Councillors Chris Attwell (Chair)
Hugh Mason
Darren Sanders
Russell Simpson
John Smith
Judith Smyth (Vice-Chair)
Linda Symes
Gerald Vernon-Jackson CBE
Asghar Shar (Standing Deputy)

Also in attendance

Councillor Payter-Harris.

Welcome

The chair welcomed members of the public and members to the meeting.

Guildhall, Fire Procedure

The Chair explained to all present at the meeting the fire procedures including where to assemble and how to evacuate the building in case of a fire.

25. Apologies (AI 1)

Apologies for absence were received from Councillors George Fielding and Robert New. Councillor Asghar Shar was present as a Standing Deputy for Councillor Fielding.

Councillor Gerald Vernon-Jackson apologised that he would need to leave the meeting before 1:00pm to get to another meeting and Councillor Hugh Mason apologised that he would need to leave the meeting at 1:30 to get to another commitment.

26. Declaration of Members' Interests (AI 2)

Item 4, 22/01292/FUL - Land at Tipner East, East of the M275, West of Twyford Avenue

Councillor Darren Sanders declared that he knew Mark Perry, the agent for the application, in his capacity as Cabinet Member for Housing and Preventing Homelessness, however he had not discussed the Tipner application with him. This was not a disclosable pecuniary interest.

Item 5 - 22/01102/FUL - 49 St Pirans Avenue, Portsmouth, PO3 6JE Councillor Darren Sanders advised that he had called in this application and would be making a deputation on this item as Ward Councillor so he would leave the meeting for the discussion of this item.

Item 8 -22/01528/FUL - Shed 9, The Camber, White Hart Road, Portsmouth, PO1 2JX

Councillors Darren Sanders and Chris Attwell made voluntary declarations. They advised that they knew and had spoken to Ms Riches, one of the deputees, but had not discussed the application with her and they had kept an open mind therefore this was not a disclosable pecuniary interest.

Councillor Attwell had received correspondence from residents, but had not expressed an opinion on the application.

Item 9 - 23/00004/PLANREG - 8 Highbury Way, Portsmouth, PO6 2RH Councillor Judith Smyth made a voluntary declaration. She advised that herself and Councillor Asghar Shar were both members of the Labour party, and had worked closely with Councillor Shah, but she did not have a close personal relationship with Councillor Shah. She has not discussed the application with him. After seeking legal advice Councillor Smyth did not consider that she has any personal or prejudicial interests.

Councillor Asghar Shar declared a disclosable pecuniary interest as he was the landowner and applicant for this application and would therefore leave the meeting for the discussion of this item.

27. Minutes of the previous meeting held on 8 February 2023 (AI 3)

Members noted that for minute numbers 15,17 and 18 there was a typing error under deputations - Cerriane Wells should be amended to Carianne Wells.

RESOLVED: That the minutes of the Planning Committee held on 8 February 2023 be agreed as a correct record subject to the above amendment.

PLANNING APPLICATIONS

The Supplementary Matters report and the deputations (which are not minuted) can be viewed on the Council's website at:

[Agenda for Planning Committee on Wednesday, 1st March, 2023, 10.30 am Portsmouth City Council](#)

The Chair advised that he would be amending the order of the agenda slightly. The applications were considered in the following order but for ease of reference the minutes will be kept in the original order:

22/01292/FUL Land at Tipner East, East of the M275, West of Twyford Avenue, Portsmouth

22/01102/FUL 49 St Piran's Avenue, Portsmouth, PO3 6JE
22/01528/FUL Shed 9, The Camber, White Hart Road, Portsmouth, PO1 2JX -
22/01603/FUL 36 Hartley Rd, Portsmouth, PO2 9HU
22.01707/FUL 51 Shadwell Road, Portsmouth, PO2 9EH
22.01707/FUL 51 Shadwell Road, Portsmouth, PO2 9EH
23/00004/PLAREG 8 Highbury Way, Cosham PO6 2RH

28. 22/01292/FUL - Land at Tipner East, East of the M275, West of Twyford Avenue, Portsmouth (AI 4)

Detailed planning application for the redevelopment of site to provide 835 residential units of 1,2,3 and 4 bed units across a number of buildings of between 2 and 11 storeys, to include some ground floor commercial (use class E) and community uses (use class F1 and F2), within blocks E,F, J and K. With vehicular access from Twyford Avenue and pedestrian cycle and emergency access to and from the park and ride. To include landscaping, sea wall improvements to the ecological barge, new coastal path cycle lane, car parking and services and other associated works. This application constitutes EIA development.

The Assistant Director of Planning and Economic Growth presented the report and drew attention to the additional information in the Supplementary Matters report. He advised that there is an area of undeveloped land to the south of the application site which is in the ownership of Homes England and under the control of Bellway Homes, that have a complimentary application coming forward in due course.

Deputations

Mark Perry, Chief Executive VIVID Homes.

Members' questions

In response to members' questions, officers clarified that:

- Car parking management is proposed as part of the conditions. Conversations are ongoing regarding the use of the proposed transport hub which is why the letter from the Chief Executive, David Williams was included as part of the supplementary matters list. The scheme is very low in parking provision and there is no assumption that 396 parking spaces will be provided in a future the transport hub. The maximum benefit for connecting to sustainable and active transport is in the mind of all parties.
- The car parking management plan would be a binding condition with any developer and the authority would hope that they would want to continue those conversations to maximise that opportunity.
- This application was deferred in January 2023 to allow for further discussions with coastal partners and the Environment Agency. There are a number of elements to the flood defence; the flood wall which is in the control of the application site which connects through to the rest of the Tipner Lake flood wall. There is a gap where there will need a managed solution and on the west side the land peters out to the M275 embankment. Grampian conditions will be required for both the eastern and western gap to require that the flood defence is put in with the appropriate management in place, prior to the occupation of the development.

- There are lots of conditions regarding surface water and flood management on site discussed in depth with the Environment Agency. There were several challenges with surface water drainage which would drain the site directly into the Tipner Lake. These would be finalised through the planning conditions.
- There would be plenty of opportunities for kerb side planting which would include drainage opportunities and enhance biodiversity.
- The scheme would be capable of taking equipped play and this would be part of the ongoing discussions.
- With regard to a cycle way dedicated to children, officers said they would make a note of this for the ongoing discussions. It is a low car scheme so it would be well suited for cycling for children.
- Mr Maguire said that if you wish for a lower car future for the city, parking provision must be reduced. This was a challenge however unless parking provision is reduced, it will be more convenient for people to have a car. There is a risk that more people will own cars living on this site than there are spaces. In terms of where excess cars would park there is the existing park and ride and surrounding streets which would be inconvenient to existing residents. This disadvantage of the scheme needs to be weighed against the advantages of providing new homes; until development happens there will be no infrastructure.
- The policy compliant level is a floor so it would be not less than 30% affordable homes.
- One of the Heads of Terms required in the planning obligation is in respect of community space, culture and community arts which entails a detailed understanding of what and how the commercial community spaces will be offered up to market. A second element is community access to determine if some buildings will only be for community use and this will be secured through planning obligation. The rest of the commercial and community space is to be looked at as onsite employment space to include a convenience shop or some enterprise and co-working spaces. There is a collaboration agreement between VIVID Homes and Bellway to maximise those shared opportunities. If the transport hub comes forward this will have an amount of non-parking structures which forms the opportunity of an urban village centre.
- One of the planning obligations is around bus opportunities. The design from VIVID Homes to enable exit bus gate on the north side of the park and ride to allow buses to move east to west from the park and ride and discussions are ongoing with bus providers.
- The objection from the Highways Authority has largely been resolved. The original submission did not involve a junction redesign at Twyford Avenue. Since the deferral a design has been provided and has gone through a stage one road safety audit which demonstrated there are two or three options to deliver that junction safely. The Highways Authority wants more information which will be required by planning condition and then it will need to go through stage two of the road safety audit.
- A planning obligation would be more appropriate than a condition to ensure a route through to the park and ride/transport hub is achieved. A bus services contribution would need to be a contribution through the s 106 agreement, not a condition.
- The authority has signed a contract through Enterprise for a car club in the city. Car hire provision is part of the conversation around the transport hub.

The car parking access and management plan will cover this and paragraph 7.7 of the report gives a breakdown of the number of spaces at the proposed transport hub including EV charging spaces and disabled bays.

- The obligation of water companies is to accept foul water and they have a power under the Water Management Act to acquire contribution from developers who are increasing the impact on the sewer system. This is outside the planning function.

Member's comments

Member had serious concerns about the lack of parking in the scheme however welcomed the development and said it was long overdue.

RESOLVED:

- (1) Permission was granted subject to a s106 agreement and conditions, including the obligation to provide an Employment and Skills Plan as part of the finalised s106 agreement;**
- (2) Authority was delegated to the Assistant Director of Planning and Economic Growth to finalise the wording of the draft conditions and to finalise the s106 agreement in line with the Heads of Terms listed in the report.**

29. 22/01102/FUL - 49 St Piran's Avenue. Portsmouth PO3 6JE (AI 5)

(Councillor Sanders withdrew from the meeting and moved to the public gallery to make a deputation on this item)

Change of use from dwellinghouse (Class C3) to purposes falling within classes C3 (dwellinghouse) or C4 (House in Multiple Occupation)

The Assistant Director Planning and Economic Growth presented the report and drew attention to the additional information in the Supplementary Matters report.

Deputations

Mr Gary Tobitt, objecting

Mr Terry Leonard, objecting

Councillor Darren Sanders, Ward Councillor

Mrs Carianne Wells, Agent for the applicant

Members' questions

In response to members' questions, officers clarified that:

- With regard to the query raised by one of the deputees over the depth of the rear extension, officers explained that when the rear extension was approved under the prior notification process, the Planning Authority was satisfied that the conservatory rear wall was at the same place as the original rear wall. Therefore, it is 6m beyond that and the 2m conservatory which gives an 8m reconstruction.
- The authority is able to grant planning permission to build above the sewer network, however this would need to building regulation approval.
- The Planning Authority would not have any powers to ensure that the lounge on the ground floor would not become bedroom 7. The Council can impose

conditions on the grant of planning permission if there are planning reasons to do so. Whether or not the lounge is provided makes no difference to the Council's adopted standards because the full provision of communal space is provided in the combined living/dining space. The communal living space requirements are the same for 6 people as it would be for 7. There would be no planning reason to be concerned with a potential future conversion into a seventh bedroom as it meets the required standards.

- It would be a matter for planning judgement on whether this would need to come back to committee to become a Sui Generis HMO and would be dependent on whether there was an enforcement case, how that seventh occupant is provided and whether a planning application is submitted.

Member's comments

Members were disappointed with this application as when this previously came to committee members' raised concerns that the lounge has an ensuite and felt that the lounge would likely become a seventh bedroom. Concern was also raised that the building works would be over the sewer network and would disadvantage being able to access the sewer network. It was also suggested that a condition be added that only 6 people can live in the property. Officers advised that building over the sewer network would be a building regulations issue and would not be a material planning consideration. It would be in the committee's gift to impose a condition to limit the number of occupants to 6 however this would need a planning reason; space standards would not be a sufficient reason.

A proposal for refusal was put forward but this motion fell.

RESOLVED to grant conditional planning permission as set out in the officer's committee report and the Supplementary Matters report.

The committee had a 15 minute adjournment at 12:15.

30. 22/01603/FUL - 36 Hartley Rd, Portsmouth, PO2 9HU (AI 6)

Change of use from dwellinghouse (Class C3) to house in multiple occupation for seven people (Sui Generis).

The Assistant Director of Planning and Economic Growth presented the report.

Deputations

Mr Henry Thorpe, objecting (read out by Councillor Russell Simpson)

Mrs Carianne Wells, Agent for the applicant

Councillor Payter-Harris, Ward Councillor

Members' questions

In response to members' questions, officers clarified that:

An earlier application was considered by the Committee on 9 November 2022 when it was under appeal for non-determination, and it was resolved that planning permission would have been refused due to inadequate safe amenity space for the occupier of bedroom six contrary to building regulations. This has now been clarified and there are double doors out into the rear garden, so this issue is now resolved.

Member's comments

Members' felt that when the application came forward previously it was to move from C3 to C4 use. It was felt that adding another bedroom would cause the property to be overcrowded. It was noted however that the application does provide adequate communal living. It was also noted that the policy issues raised would be considered as part of the HMO SPD which is being considered as part of the Local Plan review.

RESOLVED to grant conditional planning permission as set out in the officer's committee report.

31. 22.01707.FUL - 51 Shadwell Road, Portsmouth PO2 9EH (AI 7)

Change of use from dwellinghouse (Class C3) to purposes falling within classes C3 (dwellinghouse) or C4 (House in Multiple Occupation).

The Assistant Director of Planning and Economic Growth presented the report. He pointed out that the annotation of the drawings on room sizes was incorrect and do not match those figures put into the table in the report; the figures in the table were the accurate measurements.

Deputations

Mr Henry Thorpe, objecting (read out by Councillor Russell Simpson)

Mr Simon Hill, on behalf of the applicant.

Councillor Payter-Harris, Ward Councillor

There were no questions.

Member's comments

Members' felt that flats should be included when reviewing how many HMOs are within a 50m radius.

-

RESOLVED to grant conditional planning permission as set out in the officer's committee report.

32. 22/01528/FUL - Shed 9, The Camber, White Hart Road, Portsmouth PO1 2JX (AI 8)

Refurbishment of existing fish market to include wheelchair accessible main entrance; electric sliding door, alterations to fenestration, fixed awnings; installation of external freezer room and secure pant area for new condenser units.

The Assistant Director of Planning and Economic Growth presented the report.

Deputations

Mr Chris Barker, Agent

Ms Paula Riches, Supporting the application.

Members' questions

In response to members' questions, officers clarified that:

- The opening hours of the fish market are 7am to 3pm and there is no intention to amend these hours.
- The installation of the external freezer room would be approximately 50cm above the existing wall.
- When there are no other storage containers or fishing equipment there is space for a vehicle to turn. It is not public land. The broader implications for the area are however nil as it is a piece of land that is some distance away from the public highway.
- There would be no change to the coastal path, the changes are to the south and to the northern frontage.

Member's comments

Members felt that this was a good scheme which would improve the appearance of the area.

-

RESOLVED to grant conditional planning permission as set out in the officer's committee report.

(Councillor Vernon-Jackson left the meeting at the end of this application)

33. 23/00004/PLAREG 8 Highbury Way Portsmouth PO6 2RH (AI 9)

(Councillor Shah left the meeting due to his previously declared disclosable pecuniary interest)

Retrospective application for the construction of 2 no. rear outbuildings.

The Assistant Director for Planning and Economic Growth presented the report.

Members' questions

In response to members' questions, officers clarified that:

- The applicant had undertaken development without planning permission which is a breach of planning control, therefore a retrospective application was required to resolve this. The General Permitted Development Order (GDPO) is a confusing document and it was not uncommon for householders to undertake development without realising that planning permission is required. If this happens applicants are invited to make a retrospective planning application.

- Officers have delegated authority to determine householder applications with no objections. This application had come to committee due to the applicant being a member of the Council.

RESOLVED to grant conditional planning permission as set out in the officer's committee report.

34. 22/01565/HOU - 107 Portchester Road, Portsmouth PO2 7JA (AI 10)

(Councillor Hugh Mason left the meeting prior to the commencement of this item)

Construction of single storey rear and side extension.

The Assistant Director for Planning and Economic Growth presented the report.

There were no questions or comments.

RESOLVED to grant conditional planning permission as set out in the officer's committee report.

The meeting concluded at 1.39 pm.

Signed by the Chair of the meeting
Councillor Chris Attwell

This page is intentionally left blank

Agenda Item 4

22/01720/VOC

WARD: ST JUDE

SOUTHSEA SEAFRONT FROM LONG CURTAIN MOAT IN THE WEST TO EASTNEY MARINE BARRACKS IN THE EAST

APPLICATION TO VARY CONDITION 1 OF PLANNING PERMISSION 21/00820/VOC TO SEEK APPROVAL OF AMENDED PLANS RELATING TO SUB-FRONTAGE 5 (PYRAMIDS CENTRE TO SPEAKERS CORNER)

DOCUMENT LINK: [HTTPS://PUBLICACCESS.PORTSMOUTH.GOV.UK/ONLINE-APPLICATIONS/SIMPLESEARCHRESULTS.DO?ACTION=FIRSTPAGE](https://publicaccess.portsmouth.gov.uk/online-applications/simplesearchresults.do?action=firstpage)

Application Submitted By:
Portsmouth City Council

On behalf of:
Portsmouth City Council
Coastal Partners On behalf of Portsmouth City Council

RDD: 14th December 2022
LDD: 6th April 2023

The Southsea Coastal Scheme is a Flood and Coastal Erosion Management Scheme (FCERM) that stretches 4.5 km along the southern edge of Portsea Island and is split into seven sub-frontages. It is a major infrastructure project to reduce the risk of coastal flooding. Planning consent was granted for the full scheme in December 2019 (19/01097/FUL) along with a Marine Licence (L/2020/00121/2).

Flood inundation modelling shows a present-day major flood event (1 in 200 year) would directly or indirectly affect 8,077 residential and 704 non-residential properties; a potential depth of water around the Great Morass of over 4m highlights a significant risk to life. The fragility of the seafront defence structures has been realised over recent years. There was a breach in Long Curtain Moat counterscarp wall in February 2014, a critical failure of a 30m length of seawall in front of the Pyramids in December 2015 and the collapse of a 40m length of seawall and promenade in April 2018.

The Outline Business Case to the Environment Agency as part of ESCP's funding application shows that recovering from a major flood event in Southsea could cost up to £950 million. The scheme therefore is of incredibly high public significance and benefit.

SUMMARY OF MAIN ISSUES

1. The key issues in this application are whether the principle of the development is acceptable in the location proposed and whether the submitted ES adequately assesses the significant environmental impacts of the proposed scheme having regard to the international and national nature conservation designations and heritage assets in and around the area. Other important issues include the design/impact on heritage assets, ecological impacts, highways implications, impact on amenity of residents and any other material matters raised in representations.

SITE DESCRIPTION

2. The Southsea Seafront stretches for 4.5 km from Long Curtain Moat in the west to Eastney Esplanade in the East. This application relates to Sub Frontage 5 (SF5) which is the section between The Pyramids Centre and South Parade Pier as shown, highlighted, below. :



PLANNING CONSTRAINTS

3. The site contains, or is adjacent to, several ecologically designated sites:
 - Portsmouth harbour: SPA and Ramsar, SSSI
 - Chichester and Langstone Harbours: SPA and Ramsar, SSSI
 - Solent Maritime SAC
 - Solent and Dorset Coast pSPA

POLICY CONTEXT

4. The relevant policies within the Portsmouth Plan (2012) would include:
 - PCS9 (The seafront),
 - PCS12 (Flood Risk),
 - PCS13 (A Greener Portsmouth),
 - PCS14 (A Healthy City),
 - PCS16 (Infrastructure and community benefit),
 - PCS17 (Transport),
 - PCS23 (Design and Conservation),
 and saved policy DC21 (site contamination) of the Portsmouth City Local Plan.
5. The application site also falls within the area covered by the Seafront Masterplan SPD (2021).

RELEVANT PLANNING HISTORY (MOST RECENT FIRST)

Application Ref.	Proposal	Decision & Date
22/01722/LBC	Removal, refurbishment and relocation of 3no. Grade II Listed seafront shelters	Pending consideration
22/01721/LBC	Removal, repair and relocation of 7no. Grade II Listed lamp columns along the seafront	Pending consideration
21/01788/DOC	Application to seek approval of details reserved by conditions 3 (Contaminated Land), 15 (BMEP), 19 (Drainage), 20 (CEMP), 21 (CTMP),	Approve, 10/02/22

	36 (Rock), and 37 (Primary defences) of planning permission 21/00820/VOC	
21/01077/DOC	Application to seek approval of details reserved by conditions 2 (revised phasing plan), 5 (revised archaeology), 36 (additional rock scales) and 37 (additional primary defence scales) of planning permission 21/00820/VOC	Approve, 03/11/22
22/01236/NMA	Non-Material Amendment to planning permission 21/00820/VOC, to allow slight realignment of the vertical sea defences at sub-frontage 1: Long Curtain Moat	Approve, 20/09/22
21/00820/VOC	Application to vary condition 2 [approved plans] of planning permission 19/01097/FUL: Flood and coastal erosion management scheme comprising a combination of vertical sea wall, raising and realignment of the promenade, construction of stepped revetment, rock armour revetments and groynes, secondary defence walls and bunds, beach widening and management, and all associated works, highway alterations, removal of trees and landscaping. Scheme includes the removal and repositioning of 34no. Grade II Listed lamp columns, 3no. Grade II Listed shelters and 6no. Grade II Listed monuments, works affecting the Grade II Listed South Parade Pier, regrading and works to the Grade II Listed Southsea Common and works to the Grade I Listed naval memorial [the proposal constituted an EIA development]. This application, under section 73 of the Town and Country Planning Act 1990, seeks approval of amended plans relating to <u>sub-frontage 4 (Southsea Castle)</u> and is accompanied by the original Environmental Statement [July 2019] with an Addendum [May 2021]	Grant, 19/08/21
19/01097/FUL	Flood and coastal erosion management scheme comprising a combination of vertical sea wall, raising and realignment of the promenade, construction of stepped revetment, rock armour revetments and groynes, secondary defence walls and bunds, beach widening and management, and all associated works, highway alterations, removal of trees and landscaping. Scheme includes the removal and repositioning of 34no. Grade II Listed lamp columns, 3no. Grade II Listed shelters and 6no. Grade II Listed monuments, works affecting the Grade II Listed South Parade Pier, regrading and works to the Grade II Listed Southsea Common and works to the Grade I Listed Naval Memorial. The proposal constitutes EIA development.	Grant, 05/12/19

PROPOSAL

- This application proposes some minor amendments to elements of the scheme within sub-frontage 5 west (Pyramids to Speakers Corner) only and is an application submitted in accordance with S.73 of the Town and Country Planning Act (1990), hereafter referred to as a S73 application.

7. This application seeks to vary Condition 1 (Approved Plans) of the planning consent, with amended plans to supersede the previously approved plans relating to sub-frontage 5 west.
8. The alterations are considered to be within the scope and intent of a S73 which seeks to amend an existing planning consent. Whilst there is no statutory definition of 'minor material amendment', the amended proposal is considered to fall within the NPPG's description of something "*where its scale and/or nature results in a development which is not substantially different from the one which has been approved*". The proposed Scheme still sits squarely in accordance with the approved description of development as well as the details regarding landscaping and other design features set out within the original Design and Access Statement.
9. The proposal as approved allowed for the provision of a managed beach, a stepped revetment with sheet pile and a rock armour toe as the primary defence and a combination of reinforced concrete wall and stepped upstand as the secondary defence.
10. Due to the scale of this FCERM scheme the Flood Grant in Aid funding was split in two parts. The first allowed what is referred to as the 'Principal Design' to be completed. This is the level of detail that secured the full planning permission and marine licence. Following these consents, the final proportion of funding was received, which allowed the 'Detailed Design', which is a design to a detailed engineering specification, to commence. This latter design phase is being undertaken in phases, generally following the order of construction for the sub-frontages.
11. This additional funding has allowed more survey work and technical calculations to be undertaken which has allowed refinements and improvements to sub-frontage 5 west. Most of these improvements fall within the scope of the existing planning consent, with the finer details to be approved via planning conditions but some of these amendments, whilst considered to be minor in the context of the Scheme, require the existing consent to be formally amended.
12. The amendments for which formal approval is sought, see Section 3 of [Addendum 2](#) dated December 2022 to the Environmental Statement (ES), for a full description, can be summarised as follows:
 - Removal of the rock toe
 - Improved public realm;
 - Soft landscaping;
 - Reduced interaction with the adjacent Scheduled Ancient Monument (Southsea Castle).
13. The proposal for sub-frontage 5 (The Pyramids Centre to Speakers Corner) is the provision of a managed beach and a stepped revetment with sheet pile as the primary defence, and a combination of reinforced concrete wall and stepped upstand as the secondary defence.

Beach and beach control structures

14. A managed beach is proposed at sub-frontage 5 (The Pyramids Centre to Speakers Corner) to reduce overtopping discharges on the primary defence during storm events, reduction in the required height of the primary and secondary defences, protect the stepped revetment from exposure to the intertidal zone, protect the toe of the revetment and enable an efficient structure design, provide for safe access and egress where currently available, and maintain seaside amenity and visual landscape where this currently exists
15. The existing beach is proposed to be replenished to a design profile which will work in conjunction with the primary and secondary defences to provide the required 0.5% AEP SoP. A large capital import of beach material will bring the beach up to the following recommended design profile with set beach crest widths and heights:
 - Minimum beach crest width: 12m

- Design beach crest widths*: 22m (chainage +1970m to 2220m), and 19m (chainage +2220m to +2940m).
- Design beach crest level: 4.7mOD.
- Beach slope: 1 in 8.

** Beach crest widths are measured from the toe of the stepped revetment.

16. A beach management cycle of 10 years is proposed at sub-frontage 5 (The Pyramids Centre to Speakers Corner), with a planned beach management campaign at the end of the cycle to restore the beach to its design profile. Routine surveys and monitoring of the beach will take place, and if beach crest recession occurs at a faster rate than predicted and there is a risk the minimum beach crest width will be reached sooner than the anticipated management period, a beach management campaign will be triggered prior to the planned management cycle.

Primary Defence

17. The primary defence proposed at sub-frontage 5 (The Pyramids Centre to Speakers Corner) is formed from a combined system of a concrete stepped revetment with a sheet pile toe and reinforced concrete capping beam. The step dimensions of the revetment are proposed to be 300mm (going) x 150mm (riser).
18. The beach and primary defence are designed to work together to achieve an average overtopping rate that is within the safe allowable limit for pedestrians in a 100% AEP event in the year 2120.

Secondary Defence

19. The secondary defence proposed at sub-frontage 5 (The Pyramids Centre to Speakers Corner) is a vertical reinforced concrete wall at the landward side of the promenade. Table 3.1 shows existing and proposed promenade and secondary defence levels.
20. The beach, primary defence and secondary defence are designed to work together to provide a 0.5% AEP SoP in the year 2120.

Table 3.1: Existing and proposed promenade and secondary defence levels for sub-frontage 5 west (Pyramids Centre to Speakers Corner)

Location (approx. chainage)	Typical existing promenade level (mAOD)	Proposed promenade level (mAOD)	Proposed secondary defence level (mAOD)	Notes
The Pyramids Centre to Speaker's Corner (+2000m to +2480m)	+4.20	+5.00	+5.60	Promenade raised approx. 0.8m

Promenade and Landscape Proposals

21. The proposed promenade widths vary along sub-frontage 5 (The Pyramids Centre to Speakers Corner). A summary of typical existing and proposed widths is provided in Table 3.12 below. The variance in the promenade widths proposed is to accommodate features such as ramps on the landward side from existing paths and road level to the new promenade.

Location (approx. chainage)	Typical existing promenade width	Proposed promenade width	Notes
The Pyramids Centre (+2000m to +2050m)	8.5m	7.5-8.0m	Promenade width reduced by 0.5-1.0m.
The Pyramids Centre to Speaker's Corner (+2050m to +2350m)	15m	8.2m, widened to 14.8m in the area adjacent to Victorian shelters and Rock Gardens entrance steps	Promenade width reduced by approx. 7m in places but kept wider by the Victorian shelters.
Speakers Corner to The Dell (+2350m to +2480m)	8m	8m	Promenade width maintained.

22. The promenade construction material along sub-frontage 5 (The Pyramids Centre to Speakers Corner) is proposed to be concrete with an exposed aggregate surface finish.
23. Pedestrian access steps and ramps from existing footpath or road level to the new promenade level are proposed at a number of locations along sub-frontage 5 (The Pyramids Centre to Speakers Corner), summarised in Table 3.13 below. Ramps are proposed with a maximum 1 in 21 gradient to accommodate wheelchair users.
24. Access steps and ramps have been proposed to replicate or better existing provisions where possible.

Location (approx. chainage)	Notes
Adjacent to Pyramids (+2050m to +2075m)	Pedestrian access ramp at 1 in 21 gradient
Adjacent to the East Battery (+2015m to +2020m)	Pedestrian access steps

Location (approx. chainage)	Notes
Adjacent to Pyramids (+2070m to +2075m)	Pedestrian access steps
Entrance to Rock Gardens opposite listed shelter (+2170m)	Access steps
West of the Portsmouth and Southsea Voluntary Lifeguards station (+2180m to +2220m)	Pedestrian access ramp at 1 in 21 gradient
Adjacent to The Briny (+2240m to +2045m)	Pedestrian access steps
Adjacent to Speakers Corner (+2300m to +2310m)	Pedestrian access steps
Speaker's Corner (+2320m to +2360m)	Vehicle and pedestrian access ramp at 1 in 21 gradient
Seaward access alternating every 50m	Steps will consist of a handrail Ramps consist of a short 1:6 gradient

25. A sloped landscape bank, planted with wildflower planting, is proposed on the landward side of the secondary defence adjacent to the Pyramids Centre and the Rock Gardens (chainage +2000m to +2220m). Terraced planted areas have been included from chainage +2150m to +2330m, in particular around Speakers Corner and The Briny, to soften the levels difference to the promenade. Small Pinus Nigra trees will be planted within the Speakers Corner interface. All plants have been chosen especially for a marine environment.
26. Four historic shelters, three of which are listed, are proposed to be dismantled, repaired and reconstructed to approximately their existing locations. The long unlisted shelter with black and white canopy adjacent to Speaker's Corner (approx. chainage +2265m to +2325m) is proposed to be demolished and removed.

Construction Compounds and Access

27. The compound arrangements remain as per the approved scheme (see Figure 3.1 at the end of this chapter). The compounds that will be used during the construction of

subfrontage 5 west are those labelled 'permanent main site compound', 'materials storage compound' and 'secondary compound – sub-frontage 5' at Speakers Corner.

28. An additional compound within the MoD field was approved under permitted development and also approved by regulators via the Construction Environmental Management Plan [CEMP] for sub-frontage 1. This compound is being used as a 'materials storage compound'.
29. The materials storage compound is located within a site classified as 'low use' in the Solent Wader and Brent Goose Strategy [SWBGS] – site P36 (illustrated on Figure 3.2). As discussed with Natural England, appropriate mitigation is required to offset the temporary loss of this 1.0 ha site during the over-wintering periods of the construction works.
30. During the 2020/21 overwintering season, Castle Field (site P34) was fenced off and used as a dedicated refuge area to offset the loss of the materials processing compound (site P36). Following discussions with Portsmouth City Council and Natural England, it was agreed to relocate the refuge site to the MoD, adjacent to the materials storage compound (site P36).
31. The site is securely fenced, and the use of visual/audio equipment will be used to provide greater coverage for monitoring purposes. Visual/acoustic screening will be placed along the edge of the materials storage compound to limit potential disturbance from the materials storage compound. Concrete crushing and stockpiling of rock will not be permitted within the materials storage compound during the overwintering season (1st October to 31st March inclusive). Figure 3.3 illustrates the location of the refuge area. Castle Field (site P34) will still be monitored for bird usage during the overwintering period, to better understand bird usage of this site.
32. A suitably qualified and experienced ecologist will undertake 3-hour observations 3 days per week from November to March inclusive. A report will be produced monthly and circulated to Natural England for review.

Delivery of Plant and Materials

33. As per the existing ES, materials will be transported by both land and marine based transport modes. Sections 17 (Traffic and Transport) and 21 (Navigation and Commercial Fisheries) of this addendum detail the number of expected traffic and marine vessel movements for sub-frontage 5 west. Due to the removal of the rock toe for sub-frontage 5 west, the number of vessel movements required has reduced.

Programme update

34. Sub-frontage 5 west is the third phase of construction works of the overall Southsea Coastal Scheme. Phase 1 of construction at sub-frontage 1 (Long Curtain Moat) commenced in October 2020 and Phase 2 at sub-frontage 4 (Southsea Castle) commenced January 2022. Phase 1 of construction is now complete.
35. The applicant has stated that on the assumption that all the necessary approvals are in place, enabling works for sub-frontage 5 west will commence summer 2023.

Working Hours

36. Normal working hours for construction are anticipated to be Monday to Friday from 07:00 to 19:00, except for marine works, e.g., import of beach material, which will be undertaken 24hr/day, 7 days/week when required due to the time sensitive nature of working in a tidal setting. Deliveries will be limited to within the planned construction hours and will be scheduled outside of peak highway hours whenever practicable. Weekend working and/or night working may be required due to the complexity of the works and tidal setting, however this would be agreed with the Local Planning Authority [LPA] in advance.

Historic England

37. No comment - seek the views of your specialist conservation and archaeological advisers, as relevant

PCC Conservation Officer

38. No objection. The proposal is considered capable of conservation / heritage support.

Environment Agency

39. No objection, subject to conditions requesting a CEMP and a condition restricting piling between certain dates (see condition wording for detail).

Natural England

40. No objection.

PCC Archaeological Adviser

41. No objection. Noted that in omitting the embedded wall the physical impact on the Scheduled monument is reduced and the approach to the monument will be as existing.

PCC Ecology Adviser

42. No objection

Landscape Group

43. No objection, subject to a concern regarding the lack of planting near to The Pyramids and a reduction in the variety of surface treatments.

Highways Engineer

44. No objection

Regulatory Services

45. No objection, subject to conditions requiring a CEMP (Construction Environmental Management Plan) and adherence to BS5228-1 2009, "Code of practice for noise and vibration control on construction and open sites".

Coastal And Drainage

46. No objection in relation to proposals for SF5 West

47. No responses have been received from:

- Queen's Harbour Master
- RSPB
- Hants & IOW Wildlife Trust
- Seafront Manager
- Contaminated Land Team
- Road/Footpath Closure
- The Portsmouth Society
- Marine Management Organisation

REPRESENTATIONS

48. A total of thirty-three objections have been received from local residents and organisations to this application and the two related listed building consent applications (Refs 22/01721/LBC and 22/01722/LBC).

49. The issues raised are as follows:

- The loss of the long shelter at Speakers Corner
- Yellow shelters
- Skate Park
- Public consultation
- Noise

- Extensions to existing business premises
- Changes to the public realm
- Public art
- Rocks at Eastney
- High walls and prom width
- Access

50. These are covered in full in the 'Matters Raised in Representation' section below.

POSITIVE AND PROACTIVE ENGAGEMENT

51. The National Planning Policy Framework requires local planning authorities to work with the applicant in a positive and proactive manner to resolve problems before the application is submitted and to foster the delivery of sustainable development. This requirement is met in Portsmouth through the availability of pre-application advice.
52. In this case the applicant has kept the LPA abreast of progress with the development and the need for the various changes to the approved scheme that form this application.

PLANNING CONSIDERATIONS / COMMENT

53. This is an application under S73 which, if granted, would take effect as a new independent permission that would sit alongside the original permission, which remains intact and unamended, to carry out the same development as previously permitted subject to new or amended conditions. As such this application falls to be considered against development plan and material considerations, under section 38(6) of the 2004 Act, and conditions attached to the existing permission. In making a decision on this application, the focus should be on national and development plan policies, and other material considerations which may have changed significantly since the original grant of permission.
54. Planning permission has already been granted for the project to upgrade the existing coastal defences at Southsea. The key issues for these design amendments - the removal of the rock toe, improved public realm, soft landscaping and educed interaction with the adjacent Scheduled Ancient Monument - are whether they represent a comparable (or better) solution given that the principle of the development has already been found acceptable in the location proposed and whether the updated ES adequately assesses any change to environmental impacts having regard to relevant international and national nature conservation designations and heritage assets.
55. In the assessment of the original scheme ref 19/01097/FUL, it was identified that there will be disturbance and disruption during the construction phase caused by plant machinery, foreshore access, site deliveries and closure / diversions of roads and footpaths etc., and views and access will be impacted temporarily. Whilst there will be short term, localised impacts on the environment, a full recovery is expected. The differences upon construction disturbance and disruption between the approved scheme, and the now-proposed amendments, are minimal.
56. Chapter 23 of the ES addendum identifies and summarises the mitigation measures (Tables 23.1 - during construction and 23.2 - during operational phase) to ensure the delivery of an environmentally acceptable solution along the 'flood cell 1' scheme frontage.
57. It was previously considered that the likely environmental impacts of the development have been adequately assessed in the original ES (July 2019) and subject to the imposition of appropriate conditions, to secure the mitigation measures, are considered acceptable. An ES addendum (December 2022) explains the minor amendments to the scheme and the effects of these in relation to the ecological features assessed. Based on this addendum, there are few changes to the impacts previously concluded, and any minor changes to these impacts are considered beneficial.

Impact on Designated Sites

58. There are a number of ecological designations within and close to the application site including sites and species of local, national and international importance.
59. Officers agree with the findings in the ES Addendum (Addendum 2), namely that the previous assessment of terrestrial ecology remains valid as the proposed amendments are minor in nature. This is confirmed by both Natural England and the Council's Ecological Advisor who have both raised no objection to the proposal.
60. With regard to the coastal environment as this proposal involves the removal of the rock revetment, the number of rock carrying vessel movements has been reduced and Coastal Partners comment that all aspects of the scheme have been fully assessed from design, through to construction and long-term operations. Significant mitigation measures are proposed to ensure that biodiversity is protected and enhanced (as detailed within the ES). These measures are specific to the type of ecology and include consideration for a phased construction process, additional surveys, appropriate construction methods and timings, specific protection measures and ongoing monitoring. These measures should be secured through the submission and approval of a Construction Environmental Management Plan.
61. The ES recognises the importance of all habitats and species, e.g. feeding sites for Brent Geese. The scheme has been designed to minimise the impact on terrestrial and marine ecology including fish, shellfish and birds, with mitigation proposed to avoid significant harm. It has also been designed to protect and enhance biodiversity where possible, seeking to achieve a net gain overall.
62. The design also takes opportunities to improve Southsea seafront for wildlife. Information for Habitats Regulations Assessment (HRA) is set out in Appendix F of the ES and was submitted to enable the city council as the Competent Authority to determine the implications of the project on the relevant European nature conservation sites and their interest features. Where potentially significant adverse effects were identified, appropriate mitigation measures are proposed to ensure the protection of the European site features. The mitigation measures would prevent significant disturbance of nonbreeding birds during the construction works and protect the availability of high tide roosting and feeding habitat. As such, there are not likely to be any significant long-term adverse population level effects on SPA / Ramsar birds. Furthermore, there is no realistic pathway for effects from the proposed scheme on the Solent Maritime SAC as any impacts on hydrodynamic or sedimentary processes will be very minor, localised, of short duration and they will not extend beyond the Southsea frontage.

Heritage Impact

63. With regard to the impact of the proposals on heritage assets, the need for the scheme has been established. Both the principal and detailed design processes have been carried out in close consultation with the stakeholders and, as a result, the application presents a scheme which seeks to avoid harm but identifies and justifies the significant unavoidable harm where it occurs, setting out in turn how each aspect of that harm has been minimised and will be mitigated. The application also identifies opportunities to sustain and enhance the significance of affected heritage assets.
64. The Heritage Impact Assessment (HIA) submitted with this application identifies three key assets:
- Southsea Castle - a scheduled ancient monument. High heritage value
 - Ornamental Lamp Columns. Medium heritage value
 - Seafront shelters. Low to medium heritage value.
65. With regard to Southsea Castle, the ES addendum identifies that the updated design proposal presents a slight improvement in the overall impact as the increase in ground levels removes the requirement for an embedded wall into the structure, as was

assessed in the original HIA submitted with the 2019 application. The impacts on the lighting columns and shelters is unchanged compared to the assessment in the 2019 HIA.

66. In terms of its impact on the Southsea Seafront Conservation Area (No.10) the scale and nature of the proposed amendments to the original application are such that the overall nature (or 'essence') of the originally consented scheme would not be substantively altered. The proposed changes, whilst noticeable, still relate to the approved description of development as well as the details regarding landscaping and other design features set out within the original Design and Access Statement.
67. Notwithstanding the changes that are proposed, it is considered that the works would not be substantially different in terms of their Impact on the character and appearance of the Conservation Area or other relevant assets from the works that were discussed, negotiated and subsequently approved as part of the original application (19/01097/FUL). It is considered that that the Conservation Area would retain its defining characteristics namely its openness, and (from the top of the new defences) the views it affords out across the Solent.
68. In terms of its impact on the Southsea Seafront Conservation Area (No.10) The scale and nature of the proposed amendments to the original application are such that the overall nature (or 'essence') of the originally consented scheme would not be substantively altered. The proposed change whilst noticeable still relate to the approved description of development as well as the details regarding landscaping and other design features set out within the original Design and Access Statement.
69. Notwithstanding the changes that are proposed It is considered that the works would not be substantially different in terms of their Impact on the character and appearance of the Conservation area or other relevant assets from the works that were discussed, negotiated and subsequently approved as part of the original application (19/01097/FUL). The CA would retain the defining characteristics discussed above ...openness, and (from the top of the new defences) the views it affords out across the Solent. As before, the impacts generated whilst high are, when balanced against the public and other heritage benefits associated with the proposal, considered acceptable.
70. As other statutory consultees have also noted, the proposal would retain the existing approach to the monument, and as such would also reduce the scheme's physical impact on the structure. The absence of comment from Historic England (HE) are also noted and are considered to also imply their endorsement of the scheme.
71. For the reasons outlined/ discussed above it is confirmed that the proposal is considered capable of conservation/heritage support.

Landscape Impact

72. The landscape proposals are well considered and developed from earlier presentations/discussions with Council stakeholders in terms of access to the promenade and beach. It is a positive development that the rock revetment can be removed to enable easier access to the beach.
73. However, there is a lack of planting in this revision near to the Pyramids where previously there were many trees proposed and we would like to see these returned to the project as it leaves the area quite devoid. Due to the removal of two Monterey Pines and other trees further east, it would be preferable to see any additional planting where possible. This can be secured by condition along with planting plans and provision for replacements over the next five years of any species that does not do well as this area has much exposure. Plants should be replaced with the hardiest species if failures occur.
74. The stepping down to the east of the section into Speaker's Corner appears to offer good room for planting and access in principle, but the proposal is lacking in example sections

that would demonstrate how the steps/ramp would integrate here and in front of the rock gardens / cafes. There also seems to be a lessening in variety of surface treatment at this end of the sea defences which is disappointing. This can be addressed through the submission of details required by Condition 25, Hard Surfacing Materials.

Matters Raised in Representations

75. The key issues raised by third parties comprise the following:

The Loss of The Long Shelter At Speakers Corner

76. This shelter was proposed to be removed under the original planning application, approved in 2019. At that time, following a significant amount of public consultation, there were no objections to its removal. The design at this stage is proposed to be amended but with the introduction of planted terraces in place of a wall. Whilst the long shelter is still not proposed to be replaced as part of the Southsea Coastal Scheme (SCS), it is understood that PCC as Local Authority have publicly stated that they intend to erect a similar shelter along this section of the promenade.

Are The Yellow Shelters To Be Replaced?

77. There are a few comments on these including concerns that they are not being replaced or that not all three will be replaced. All the listed shelters (1no. black and white shelter and 2no yellow shelters), will be reinstated back on the promenade in similar positions to where they currently sit, following refurbishment. These shelters are Grade II listed and so are the subject of the separate listed building consent (LBC) application (22/01722/LBC). A third yellow shelter is proposed to be treated the same as if it were listed (same recording and methods etc) and will be removed, refurbished, and reinstated elsewhere along the seafront. The refurbishment and reinstatement of the third shelter will be undertaken as part of a future construction phase.

Is a Skate Park proposed?

78. The proposal does not include any form of skate park. The proposal will, however, not worsen the current situation for skateboarders. The seating facing landward at Speakers Corner will be skateboard resilient. Details for all seating and street furniture will be submitted for approval as part of the Discharge of Conditions phase.

Public consultation

79. A very significant level of public consultation was undertaken prior to the submission of the original planning application. By its nature, this application for a minor material amendment shows proposed changes that are not substantially different to the approved scheme. The level of consultation has therefore been proportionate, with social media updates, updates on the Coastal Partners webpages and e-bulletins to around 5500 subscribers. All relevant notification procedures under planning and EIA legislation have been followed.

Noise

80. The noise assessments undertaken for the scheme are contained within Appendix R of the Environmental Statement, with Chapter 16 providing a summary and overall assessment of likely significance. Prior to the commencement of each phase of construction a bespoke Construction and Environmental Management Plan will be submitted for approval. This will propose mitigation for all environmental impacts based on the construction methods and context of that particular phase.

Extensions to existing business premises

81. The proposal does not include any extensions to any existing business premises

Changes to the public realm

82. These details, as per previous phases of the scheme, will be submitted to the Local Planning Authority under the conditions approval process. All conditions imposed on previous planning decisions for the SCS will be stated on a new planning decision (with amendments/additions as deemed appropriate or required by the LPA). Phase 1 of construction (at Long Curtain Moor) is now open to the public and so the design and

appearance of street furniture is likely to be proposed to match, in order provide a coherent seafront.

Public art

83. Conditions are imposed on the previous planning consents which require public art and interpretation details to be submitted to the LPA for approval within 12 months of the completion of each phase. Phase 1 (Long Curtain Moat) has very recently been completed and we will be submitting the relevant details for the heritage interpretation in due course, having worked with Historic England. Public Art along the scheme is now under PCC's Culture and Leisure Team, with a public art strategy for the whole seafront to be brought forward. Some of these public art installations may be constructed at the same time as the scheme but is now a separate element. The appropriate condition attached to the original consent will be attached to this new application.

Rocks at Eastney

84. The rock revetment submitted in the objector's photo is not a PCC/CP project. When designing rock structures there are two key parameters, the size of the rock, to ensure the structure is stable in the waves conditions and the rocks don't move around too much, secondly the durability of the rock, to ensure the attrition rate through constant wave action and erosion by moving shingle provides the required design life of the structure. The CP rock structure has been designed to last the 100-year design life of the project. The rock being used is a very dense granite that is far more resilient to abrasion and will take a lot longer to wear down.

High walls and prom width

85. It is unknown why the comments regarding a high wall blocking views and blocking the Southsea Beach café have been made. This application only seeks to make minor amendments to the section of the scheme between The Pyramids Centre and Speakers Corner. There is no high wall being proposed in this section at all.

Access

86. There are four ramped access points from the promenade onto the beach between The Pyramids Centre and Speakers Corner. Options for access from the beach to the sea will be looked at separately by PCC. The beach level changes quite dramatically at times and therefore any option would need to be able to move with the beach rather than be a fixed ramp. Any fixed ramp on the beach itself would either become buried with shingle or lead to a drop from height depending on what the beach has done during the recent tides.

CONCLUSION / PLANNING BALANCE

87. Being an application under S73, if permission is granted this permission takes effect as a new independent permission that sits alongside the original permission, which remains intact and unamended, to carry out the same development as previously permitted subject to new or amended conditions.
88. The proposed changes by this application would still deliver a key and essential piece of infrastructure for the city for new flood and coastal erosion defences and contribute to the city's wider economic growth and regeneration.
89. It is considered that the likely environmental impacts of the development have been adequately assessed in the submitted ES/Addendum, and subject to reimposition of the same conditions to secure the mitigation measures, are considered acceptable and overall would not result in significant harm or have any significant adverse impacts.
90. In light of the above, this application for proposed amendments to the approved scheme is considered acceptable.

Conditions

A decision notice describing the new permission should clearly express that it is made under section 73. It should set out all of the conditions imposed on the new permission, and, for the purpose of clarity restate the conditions imposed on earlier permissions that continue to have effect. Further information about conditions can be found in the guidance for use of planning conditions.

Approved Plans

1) Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings - Drawing numbers:

Location Plan - 0001Rev.P03;
Elevation - 1 - 0151Rev.P05;
Elevation - 1&2 - 0152Rev.P05;
Elevation - 3,4&5 - 0153Rev.P05;
Elevation - 6&7 - 0154Rev.P05;
Elevation - 8 - 0155Rev.P05;
Elevation - 9 - 4920 C01;
Elevation - 9.5 - 4921 C01;
Elevation - 10 - 0157Rev.P05;
Elevation - 11 - 0158Rev.P05;
Elevation - 13 - 0160Rev.P05;
Elevation - 14 - 0161Rev.P05;
Elevation - 15 - 0162Rev.P05;
Elevation - 16 - 0163Rev.P04;
Elevation - 17 - 0164Rev.P04;
Elevation - 18 - 0165Rev.P04;
Elevation - 19 - 0166Rev.P04;
Key plan & elevations - 0099Rev. P04;
Key plan & cross sections - 0100Rev.P04;
General layout - sheet01 - Long Curtain - 0101Rev.P04;
General layout - sheet02 - Clarence Pier - 0102Rev.P04;
General layout - sheet03 - Clarence Esp - 0103Rev.P04;
General layout - sheet05 – Southsea Castle - 4901Rev.C01;
General layout - sheet06 – Southsea Castle - 4902Rev.C01;
General layout – sheet07 – Rock Gardens – 0107Rev.P06
General layout - sheet08 - Speakers Corner - 0108Rev.P06;
General layout - sheet09 - South Parade Pier - 0109Rev.P04;
General layout - sheet10 - Canoe Lake- 0110Rev.P04;
General layout - sheet11 - Lumps Fort - 0111Rev.P04;
General layout - sheet12 - Pitch and Putt - 0112Rev.P04;
General layout - sheet13 - St Georges Road -0113Rev.P04;
General layout - sheet02a - Pier Road - 0121Rev.P04;
Heritage constraints plan - 0400Rev.P03;
Cross section - A&A1 - 0201Rev.P04;
Cross section - A2&B - 0202Rev.P04;
Cross section - B1&C - 0203Rev.P04;
Cross section - C1 - 0204Rev.P03;
Cross section - C2 - 0205Rev.P03;
Cross section - C3&C4 - 0206Rev.P03;
Cross section - D&D1 - 0207Rev.P04;
Cross section - E&F - 0208Rev.P04;
Cross section - F1&G - 0209Rev.P04;
Cross section - G1&H -4910.C01;
Cross section - I0.5&I -4911.C01;
Cross section - I1&J - 0212Rev.P05;
Cross section - K&K1 - 0213Rev.P05;
Cross section - K2&K3 - 0214Rev.P05;
Cross section - L&M - 0215Rev.P04;
Cross section - N&N1 - 0216Rev.P03;

Cross section - N2&O - 0217Rev.P03; Cross section - P&P1 - 0218Rev.P04;
 Cross section - Q - 0219Rev.P04;
 Monuments - Trafalgar & Chesapeake - 0231Rev.P01;
 Monuments - Peel Shannon & Trident - 0232Rev.P0
 Monuments - Aboukir & Crimean - 0233Rev.P01;
 Interface - Caponier - 1969 - Rev.C01;
 Interface - Spur Redoubt - 1970 - Rev.P02;
 Interface - North LCM - 0454REV.P03;
 Interface - Sally Port - 0455Rev.P02;
 Interface - Pier Road -0456Rev.P02;
 Interface - Castle West 08A - 0459Rev.P04;
 Interface - Southsea - 08 4950Rev.C01;
 Interface - Southsea - 09 4951Rev.C01;
 Interface - Southsea - 010 4953Rev.C01;
 Interface - Castle East - Sheet 10A
 Interface - South Parade Pier - 0462Rev.P04;
 Interface - Lumps Fort West - 0463Rev.P02;
 Interface - Eastern end - 0464Rev.P03;
 Interface - Naval Memorial - 0465Rev.P05;
 Existing wall details, Naval War Memorial - A1045 610Rev.P1;
 Proposed wall detail showing seating, Naval War Memorial - A1045 620Rev.P1;
 Proposed wall details, Naval War Memorial - A1045 622Rev.P1;
 Proposed site plan seating, Naval War Memorial - A1045 220Rev.P1;
 Buried Services Plans - (Drainage Strategy - ES Appendix I);
 Tree Protection and Removal Plans (ES Appendix L) - Site Wide Layout 257135-0500- P03 and
 Layout sheets 01-13 inclusive & 02A numbered 257135-0501-P03 to 257135- 0513-P03 &
 257135-0521-P03; and,
 Tree Protection Fence Detail 257135-0551-P02.

Reason: To ensure the development is implemented in accordance with the permission granted.

Phasing

2) The development hereby permitted shall be carried out in accordance with the proposed phasing at Table 3.2 of Appendix F of the Environmental Statement or any variation as may be submitted to approved in writing by the local planning authority, by phasing plan to show the sequence of development and division by area for each sub- frontage (or part thereof) at the site. Further details for approval pursuant to any conditions imposed on this permission may be submitted for consideration for the development as a whole or individually for each approved phase.

Reason: In the interests of the amenity of local residents, to minimise highways impacts, flood risk and adverse environmental effects but maintain potential flexibility to respond to any changes of circumstances and priority during the phased construction programme presently scheduled between March 2020 and May 2026, to accord with policies PCS12, PCS13, PCS17 and PCS23 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Potential for soil contamination

3) i) No works shall take place in each approved phase of the site until a Method Statement detailing a scheme for monitoring and assessing the soil for contamination as relevant to that phase, shall have been submitted to and approved by the local planning authority in writing. The Method Statement should detail where the soils will be stored, tested, and transferred, and the approach used when soils excavated do not meet re-use criteria. The development shall be carried out fully in accordance with the approved Method Statement, unless any variation shall have been submitted to and approved in writing by the local planning authority.

ii) In the event that any signs of pollution (visual, olfactory or textural), odour, oily, ashy, odorous or fibrous materials, staining or unusual colouration of the soil, asbestos fragments or fibres, inclusions of putrescible materials, plastics, drums or other materials having been used in the construction of the built structure or remains of a past industrial use, are found in the soil at any time when carrying out the approved development it must be reported in writing within 14 days to the local planning authority (LPA) and if the LPA considers it necessary an environmental

consultant assess the site in accordance with BS10175:2011+A2:2017 'Investigation of Potentially Contaminated Sites Code of Practice'. Where remediation is deemed necessary a Remediation Scheme must be submitted to and approved by the LPA in writing and then fully implemented in accordance with the approved details.

Remediation verification

- 4) On completion of development (or works in each approved phase), a report shall be submitted to and approved by the local planning authority in writing to evidence either (i) that there were no indications of pollution during works or (ii) verification records from the monitoring agreed by condition 3(i) and summarise any remedial works undertaken in accordance with condition 3(ii); and unless otherwise agreed in writing by the local planning authority, such verification shall comprise:
- (a) as built drawings of the implemented scheme;
 - (b) photographs of the remediation works in progress; and
 - (c) certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained fully in accordance with the approved report.

Reason: To minimise adverse environmental impacts on designated habitats sites and to ensure the site is free from prescribed contaminants, to accord with policies PCS13 and PCS23 of the Portsmouth Plan (2012), saved policy DC21 of the Portsmouth City Local Plan 2001-2011 and the aims and objectives of the NPPF (2019).

Archaeology

- 5) a) No development shall take place at the site (with the exception of any works at sub-frontage 1 - Long Curtain Moat) until an Archaeological Mitigation Strategy (AMS) outlining the provision for archaeological investigation and the types of archaeological works to be undertaken, across the site as a whole has been submitted to and approved by the local planning authority in writing. The strategy will also include details of all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority, and nomination of a competent person(s)/organisation to undertake the works set out in the AMS. Generic written Schemes of Investigation for any mitigation will also be included in the AMS.
- b) No works shall take place in each phase until a Written Scheme of Investigation (WSI) has been submitted and approved by the Local Planning Authority in accordance with the AMS. The works shall thereafter be carried out in strict accordance with the approved AMS and relevant WSI.

Reason: In the interests of protecting and/or conserving evidence of the City's early heritage and development by assessing any archaeological potential across the site and ensure information is preserved by record for any future generations, in accordance with policy PCS23 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Beach Management Strategy

- 6) a) The development shall be carried out fully in accordance with the Beach Management Strategy at Appendix H of the Environmental Statement, including the implementation of the capital works at sub-frontages 3, 5 and 6 and the proposed design standard and monitoring of the effects of beach management operations; and,
- b) Within 12 months of the completion of the final approved phase of the scheme, a Beach Management Plan shall be submitted to and approved in writing by the local planning authority, which will implement the recommendations of the Beach Management Strategy and provide ongoing guidance for the management of the beach material.

Reason: For maintenance, monitoring and intervention in order to maintain the beach and structures, to ensure it continues to provide an adequate standard of protection along the Southsea frontage, to accord with policy PCS12 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Rock Revetment Materials - Sub-frontages 1, 3 and 4

7) The proposed variety of rock revetment materials (above Mean High Water Springs) for sub-frontages 1, 3 and 4 shall be carried out in accordance with details of their source selection for texture and surface complexity, typical colour finishes and size variation (including any samples as may be necessary) to be submitted to and approved in writing by the local planning authority before the rock armour is installed.

Reason: To preserve the character and appearance of the listed park/conservation areas and preserve the setting of other designated heritage assets especially Southsea Castle and importantly when viewed from the sea and adjacent beaches, in accordance with policies PCS9 and PCS23 of the Portsmouth Plan (2012) and the aims and the objectives of the NPPF (2019).

Piling Methodology

8) Installation of piles will be undertaken using vibro piling techniques as standard. Percussive piling will only be used when necessary to achieve the required design depth. If percussive piling is required, a soft start procedure will be implemented for a minimum of 20 minutes. Should piling cease for a period greater than 10 minutes, then the soft start procedure must be repeated.

Reason: To protect nature conservation interests and to minimise the impact on roosting and foraging birds, in accordance with policy PCS13 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Piling Methodology - Sub-frontages 3 and 6

9) In sub-frontages 3 and 6, due to the close proximity to the Core and Secondary SWBGS sites, no percussive piling or works with heavy machinery (ie plant resulting in a noise level in excess of 69dbAmax - measured at the sensitive receptor) shall be undertaken during the overwintering period between 1st October and 31st March (inclusive).

Reason: To protect nature conservation interests and to minimise the impact on roosting and foraging birds, in accordance with policy PCS13 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Timing of works - Sub-frontages 3 and 6

10) At no time shall any construction be undertaken concurrently within sub-frontage 3 and sub-frontage 6.

Reason: To protect nature conservation interests and to minimise the impact on roosting and foraging birds, in accordance with policy PCS13 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Timing of works - Sub-frontage 1

11) At sub-frontage 1, no percussive piling shall be undertaken between 15th March and 15th May (inclusive) to avoid the important fish smolt downstream migration period. Between 16th May to 31st May and 1st December to 14th March (inclusive) at sub-frontage 1, percussive piling can only be carried out within the full 12-hour period of 0700-1900 hours. Between 1st June to 30th November (inclusive) at sub-frontage 1, percussive piling can only be carried out within the full 12-hour period of 0700-1900 hours, subject to the following limitations to allow adult fish to enter the harbour on their upstream migration:

- Piling can occur for the full 12-hour period only where breaks between piling episodes are a minimum of 60 minutes each; with a minimum of one 60-minute break in the 12-hour period.

Reason: To protect nature conservation interests and to minimise any impact during fish migration, in accordance with policy PCS13 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Protection of birds - Sub-frontage 3

12) No development shall take place at sub-frontage 3 (adjacent to the SWBGS Core site - P35) until safeguarding measures of Ready hoard/Heras fencing, or similar, with debris netting to full height is erected along the landward edge of the construction works area, to an alignment that shall have been submitted to and approved in writing by the local planning authority beforehand; and the temporary hoarding with full height debris netting shall be retained for as long as works continue at sub-frontage 3.

Reason: To protect nature conservation interests and to minimise the impact on roosting and foraging birds, in accordance with policy PCS13 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Protection of birds - Sub-frontage 6

13) No development shall take place at sub-frontage 6 (adjacent to the SWBGS Core site and Secondary support area - P32A & P32B) until safeguarding measures of Ready hoard/Heras fencing, or similar, with debris netting to full height is erected along the landward edge of the construction works area, to an alignment that shall have been submitted to and approved in writing by the local planning authority beforehand; and the temporary hoarding with full height debris netting shall be retained for as long as works continue at sub-frontage 6.

Reason: To protect nature conservation interests and to minimise the impact on roosting and foraging birds, in accordance with policy PCS13 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Protection of birds - Sub-frontage 3, 4 and 6

14) No development shall take place within sub-frontages 3, 4 and 6 until a detailed scheme and implementation plan for a bird refuge area has been submitted to and approved in writing by the local planning authority. For the duration of construction being undertaken at any time within sub-frontages 3 or 4 or 6, in each year when any works are being carried out during the overwintering period between 1st October and 31st March (inclusive), an area shall be secured within SWBGS Core site P35 to provide a bird refuge area with reduced recreational disturbance. A detailed scheme for its design, management and monitoring shall include details of: the bird refuge area central within the site; to contain a low-lying area with potential to hold surface water in winter; be a minimum of 2 ha in a single approximately square block (to reduce edge effects); make provision for dog resistant fencing; details of an ornithological watching brief and trial use of decoys and acoustic lures (to encourage use of the area by Brent Geese). The approved scheme shall be fully implemented and success of the bird refuge area monitored during its use via the approved ornithological watching brief, for as long as works continue within sub-frontages 3, 4 and 6.

Reason: To protect nature conservation interests and to monitor the impact on roosting and foraging birds, in accordance with policy PCS13 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Biodiversity and Mitigation Enhancement Plan

15) No works shall take place in each approved phase of the site until a Biodiversity Mitigation and Enhancement Plan (BMEP) shall be submitted to and approved in writing by the Local Planning Authority, for all biodiversity enhancements and ecological mitigation and monitoring for the relevant part of the site, including mitigation specifically in relation to the vegetated shingle habitat and the Purple Sandpiper (when appropriate). The works shall be thereafter carried out and retained in accordance with the approved BMEP.

Reason: To protect nature conservation interests and to enhance the biodiversity across the site, and to monitor temporary loss/damage to the vegetated shingle from construction works and further impacts from implementing the beach management strategy, in accordance with policy PCS13 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Tree Protection Plan

16) No works shall take place at each approved phase of the site until all trees effected by works in that phase, not scheduled for removal are safeguarded during the course of any site works and building operations (in accordance with the relevant British Standard relating to tree protection) by protective fencing along the fence lines shown on the approved Tree Protection

Plans (Site Wide Layout 257135-0500-P03 and Layout sheets 01-13 inclusive & 02A numbered -/0501-P03 to -/0513-P03 & -/0521-P03) or such other alternative fence-line(s) as may be agreed in writing with the Local Planning Authority beforehand, with 2.4 m high heavy duty hoardings securely mounted on scaffold framing which is firmly secured in the ground and braced to resist impact shown on Tree Protection Fence Detail -/0551-P02. The approved tree protection measures shall be maintained during the course of the works at the relevant approved phase of the site. No unauthorised access or placement of goods, fuels or chemicals, soil or other materials shall take place inside the fenced areas.

Reason: To ensure that trees to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity in accordance with policy PCS13 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Soft Landscaping Scheme

17) No development shall take place within each approved phase until there has been submitted to and approved by the Local Planning Authority a scheme of tree and any other relevant soft landscaping works; the scheme shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted in the area of that phase. The approved tree works (and other planting where relevant) shall be carried out in the first planting season following the completion of the development within each approved phase. Any trees or plants which, within a period of 5 years from the date of planting in each approved phase, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of visual amenity, to protect the biodiversity of the site and preserve the character and appearance of the 'listed' park/conservation areas and the setting of other heritage assets, in accordance with policies PCS13 and PCS23 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Earth Bund Design

18) No works shall take place in each approved phase of the site until details of earth bunds proposed within any relevant sub-frontage have been submitted to and approved in writing by the local planning authority. The details shall provide:

- The proposed grading and mounding of land areas including the levels and footprint to be formed;
- The relationship of the mounding to existing surrounding landform;

The works at each site shall be carried out in accordance with the approved details for the earth bunds.

Reason: As only illustrative cross sections have been provided and in the interests of visual amenity, to preserve the character and appearance of the 'listed' park/conservation areas and the setting of other heritage assets, in accordance with policies PCS13 and PCS23 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Drainage Scheme

19) No works shall take place at each approved phase until a detailed drainage scheme for the relevant area has been submitted to and approved in writing by the Local Planning Authority of:

- (a) the layout of all existing sewer and drainage infrastructure at the site;
- (b) the proposed means of foul and surface water sewerage disposal; and,
- (c) measures to be undertaken to protect any existing public sewer and other drainage infrastructure;

and the approved drainage scheme shall be implemented in full (unless otherwise agreed in writing by the Local Planning Authority).

Reason: To protect existing drainage apparatus and to reduce the risk of flooding by the proposed development, without increasing flood risk elsewhere, to accord with policy PCS12 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

20) (a) No development shall take place at each approved phase of the site until a Construction Environmental Management Plan (CEMP) (to include the detailed mitigation measures set out in the submitted Environment Statement) has been submitted to and approved in writing by the local planning authority. The CEMP shall set out the strategy and detailed method statements for work in the relevant area in respect of the following:

- Management of flood risk during construction, to ensure the existing standard of protection is not reduced;
- The timing of the works (including piling);
- Construction methods (including piling) and any specific methodology in the areas of the scheduled ancient monuments;
- The steps and measures to be implemented during the development in order to avoid, minimise or mitigate environmental impacts upon designated sites and protected species (including potential disturbance, water quality risks and pollution);
- Pollution protection measures;
- The storage of construction materials and equipment;
- The storage and disposal of construction waste;
- The storage and dispensing of any chemicals/fuels/oils/other hazardous materials;
- Site office/welfare facilities;
- The proposed method of working (that shall include details to monitor and prevent adverse impacts to surface water, groundwater and adverse impacts caused by noise, vibration, odours, dust and any airborne contaminants during development);
- Visual screening for SPA birds;
- Measures to minimise INNS introduction / spread;
- Mitigation measures in relation to trees and potential impacts to birds during the nesting period; and,
- Details of compounds, including location, fencing and reinstatement

(b) The approved CEMP shall be fully implemented and maintained until development of the relevant approved phase is completed, unless any variation is first agreed in writing by the local planning authority.

Reason: To protect the nature conservation interests of the site and minimise any significant effect on the special feature interests of designated habitats sites, and to protect and minimise any significant impact on the amenity of local residents, in accordance with policies PCS13 and PCS23 of the Portsmouth Plan (2012) and the aims and the objectives of the NPPF (2019).

Construction Traffic Management Plan

21) No development shall take place at each approved phase of the site until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority to update, in respect of the relevant phase of works, the Framework Construction Traffic Management Plan at Appendix W of the Environmental Statement and its monitoring throughout the subsequent phases of the project; all works carried out during the relevant approved phase at the site shall be undertaken strictly in accordance with the approved CTMP, unless any variation is otherwise first agreed in writing with the local planning authority.

Reason: To protect amenity by preventing excessive nuisance and minimise adverse effects on the local environment from highway impacts, as far as practicable, during works of construction on the occupiers of adjoining and nearby properties, in accordance with policies PCS17 and PCS23 of the Portsmouth Plan (2012) and the aims and the objectives of the NPPF (2019).

External lighting

22) No development shall take place in each approved phase until details (including siting/alignment, type and appearance including materials/finishes) of the proposed external lighting (including any proposed decorative/festoon feature lighting) in the area of that relevant phase have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried in strict with the approved details.

Reason: To preserve the character and appearance of the listed park and conservation areas and the setting of other designated heritage assets across the whole of the site addressing an existing uneven distribution along the promenade and enhancing the sense of safety for all users by sub-frontage, in accordance with policies PCS9, PCS17 and PCS23 of the Portsmouth Plan (2012) and the aims and the objectives of the NPPF (2019).

Street Furniture and walls

23) No development shall take place in each approved phase until details (including siting/alignment, type and appearance including materials/finishes) of the proposed street furniture and secondary defence walls (including include refuse bins, signage, seating, bollards, railings and other means of enclosure) in the area of that relevant phase have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried in strict with the approved details.

Reason: To preserve the character and appearance of the listed park and conservation areas and the setting of other designated heritage assets across the whole of the site, in accordance with policies PCS9 and PCS23 of the Portsmouth Plan (2012) and the aims and the objectives of the NPPF (2019).

Flood Gates and Boards

24) No development shall take place in each approved phase until details (including siting/alignment, type and appearance including materials/finishes) of the proposed flood gates and boards in the area of that relevant phase have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried in strict with the approved details.

Reason: To reduce the risk of flooding, to preserve the character and appearance of the listed park and conservation areas and the setting of other designated heritage assets across the whole of the site, in accordance with policies PCS9, PCS12 and PCS23 of the Portsmouth Plan (2012) and the aims and the objectives of the NPPF (2019).

Hard Surfacing Materials

25) No works shall take place at each approved phase which involves the provision of promenade or other hard surfacing materials until details of the materials to be used in the relevant area have been submitted for the prior written approval of the local planning authority. Thereafter the works shall be fully implemented in accordance with the approved details. The details for approval shall include a detailed scheme of (a) type/texture/colour finishes (including any samples as may be necessary) including natural stone blocks at key public realm and historic areas; and (b) the proposed pattern treatments to add local distinctiveness within the floorspace at key public realm areas.

Reason: To preserve the character and appearance of the listed park and conservation areas and the setting of other designated heritage assets across the whole of the site and deliver attractive textural interest to the public realm by sub-frontage, in accordance with policies PCS9, PCS17 and PCS23 of the Portsmouth Plan (2012) and the aims and the objectives of the NPPF (2019).

Feature Walls

26) Prior to the installation of the Feature Walls as shown in the approved drawings details of the final surface treatment including details of the pattern, text or picture treatment including type/texture/colour finishes, and any samples as may be necessary, for the wall's surface shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried in strict with the approved details.

Reason: To ensure the feature walls are delivered with differing finishes to soften their appearance and add local distinctiveness to enhance the character and appearance of the listed park and conservation areas, to preserve the setting of other designated heritage assets across the whole of the site and deliver attractive textural interest by sub- frontage, in accordance with policies PCS9, PCS17 and PCS23 of the Portsmouth Plan (2012) and the aims and the objectives of the NPPF (2019).

Roads and Footpaths

27) No development shall take place on each approved phase at the site until the following details, relevant to the area within that phase, have been submitted to and approved in writing by the Local Planning Authority:-

- (i) a specification of the type of construction for the roads and footpaths, including all relevant horizontal cross-sections and longitudinal sections showing the existing and proposed levels, together with details of materials, sightlines and kerbs, street lighting and the method of disposing surface water;
- (ii) a programme for constructing the roads and footpaths; and,
- (iii) details and specifications for the proposed works to car parks, including final finished levels and layout of spaces.

Reason: To ensure that the roads/footpaths are constructed to an appropriate standard in the interests of highway safety, to create a safe and attractive environment and to preserve the character and appearance/setting of the array of designated heritage assets across the site, to accord with policies PCS17 and PCS23 of the Portsmouth Plan (2012) and the aims and the objectives of the NPPF (2019).

Method of Construction - Long Curtain Moat

28) No works shall take place at Long Curtain Moat (in sub-frontage 1) until detailed construction/method statements have been submitted to and approved in writing by the local planning authority; and the development shall be carried out fully in accordance with the approved construction/method statements, unless any variation shall have been submitted to and approved in writing by the local planning authority.

Reason: To achieve the highest quality appearance and finish (after demonstrating the only feasible engineering solution) of a new vertical wall clad in natural stone blocks replicating the character of the existing historic wall, for the substantial harm of development effecting a nationally important scheduled monument to be outweighed by the substantial public benefit of protecting homes and other properties from a considerable and immediate flood risk to the Southsea area, in accordance with policy PCS23 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Cladding Materials - Long Curtain Moat

29) No works shall take place at Long Curtain Moat (in sub-frontage 1) until details of: (a) the source(s), type and size variation of natural stone block materials proposed to be used in the cladding, including a sample panel, on the section west and including the Spur Redoubt; (b) and natural stone berm on the section west and including the Spur Redoubt; and, (c) all other materials for the section east of Spur Redoubt, have been submitted to and approved in writing by the local planning authority; and the development shall be carried out fully in accordance with the approved natural stone and other materials.

Reason: To achieve the highest quality appearance to minimise harm to nationally important scheduled monuments and in the interests of protecting and/or conserving evidence of the City's early heritage and development by protecting any archaeological potential in accordance with policy PCS23 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Re-instatement of Listed Shelters

30) (a) No works associated with the removal of the three Grade II Listed shelters shall take place until a Method Statement detailing the process of recording, labelling, dismantling, repair/refurbishment (including details of materials), storage and re-instatement based on the methodology set out within the 'Heritage Impact Assessment (dated 5/7/19 - Issue 6) has been submitted to and approved in writing by the Local Planning Authority; and

(b) The three shelters shall then be recorded, labelled, dismantled, repaired/refurbished, stored and re-instated in full accordance with the Method Statement approved pursuant to part (a) of this condition.

Reason: To preserve the special architectural or historic interest of the (Grade II listed) structures in accordance with Policy PCS23 of the Portsmouth Plan (2012) and the aims and objectives of the revised NPPF (2019).

Re-instatement of Listed Lampposts

31) No works associated with the removal of the Grade II Listed historic lamp columns shall take place at the site until a method statement for the removal, storage, repair and re-

instatement of the historic (Grade II listed) lampposts shall have been submitted to and approved in writing by the local planning authority; and the removal and relocation of the historic lampposts shall be only be carried out in accordance with the approved method statement.

Reason: To preserve the special architectural or historic interest of the (Grade II listed) structures in accordance with policy PCS23 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Re-instatement of Listed Monuments

32) No works associated with the removal of the listed monuments/plinths shall take place at the site until a method statement for the removal, storage, repair and re- instatement of the historic (Grade II listed) monuments shall have been submitted to and approved in writing by the local planning authority; and the removal and relocation of the historic monuments shall be only be carried out in accordance with the approved method statement.

Reason: To preserve the special architectural or historic interest of the (Grade II listed) structures in accordance with policy PCS23 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Works of Royal Navy War Memorial

33) a) No alterations to the Grade I listed R N War Memorial shall take place at the site until manufacturer's details and samples of all materials associated with the proposed works have been submitted to and approved in writing by the Local Planning Authority, to include natural stone finishes to match existing ashlar blocks of Portland Stone (as specified on Proposed wall detail showing seating A1045 623_RevP1 & GA Elevations Sheet08 no.257135_0158-P05). The works shall thereafter be implemented fully in accordance with the approved details/samples.

b) No works shall take place at the R N War Memorial until a detailed method statement for the proposed alterations of the historic (Grade I listed) Memorial shall have been submitted to and approved in writing by the local planning authority; and the alterations shall be only be carried out in accordance with the approved method statement.

Reason: To preserve the special architectural or historic interest of the (Grade I listed) Memorial in accordance with policy PCS23 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Works at Southsea Castle

34) No works shall take place within the designated boundary of Southsea Castle until construction/method statements/specifications detailing all works, monitoring, methods and materials, including for the removal/repair/reinstatement of the existing railings, have been submitted to and approved in writing by the Local Planning Authority. The development shall fully accord with the approved details.

Reason: To preserve the character and appearance of the listed park/conservation areas and preserve the setting of other designated heritage assets especially Southsea Castle and importantly when viewed from the sea and adjacent beaches, in accordance with policies PCS9 and PCS23 of the Portsmouth Plan (2012) and the aims and the objectives of the NPPF (2019).

Scale of secondary defences

35) Notwithstanding that shown on the approved drawings (as described in condition 2) the height of the secondary defence walls and bunds shall be submitted to and approved in writing by the Local Planning Authority prior to works being undertaken in the relevant phase. For the avoidance of doubt the height shall be no greater than that shown on the approved plans.

Reason: To maintain reasonable flexibility in the design following detailed engineering design, modelling and any potential changes in predicted sea level rises, and in the interests of visual amenity, to preserve the character and appearance of the 'listed' park/conservation areas and the setting of other heritage assets, in accordance with policies PCS13 and PCS23 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Scale of rock revetments

36) Notwithstanding that shown on the approved drawings (as described in condition 2) the design and footprint of the rock revetment (below and above MHWS) in sub- frontages 1, 3, 4, 5 and 6 shall be submitted to and approved in writing by the Local Planning Authority prior to works being undertaken in the relevant phase. For the avoidance of doubt the height and footprint shall be no greater than that shown on the approved plans.

Reason: To maintain reasonable flexibility in the design following detailed engineering design, modelling and any potential changes in predicted sea level rises, and in the interests of visual amenity, to preserve the character and appearance of the 'listed' park/conservation areas and the setting of other heritage assets, in accordance with policies PCS13 and PCS23 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Scale of primary defences

37) Notwithstanding that shown on the approved drawings (as described in condition 2) the final finished levels of the new promenade submitted to and approved in writing by the Local Planning Authority prior to works being undertaken in the relevant phase. For the avoidance of doubt the levels shall be no greater than that shown on the approved plans.

Reason: To maintain reasonable flexibility in the design following detailed engineering design, modelling and any potential changes in predicted sea level rises, and in the interests of visual amenity, to preserve the character and appearance of the 'listed' park/conservation areas and the setting of other heritage assets, in accordance with policies PCS13 and PCS23 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

Public Art and/or Interpretation boards

38) Within 12 months of the completion of each approved phase details of the proposed measures for public art and/or interpretation of heritage assets and the timetable for the design/delivery of the measures by approved phase shall be submitted to and approved in writing by the local planning authority; and the approved public art and interpretation measures shall be carried out in full accordance with those approved details and thereafter retained (unless otherwise agreed in writing by the local planning authority).

Reason: To ensure proposed public heritage benefits make a positive contribution to outweighing the substantial harm of development effecting a nationally important scheduled monument and less than substantial harm to other heritage assets, to enhance or better reveal their significance, in accordance with policy PCS23 of the Portsmouth Plan (2012) and the aims and objectives of the NPPF (2019).

NB This permission is granted in accordance with the provisions of Section 73A of the Town and Country Planning Act 1990, which makes provision for the retrospective granting of planning permission for development which has commenced and/or been completed.

