

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

**23/00896/VOC | APPLICATION TO VARY CONDITION 1 (APPROVED PLANS) OF PLANNING PERMISSION 22/01720/VOC: 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. THIS APPLICATION, UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990, SEEKS APPROVAL OF AMENDED PLANS RELATING TO SUB-FRONTAGE 3 (SOUTHSEA COMMON) AND IS ACCOMPANIED BY THE ORIGINAL ENVIRONMENTAL STATEMENT [JULY 2019] WITH THE FIRST ADDENDUM [MAY 2021], SECOND ADDENDUM [DECEMBER 2022] AND NEW ADDENDUM [JULY 2023] AND UPDATED APPENDICES. | SOUTHSEA SEAFRONT FROM LONG CURTAIN MOAT IN THE WEST TO EASTNEY MARINE BARRACKS IN THE EAST (PORTSMOUTH.GOV.UK)**

**Application Submitted By:**

Portsmouth City Council

**On behalf of:**

Portsmouth City Council

Coastal Partners On behalf of Portsmouth City Council

**RDD:** 17th July 2023**LDD:** 17th October 2023

The Southsea Coastal Scheme is a Flood and Coastal Erosion Management Scheme that stretches approximately 4.7 km along the southern edge of Portsea Island and is split into six sub-frontages. Planning consent was granted for the full scheme in December 2019 (19/01097/FUL) along with a Marine Licence (L/2020/00121/2) and Environmental Impact Assessment consent.

**1.0 SUMMARY OF MAIN ISSUES**

1.1 Whether the proposed amendments to the approved scheme are appropriate.

**2.0 SITE DESCRIPTION**

2.1 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 3 (SF3) which is a 453 metre stretch adjacent to Southsea Common from just east of Clarence Pier to east of the Portsmouth Naval Memorial (Sheets 03 and 04). highlighted, below. :



**Southsea Coastal Scheme sub-frontages**

*Figure 1 - Southsea Coastal Scheme Sub Frontages (SF3 Highlighted)*

### 3.0 PLANNING CONSTRAINTS

3.1 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 SPA

### 4.0 POLICY CONTEXT

4.1 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.

4.2 The application site also falls within the area covered by the Seafront Masterplan SPD (2021).

### 5.0 RELEVANT PLANNING HISTORY (MOST RECENT FIRST)

5.1 The full planning history is set out in Appendix B of the [Design and Access Statement](#) submitted with this application. Of relevance to this application are:

Application Ref.	Proposal	Decision & Date
19/01088/LBC	Removal and relocation of 6no. Grade II Listed monuments - Trafalgar, Chesapeake, Peel Shannon, Aboukir, Trident and Crimean - to include construction of replacement plinths	Grant consent
19/01091/LBC	Raising of existing planters and seating (to south of memorial), provision of new access steps from the promenade and new seating, replacement lighting blocks and associated re-grading of Southsea Common	Grant consent

19/01090/LBC	Removal, refurbishment and relocation of 3 seafront shelters	Grant consent
19/01089/LBC	Removal, repair and relocation of 34no. Grade II Listed lamp columns along the seafront	Grant consent
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

## 6.0 PROPOSAL

- 6.1 This Section 73 planning application seeks minor amendments to elements of the Scheme that fall within sub frontages 3 (Southsea Common) and 4 (Southsea Castle) through a third application submitted in accordance with S.73 of the Town and Country Planning Act (1990), hereafter referred to as the S73 application. This application seeks to vary Condition 1 (Approved Plans) of the planning consent, with amended plans to supersede specific previously approved plans.
- 6.2 This application is submitted alongside 3no. Listed Building Consent applications, considered elsewhere on this same Committee agenda, relating to the listed structures within sub-frontage 3 of the main scheme: Naval War Memorial, ornamental lamp columns and listed monuments:
- i. 23/00895/LBC - Removal and repositioning of 9no. Grade II Listed lamp columns along the seafront
  - ii. 23/00897/LBC - Removal and re positioning of 5no. Grade II Listed monuments, to include new plinths, along the seafront at Clarence Esplanade
  - iii. 23/00898/LBC - Works to the Grade I Listed Portsmouth Naval War Memorial to include raising of existing planters and seating (to south of memorial), provision of new level access from the new raised promenade, installation of recessed flood board fixing channels and associated re-grading of Southsea Common.
- 6.3 As set out in 'Addendum 3 to the Environmental Statement' dated July 2023, the proposal for sub-frontage 3 (Southsea Common) comprises of the provision of a managed beach, a stepped revetment with sheet pile toe (west of The Beach Club) and a rock revetment with a low wall (east of The Beach Club) as the primary defence. There is a combination of an earth bund and reinforced concrete wall as the secondary defence. The highway layout consists of a one-way westbound carriageway on Clarence Esplanade with echelon and parallel parking on seaward side, a widened promenade and a two-way cycle lane.
- 6.4 It should be noted that in assessing the environment effects of the amended design at sub-frontage 3, the outcome either remains as per the original Environmental Statement, or results in a minor improvement.
- 6.5 The amendments for which formal approval is sought can be summarised as follows:
- Improved public realm
  - Extension of the rock revetment further west towards The Beach Club (formerly Mozzarella Joes) and further seaward
  - The removal of the rock toe previously approved
  - Improved interaction with the Portsmouth Naval War Memorial
  - Improvements to the highway layout

- Improved setting for the listed monuments
  - The alignment of the defences has moved further seaward by 3 to 7m in places.
- 6.6 Most of the amendments are within sub-frontage 3, with some falling within the western end of sub-frontage 4 that were not included in the 2021 S73 planning application.
- 6.7 As set out in the Design and Access Statement submitted with the application, The proposal for sub-frontage 3 (Southsea Common) is the provision of a managed beach west of The Beach Club and a rock berm to the east, with a stepped revetment and raised promenade as the primary defence. A combination of earth bund and reinforced concrete wall provides the secondary defence, with a change of road layout proposed on Clarence Esplanade to include a one-way westbound carriageway on the northern side, a two-way cycle lane adjacent to the promenade, and echelon and parallel parking between these two sections with associated pedestrian area for exiting vehicles and crossing the carriageway. It is proposed to reduce the speed limit here to 20mph.
- 6.8 As part of the proposals, the promenade will be resurfaced with an exposed aggregate finish similar to that being used in Sub Frontage 1 and 2. A managed beach is proposed at the western end of sub-frontage 3 (Southsea Common) to reduce overtopping discharges on the primary and secondary defences during storm events, 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 and maintain seaside amenity and visual landscape where this currently exists. The beach east of The Beach Club has a very different character and has, in recent years, been eroded significantly. This has allowed further erosion of the promenade during storm events. For this reason, and also to allow the promenade to be brought seaward to accommodate the proposed highway layout, a rock berm is proposed here, which continues eastward to the proposed rock around Southsea Castle.
- 6.9 A groyne is proposed at the boundary of Hovertravel landing pad to retain beach material in the western end of Southsea Common beach.
- 6.10 A rock armour 'stub' groyne is proposed in front of The Beach Club restaurant and the Rowing Club to reduce risk of wave reflections from the existing vertical seawall, protecting the beach by helping prevent drawdown of the beach material. The secondary defences proposed comprise a mixture of earth bunds and a stone clad, reinforced concrete retaining wall locally adjacent to the Naval War Memorial. The secondary defence is aligned along the landward side of Clarence Esplanade.
- 6.11 The secondary defence earth bund is proposed with a 1 in 4 slope on the seaward side, a 1 in 8 slope on the landward side (into the Common) 50m either side of the Naval War Memorial and 1 in 4 slope on the landward side (into the Common) everywhere else. This reduces the visual impact when viewed from the Common and retains the maximum amount of useable open space.
- 6.12 The design around the Naval War Memorial has evolved through discussions with the Commonwealth War Graves Commission (CWGC), Local Planning Authority - Portsmouth City Council and Historic England (HE). This is discussed in more detail within the Heritage Impact Assessment and summarised in section 6.13 of the D&A Statement. It comprises the raising of the existing seating and planters on the southern side, to replicate their existing relationship when the promenade is raised. The topography around the Memorial will then need to be regraded to reduce the height difference between the new planters and the land behind. Incorporating the Memorial into the defences allows it to retain its visual connection with the sea and its prominence.
- 6.13 In front of the Naval War Memorial, a pedestrian priority zone is proposed, to give a more respectful and uncluttered setting. Parking will be removed, and all street furniture minimised.

- 6.14 Three sets of flood boards, set within vertical rails to prevent water ingress, are proposed where gaps exist in the secondary defence at the Naval War Memorial. These boards will only be in place when there is a storm event likely to lead to flooding and so will not be present for the vast majority of the time. Sub-frontage 3 contains some of the ornamental lamps and monuments that are the subject of the listed building consent applications. The lamps are proposed to be repositioned as close to their original locations as possible within the new promenade. The monuments are also proposed to be repositioned close to their existing locations, but the opportunity to enhance their settings has been taken. They are proposed to sit centrally within the promenade to enhance their prominence.
- 6.15 With regard to programme update, Sub-frontage 3 is the fourth phase of construction works of the overall Southsea Coastal Scheme. Phase 1 of construction at sub-frontage 1 (Long Curtain Moat) was completed in February 2023 and Phase 2 at sub-frontage 4 (Southsea Castle) is currently in construction. Phase 3 at sub-frontage 5 west is due to commence Autumn 2023. The applicant states that, without prejudice, assuming all the necessary approvals are in place, enabling works for sub-frontage 3 will commence in the spring of 2024

## **7.0 CONSULTATIONS**

- 7.1 Historic England. HE have stated that they are not commenting on this application.
- 7.3 PCC Conservation Officer. No objection
- 7.4 Environment Agency. No objection
- 7.5 Archaeology Advisor No objection. The impacts of the proposed variation, taking into account the archaeological and paleoenvironmental potential, depth of impact and scale of works are such that they can be addressed through the Archaeological/Historic Environment Management Strategy (AMS/HEMS) as required by condition 5 of the existing planning permission. This in turn secures bespoke written schemes of investigation to describe the mitigation of the various phases and tasks. I would agree that the provisions of condition 5 can continue to address archaeological matters in the light of the current variation and I am happy to review and comment on WSIs submitted in due course that will reflect the proposed development impacts including those arising out of these variations
- 7.6 Highways Engineer: No objection, subject to the changes to the layout being implemented in full.
- 7.7 Environmental Health: Upon reviewing the Environmental Statement - Chapter 16 - Noise and Vibration it has been identified that the sea defence works are unlikely to have any significant impact upon residential dwellings during the daytime apart from activities involving the use of percussive piling and, in some areas, the breaking out of concrete. During evening and night time hours, potential impacts have been identified where evening and night time working are unavoidable due to tidal restrictions. It is therefore recommended that Regulatory Services are notified of any evening and night time works for percussive piling and the breaking out of concrete prior to their commencement and noise mitigation measures are agreed in advance of any works taking place.
- 7.8 Landscape Group - No objection.
- 7.9 Ecology (advice provided by Hampshire County Council) - No objection.
- 7.10 No views have been received from:
- Natural England
  - King's Harbour Master
  - The Portsmouth Society

- RSPB
- Hants & IOW Wildlife Trust
- Marine Management Organisation
- Contaminated Land Team
- Road/Footpath Closure
- Coastal And Drainage
- Seafront Manager

## **8.0 REPRESENTATIONS**

8.1 None.

## **9.0 COMMENT**

- 9.1 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.
- 9.2 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, extension of the rock revetment, improvements to the public realm, improved additional soft landscaping and enhanced connectivity between the Grade 1 listed Portsmouth Naval Memorial<sup>1</sup> and the sea by removing parking from that area - 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.
- 9.3 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.
- 9.4 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.
- 9.5 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**

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<sup>1</sup> <https://www.cwgc.org/visit-us/find-cemeteries-memorials/cemetery-details/144703/portsmouth-naval-memorial/>

- 9.6 There are a number of ecological designations within and close to the application site including sites and species of local, national and international importance.
- 9.7 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.
- 9.8 With regard to the coastal environment as this proposal involves the removal of the rock toe, the number of 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.
- 9.9 The ES recognises the importance of all habitats and species. The scheme has been designed to minimise the impact on marine and terrestrial ecology. With respect to marine ecology, Table 10.1 in the ES addendum sets out that the marine ecology assessment remains unchanged from the previous assessment. With regard to terrestrial ecology, the previous assessment also remains valid.
- 9.10 Regarding birds there will be no material effect on SWBGS site P35 (Southsea Common) and replacement Brent Geese land will be provided within site P36, currently a low use site, to offset part of P35 being used as a construction compound.



Figure 13.1: Solent Wader and Brent Goose Strategy network in Southsea. Site P36 = materials storage compound location.

- 9.11 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 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 proposed mitigation measures comprising the use of vibro piling rather than percussive piling only to be undertaken between April and September (i.e., not over winter), the provision of an area within Core Site P35 as a bird refuge area from 1 October to 31 March each year that construction is underway, and the use of Hears type fencing with debris netting along the landward edge of the construction works area adjacent to P35 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**

- 9.12 The area under consideration in this application to further vary some elements of the original proposal is extensive, and incorporates a variety of designated heritage assets across a range of scales and grades. In aggregate, the overall significance of this range of assets is considered to be 'high'
- 9.13 This proposal relates specifically to 'Sub-Frontage 3' of the scheme which extends along Clarence Esplanade (Between Pier Road and the Crimean memorial/ Serpentine Road). It encompasses the seafront, current promenade and the south-western edge of Southsea Common across this area.
- 9.14 In terms of the impact of the proposed variation on specific assets/asset groupings. Impacts/ affected assets include:
- The repositioning of 34no. Grade II Listed lamp columns,
  - The repositioning of 3no. Grade II listed shelters
  - The repositioning of 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.
- 9.15 Addendum IV (of July 2023) of the original Heritage Impact Assessment (HIA) submitted for the scheme identifies and discusses the impact(s) of this particular iteration/ evolution of the scheme.
- 9.16 Officers have viewed this document, and for reasons of brevity its content/ findings are not discussed in detail here. (The document is available for any interested party / stakeholder to view via the City Council's online public access System).
- 9.17 The entire range of assets affected here, and the detailed nature of all aspects of the proposal under consideration, have been the subject both of lengthy and ongoing detailed discussion at both the pre application and application stages. Individual assets that lie within the boundary of this application have also been the subject of current and previously submitted 'targeted' applications which address the impact of this proposal on individual asset (groupings).
- 9.18 In this context, the Council's Conservation Officer is largely in agreement both with the assessments of significance that have been previously provided (and are re-provided) here, and also more importantly with the assessments of impact and related conclusions that have been drawn in respect of each asset.
- 9.19 In overview/ summary, the changes which this variation seeks would alter the profile of the sea defences by increasing the beach crest width to at least 8 metres with an average width of 14 metres and a slope of 1 in 8 (7.12 degrees) through an appreciable



extension to their seaward depth, and with a related realignment to the position/ depth of the promenade

- 9.20 Of particular note in heritage terms are the boundary/ footprint of the Listed Common - which appears to remain the same, and the impact of the scheme on the listed Marine Memorial which it is considered would be significantly improved - in terms of ruling-out/ removing unsightly walls/ berms that have previously formed part of the proposal.
- 9.21 The variation is considered to represent an essentially marginal evolution in the nature and details of the proposal scheme, towards an overall heritage impact which, given the scale and scope of works would inevitably remain intermediate/ high, but which would, on balance represent a modest but noticeable overall improvement to the heritage impacts of the scheme.
- 9.22 In light of the points discussed, the proposal is considered acceptable, capable of heritage/conservation support, and could therefore be positively determined without any further delay.

### **Landscape Impact**

- 9.23 The landscape proposals have been developed in a consistent manner to marry in well with the neighbouring proposals for Phase 2 (Sub-frontage for the Castle) as well as what has been built at Long Curtain Moat already. This gives confidence in anticipating what to expect with the general quality and character, as well as what to expect in terms of the details of surface treatments, walls and seats, lighting etc.
- 9.24 The proposed changes appear positive:
- Improving the setting for the Portsmouth Naval Memorial, creating a nice amount of space around it, quality materials, easy access for public avoiding steps.
  - Allowing one-way traffic along the road from east to west, enabling echelon parking for sustained views from parked cars over the Solent.
  - Realigning and widening the prom where possible, east of the Hovercraft area, to give plentiful space for cyclists and pedestrians.
  - Enhancing access down from the promenade to the Beach Club and to the Rowing Club.
  - Redistributing the monuments along the widened prom gives enhanced settings for appreciation.
  - Creating a raised viewing area called Serpentine Square, with planting and seating terraces down to the current path/road level where the Crimean monument is retained, and towards the entrance of the Blue Reef Aquarium.
- 9.25 The rock revetment will be extended further west toward the Beach Club (formally Mozarella Joes) and further seaward to prevent overtopping. Whilst this reduces access to the beach, given the existing damage caused by storms within this area this is acceptable
- 9.26 Subject to conditions requiring the submission of materials and plant schedules there is no objection to the landscape proposals for this area.

### **Highways Impact**

- 9.27 The Highways Authority have noted that no updated Traffic Assessment has accompanied the changes to demonstrate whether the above would have a material impact to highway function. As a result of the proposal, the proposal would see vehicles having to reroute via adjacent roads which could consequently add additional pressure at certain junctions, however it is considered that it is unlikely to result in a severe or unacceptable impact to highway safety that would be sufficient to warrant refusal of the

application, particularly given the benefits created by the improved cycle way and suitable alternative routes for vehicles to use.

## **10.0 COMMUNITY INFRASTRUCTURE LEVY (CIL)**

10.1 The development would not be CIL liable as there is no floorspace being created.

## **11.0 HUMAN RIGHTS AND THE PUBLIC SECTOR EQUALITY DUTY ("PSED")**

11.1 The Council is required by the Human Rights Act 1998 to act in a way that is compatible with the European Convention on Human Rights. Virtually all planning applications engage the right to the enjoyment of property and the right to a fair hearing. Indeed, many applications engage the right to respect for private and family life where residential property is affected. Other convention rights may also be engaged. It is important to note that many convention rights are qualified rights, meaning that they are not absolute rights and must be balanced against competing interests as permitted by law. This report seeks such a balance.

11.2 Under section 149 of the Equality Act 2010, the Council must have due regard to the need to eliminate discrimination, harassment, or victimisation of persons by reason of their protected characteristics. Further the Council must advance equality of opportunity and foster good relation between those who share a relevant protected characteristic and those who do not. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Having had due regard to the public sector equality duty as it applies to those with protected characteristics in the context of this application, it is not considered that the officer's recommendation would breach the Council's obligations under the Equality Act 2010.

## **12.0 CONCLUSION / PLANNING BALANCE**

12.1 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.

12.2 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.

12.3 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.

12.4 In light of the above, this application for proposed amendments to the approved scheme is considered acceptable.

## **RECOMMENDATION**

**RECOMMENDATION I** - That planning consent be granted.

**RECOMMENDATION II** - That delegated authority be granted to the Assistant Director of Planning & Economic Growth to add/amend conditions where necessary.

## 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:	Location Plan - 0001Rev.P03
Elevations:	- Elevation - 1 – 1967 – Rev.P02
	- Elevation - 2 – 1968 – Rev.P02
	- Elevation - 3,4&5 - 0153Rev.P05
	- Elevation - 6&7 - 0154Rev.P06
	- Elevation - 8 - 0155Rev.P06
	- Elevation - 10 - 0157Rev.P06
	- Elevation - 11 - 0158Rev.P06
	- Elevation – 9 – 4920 C01
	- Elevation – 9.5 – 4921 C01
	- 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
General Arrangements:	- KEY PLAN + ELEVATIONS – 0099 – Rev.P05
	- KEY PLAN + CROSS SECTIONS – 0100 – Rev.P05
	- General layout - Sheet01 – Long Curtain - 1960 – Rev.C01
	- General layout - Sheet02 – Clarence Pier – 0102 - Rev.P05
	- General layout - sheet03 - Clarence Esp - 0103Rev.P05
	- General layout - sheet04 – Naval Memorial - 0104Rev.P05
	- General layout - sheet05 – Blue Reef - 0105Rev.P05
	- General layout - sheet06 – Southsea Castle - 4902Rev.C01
	- General layout - sheet07 – Southsea Castle - 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:	- Heritage constraints plan - 0400Rev.P03
Cross Sections:	- Cross section - A+A1 – 1963 – Rev.C01
	- Cross section - A2+B – 1964 – Rev.C01
	- Cross section - B1+C – 1965 – Rev.C01

	- Cross section - C1 - 0204Rev.P03
	- Cross section - C2 - 0205Rev.P03
	- Cross section - C3&C4 - 0206Rev.P03
	- Cross section - D&D1 - 0207Rev.P05
	- Cross section - E&F - 0208Rev.P05
	- Cross section - F1&G - 0209Rev.P05
	- Cross section – G1&G2 0210 Rev.P05
	- Cross section – H 4910a Rev.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.P02
	- Monuments - Peel Shannon & Trident - 0232Rev.P02
	- Monuments - Aboukir & Crimean - 0233Rev.P02
Interface & Details:	- 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 - Naval Memorial - 0457Rev.P05
	- Interface – Castle West 08A - 0459Rev.P04
	- Interface – Southsea Castle – 08 4950Rev.C01
	- Interface – Southsea Castle – 09 4951Rev.C01
	- Interface – Southsea Castle – 010 4953Rev.C01
	- Interface - South Parade Pier - 0462Rev.P04
	- Interface - Lumps Fort West - 0463Rev.P02
	- Interface - Eastern end - 0464Rev.P03
	- Naval War Memorial – sections, elevations & details – 3352 Rev. C01 (Sheet 1 of 2)
	- Naval War Memorial – sections, elevations & details – 3353 Rev. C01 (Sheet 2 of 2)
	- A1045-PRA-ZZ-00-DR-A-20000 NWM Existing Site Plan Rev. P2
	- A1045-PRA-ZZ-00-DR-A-21000 NWM Proposed Site Plan Rev. P2
	- A1045-PRA-ZZ-EL-DR-A-30001 NWM Elevation of Embankment Rev. P2
	- 60000 A1045-PRA-ZZ-00-DR-A-60000 NWM Existing Details Rev. P2
	- 60100 A1045-PRA-ZZ-00-DR-A-60100 NWM Proposed Details (Sheet 1 of 2) P2
	- 60101 A1045-PRA-ZZ-00-DR-A-60101 NWM Proposed Details (Sheet 2 of 2) P2
	- 60102 A1045-PRA-ZZ-00-DR-A-60102 NWM Proposed Detailed Plan of Planter and Bench P2
Flood Gate plans:	- FC21603- FCI - XX - XX - DR- X – 0101
	- FC21603- FCI - XX - XX - DR- X – 0102
	- FC21603- FCI - XX - XX - DR- X - 0103

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, Indicative Phasing for the Construction of the Southsea Coastal Scheme 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### Rock Revetment Materials - Sub-frontages 3 and 4

7) The proposed variety of rock revetment materials (above Mean High Water Springs) for sub-frontages 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### Construction Environmental Management Plan

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 (2021).

### 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 (2021).

### 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 (2021).

### 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 (2021).

### 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 (2021).

### 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### 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 (2021).

#### 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 (2021).

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.