# HAVANT BOROUGH COUNCIL PUBLIC SERVICE PLAZA CIVIC CENTRE ROAD HAVANT HAMPSHIRE P09 2AX



**Page** 

Telephone: 023 9247 4174 Fax: 023 9248 0263 Website: www.havant.gov.uk

# DEVELOPMENT MANAGEMENT COMMITTEE AGENDA

Membership: Councillor

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

Meeting: Development Management Committee

Date: 8 December 2016

*Time:* 5.00 pm

Venue: Hurstwood Room, Public Service Plaza, Civic Centre Road,

Havant, Hampshire PO9 2AX

The business to be transacted is set out below:

Nick Leach Monitoring Officer

29 November 2016

Contact Officer: Jack Caine 023 92446230

Email: jack.caine@havant.gov.uk

1 Appointment of Chairman

To Appoint a Chairman to the meeting.

2 Apologies for Absence

To receive and record apologies for absence.

3 Minutes 1 - 14

To approve the minutes of the Development Management Committee held on 20 October 2016.

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# 4 Matters Arising

# 5 Site Viewing Working Party Minutes

To Follow

To receive the minutes of the Site Viewing Working Party held on 1 December 2016

#### 6 Declarations of Interest

To receive and record declarations of interests from members present in respect of the various matters on the agenda for this meeting.

# 7 Chairman's Report

The Chairman to report the outcome of meetings attended or other information arising since the last meeting of the Committee.

# 8 Matters to be Considered for Site Viewing and Deferment

The Committee are invited to consider any matters they wish to recommend for site viewing or deferment.

# 9 Deputations

To receive requests to make a deputation to Committee.

# 10 Applications for Development and Development Control Matters

15 - 18

# Part 1 - Applications Viewed by the Site Viewing Working Party

# 10(1) APP/16/00928 - Aura House, New Road, Havant, PO91DE

19 - 40

Proposal: Proposed two storey undercroft office extension.

**Associated Papers:** 

http://tinyurl.com/h7ugt9r

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

# 10(2) APP/16/01110 - Boundary Wall in front of 101 - 109 North Street 41 - 54 Emsworth, PO10 7PH

Proposal: Replacement of retaining wall (amendment to

Planning Permission APP/15/00653) abutting

101-109 North Street.

Associated Papers:

http://tinyurl.com/gu448jm

# 11 Nomination of Chairman

55 - 56

To consider the nomination of Chairman for the next meeting of the Development Management Committee in accordance with the rota.

#### **GENERAL INFORMATION**

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

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# **Public Attendance and Participation**

Members of the public are welcome to attend the Public Service Plaza and observe the meetings. If you wish to address the Committee on a matter included in the agenda, you are required to make a request in writing (an email is acceptable) to the Democratic Services Team. A request must be received by 5pm on **Tuesday, 6 December 2016**. Requests received after this time and date will not be accepted

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

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

#### By Post to:

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

#### Delivered at:

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

marked for the Attention of the "Democratic Services Team"



# PROTOCOL AT MEETINGS - RULES OF DEBATE

#### **Rules of Debate**

- Councillors must always address each other as "Councillor ..." and must always address the meeting through the Chairman;
- A motion must relate to the business included on the agenda or accepted by the meeting as urgent business
- A motion must be proposed and seconded before it is debated until it is either accepted or rejected by a vote;
- An amendment can be proposed to the original motion and this must be seconded before it is debated;
- The mover of an original motion may, with the consent of the mover of an amendment, incorporate an amendment into the motion;
- Only one amendment may be moved at a time. No further amendments can be moved until the previous amendment has been dealt with;
- Each amendment must be voted on separately;
- If an amendment is carried, the amended motion becomes the substantive motion to which further amendments may be moved;
- If an amendment is lost, other amendments may be moved to the original motion.
- The mover may withdraw an amendment at any time
- After an amendment has been carried, the Chairman will read out the amended (substantive) motion, before accepting any further amendment, or if there are none, put it to the vote.

# Voting

- Voting may be by a show of hands or by a ballot at the discretion of the Chairman;
- Councillors may not vote unless they are present for the full duration of the item;
- Where there is an equality of votes, the Chairman may exercise a second (casting) vote;
- Two Councillors may request, before a vote is taken, that the names of those voting be recorded in the minutes
- Councillors may not vote unless they are in the meeting for the full debate on any particular item
- A Councillor may request that his/her vote be recorded in the minutes

#### Order of Business

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

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

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

#### **Disabled Access**

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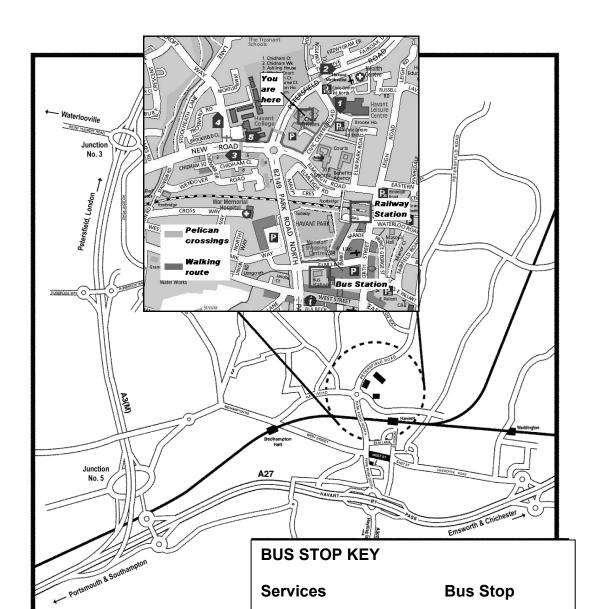
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Public Service Plaza Civic Centre Road Havant Hampshire P09 2AX

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

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



Development Management Committee 20 October 2016

#### HAVANT BOROUGH COUNCIL

At a meeting of the Development Management Committee held on 20 October 2016

Present

Councillor Quantrill (Chairman)

Councillors Hughes, Keast, Patrick, Bowerman (Standing Deputy) and Davis (Standing Deputy)

# 46 Appointment of Chairman

RESOLVED that Cllr Lance Quantrill would be Chairman for the meeting.

# 47 Apologies for Absence

Apologies for absence were received from Cllr John Perry and Cllr Paul Buckley.

#### 48 Minutes

It was RESOLVED that the minutes of the meeting held on 18 August 2016 were agreed as a correct record and signed by the Chairman.

#### 49 Matters Arising

There were no matters arising.

# 50 Site Viewing Working Party Minutes

The committee received the minutes of the meeting held on 13 October 2016.

#### 51 Declarations of Interest

There were no declarations of interest relating to matters on the agenda.

# 52 Chairman's Report

The Chairman advised there was nothing to report at the time.

# 53 Matters to be Considered for Site Viewing and Deferment Page 1

There were no items considered for Site Viewing or deferment.

# 54 Deputations

- (1) Mr Anthony Walker (objector) APP/16/00568 117 Elm Grove, Hayling Island, PO11 9ED
- (2) Mr Robert Woodward (objector) APP/16/00568 117 Elm Grove, Hayling Island, PO11 9ED
- (3) Mr Gian Bendinelli (applicant's agent) APP/16/00568 117 Elm Grove, Hayling Island, PO11 9ED
- (4) Cllr Leah Turner (Ward Councillor) APP/16/00568 117 Elm Grove, Hayling Island, PO11 9ED
- (5) Cllr Michael Wilson (Ward Councillor) APP/16/00568 117 Elm Grove, Hayling Island, PO11 9ED
- (6) Cllr David Guest (Ward Councillor) APP/16/00933 Hall Place Cottage, South Street, Havant.

# 55 APP/16/00568 - 117 Elm Grove, Hayling Island, PO11 9ED

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

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

The Committee received supplementary information, circulated prior to the meeting which:

- (1) Detailed the consultation responses from the Arboricultural Officer and Landscape Officer
- (2) Detailed an update to the planning considerations regarding the S106 agreement and number of parking spaces within the proposal.
- (3) Gave responses to the questions raised by the Site Viewing Working Party held on the 13 October.

The Committee was addressed by the following deputees:

- (1) Mr Walker, who objected to the proposal for the following reasons:
  - a. The proposal breached policy DM2 of the Core Strategy as it had not been demonstrated through an active marketing process that the premises was no longer viable for its authorised use.
  - b. The proposal would have a significant detrimental impact upon neighbouring parking

- c. A 3 storey building would be too high in scale and design and would set a precedent for additional 3 storey developments in the area
- d. The proposal cause congestion and would put additional pressure on infrastructure, particularly vehicular access to Hayling Island with regard to emergency services.
- e. The area would benefit from developments that would incorporate shops, amenities and parking; residential developments were an inappropriate use of the site.
- (2) Mr Woodward, who objected to the proposal for the following reasons:
  - f. Increase in housing in the area would add strain to the infrastructure, particularly highways
  - g. The proposal was unsustainable in the long term
  - h. The proposal would have a detrimental impact upon small businesses in the area.
- (3) Mr Bendinelli, on behalf of the applicant, supported the proposal for the following reasons:
  - i. This new type of proposal would add interest and variety to the area.
  - j. The design would allow for the most efficient use of space, maximising housing whilst minimising impact on the street scene
  - k. The proposal would help Havant Borough Council deliver sheltered housing to the residents of the Borough.
  - I. Due to the absence of a 5 year housing land supply, policy DM2 of the core strategy would be considered outdated and therefore not apply to the proposal.
  - m. The parking provisions detailed in the proposal were well above that which would be deemed acceptable by the highways authority and the planning inspectorate.
  - n. The loss of community use is unsubstantiated as the application for the premises to be listed as an Asset of Community Value had been turned down, and therefore a change of use to residential is acceptable.
- (4) Cllr L Turner who objected to the proposal for the following reasons:
  - o. The proposal breached Policy CS9 of the core strategy as it did not provide 30-40% of affordable housing. It therefore could be refused under R11 of the model reasons for refusal.
  - p. £21,000 of local housing contribution was much lower that what should be expected and a small contribution raised concerns over the developer's confidence in the viability and sustainability of the proposal.

- (5) Cllr M Wilson who objected to the proposal for the following reasons:
  - q. The size and bulk of the proposal would be an incongruous feature of the street scene.
  - r. The increase in traffic as a direct result of the proposal would have a detrimental impact on the infrastructure of the area.
  - s. The Havant Borough Council's Parking SPD set a policy for 1 car parking space per dwelling which the proposal would breach.
  - t. The increased need for car parking directly arising from the proposal would have a significant detrimental impact on neighbouring amenities and also local shops and businesses.
  - u. The trees on the site would suffer significantly from the proposal.
  - v. The proposal was a significant overdevelopment of the site; a smaller proposal would be more appropriate.

In response to guestions raised by the committee, officers advised that:

- The lack of a 5 year housing land supply meant that Local Plan
  policies restricting the supply of housing land, such as Policy
  DM2, were deemed out of date and should not be regarded as a
  determining factor in the outcome of the application. Thus the lack
  of marketing of the site as a community asset, as normally
  required by Policy DM2, could not form a sustainable reason for
  refusal, and
- The design of the proposal did not constitute an overdevelopment of the site.

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

In light of Local Plan Policy DM2 not being a determining factor in the outcome of the application due to the lack of a 5 year housing land supply, the committee agreed that the proposal was acceptable. It was therefore

RESOLVED that the Head of Planning Services be authorised to grant permission for Application APP/16/00568 subject to:

- (A) The entering into of a S106 Agreement, acceptable to the Solicitor to the Council, to secure the required SRMP contribution and a contribution of £21,000 in lieu of the provision of affordable housing and a contribution in relation to traffic management if required; and
- (B) Conditions to address the following matters, and any others that are considered appropriate (the detailed wording of such to be delegated to the Head of Planning Services):

1 The development must be begun not later than three years beginning with the date of this permission.

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- Prior to the commencement of any specific phase of development approved by this planning permission (other than demolition, site clearance, or any other date or stage in development as may be agreed in writing with the Local Planning Authority), an assessment of the nature and extent of contamination at the site, whether originating from within or outside the curtilage, shall be submitted to and approved in writing by the Local Planning Authority.

  The assessment may comprise separate reports as appropriate, but
  - The assessment may comprise separate reports as appropriate, but shall be undertaken by competent persons and unless specifically excluded in writing by the Local Planning Authority, shall include;
  - 1) An intrusive site investigation based on the proposals outlined within the ACS Desk Study Report Ref: 15-67729 (Jan 2016); to provide sufficient data and information to adequately identify & characterise any physical contamination on or affecting the site, and to inform an appropriate assessment of the risks to all identified receptors.
  - 2) The results of an appropriate risk assessment based upon (1), and where

unacceptable risks are identified, a Remediation Strategy that includes;

- appropriately considered remedial objectives,
- an appraisal of remedial &/or risk mitigation options, having due regard to

sustainability, and;

- clearly defined proposals for mitigation of the identified risks.
- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the Remediation Strategy (2) are complete, identifying any requirements for longer-term monitoring of pollutant linkages, maintenance of engineered mitigation measures, and arrangements for contingency action. All elements shall be adhered to unless agreed in writing by the Local Planning Authority.

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

Prior to commencement of the development approved by this Planning Permission (inclusive of demolition & site clearance), a scheme to address the risks posed by the potential presence of asbestos containing materials (ACM's) within the existing structures shall be submitted to, and approved in writing beging foal Planning Authority. Assessment shall

be undertaken by competent persons, and the findings presented as a written report. The assessment may comprise separate reports as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

- 1) A physical site survey, of sufficient scope to enable an indicative description of the nature & location of all potential ACM present; including that enclosed by finished surfaces (i.e. within the sub-structure).
- 2) Collection of physical samples from suspected ACM for laboratory analysis by Polarised Light Microscopy, to confirm:
- Asbestos presence (or absence), and
- Where present, Asbestos type, and

soils).

- Where possible, approximate proportion, as a percentage.
- 3) Where ACM is identified, clearly defined proposals for removal of the identified material (a method statement), to include a description of risk management measures to be observed during removal works, monitoring to be undertaken, and contingency measures.
- 4) A verification survey & any associated air monitoring results, to confirm that removal has been undertaken in accordance with the method statement (3). All elements shall be adhered to unless agreed in writing by the Local Planning Authority.

**Reason:** Having due regard to policy DM10 of the Havant Borough Adopted Core Strategy [2011],

Asbestos containing materials are suspected to be present within the buildings at the site that could, if not managed during demolition, be released in to the environment (air,

Prior to the occupation of any relevant part of the permitted development, any verification report required in accordance with condition [1, part 3] shall be submitted to and approved in writing by the Local Planning Authority.

The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan, and must demonstrate that site remediation criteria have been met.

Where longer-term monitoring of pollutant linkages is identified as being necessary, the report shall clearly set out plans for monitoring, provision for maintenance, relevant triggers and contingency actions (a "long-term monitoring and maintenance plan").

The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: Having due regard to policies DM10 of the Havant Borough Adopted Core Strategy [2011] and DM17 of the Havant Borough Local Plan (Allocations) [2Page 6] tamination may be present at the site as a

result of both previous & current land uses (&/or activities) that could pose a risk to future site occupiers.

Prior to any development taking place plans and particulars specifying the layout, depth and capacity of all foul and surface water drains and sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant (e.g. pumping stations) shall be submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use prior to the completion of the implementation of all such drainage provision in full accordance with such plans and particulars as are thus approved by the Authority.

**Reason:** To safeguard the amenities of the locality and to ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16, DM8 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- Prior to any development taking place plans and particulars specifying the following matters shall be submitted to and approved in writing by the Local Planning Authority:
  - (i) The provision to be made within the site for contractors' vehicle parking during site clearance and construction of the development;
  - (ii) The provision to be made within the site for a material storage compound during site clearance and construction of the development.

Thereafter, throughout such site clearance and implementation of the development, the approved parking provision and storage compound shall be kept available and used only as such.

**Reason:** To safeguard the amenities of the locality and in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Prior to any development taking place details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

**Reason:** In the interests of the character and amenities of the area, and having due regard to Policy CS16 of the Havant Borough Local Plan (Core Strategy) 011 and the National Planning Policy Framework.

Prior to any above ground development taking place, any proposal relating to the installation of potential noise generating plant / equipment such as air source heappen s, mechanical ventilation systems, air

conditioning units and the like, shall be agreed and approved in writing by the Local Planning Authority.

**Reason**: In the interests of protecting the occupants of nearby residential properties from noise and vibration nuisance and having due regard to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014.

note - BS4142 Requirement Noise resulting from the use of any/all plant, machinery or equipment shall not exceed the principle of No Observable Effect Level (NOEL), when measured according to British Standard BS4142-2014.

Prior to any development taking place further clarification of the details within the submitted noise report in regard to the electrical sub station is required to be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

**Reason**: In the interests of protecting the occupants of nearby residential properties from noise and vibration nuisance and having due regard to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014.

Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

**Reason:** To ensure the appearance of the development is satisfactory and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Prior to any development taking place all trees that are to be retained within or adjacent to the site shall be enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction' recommendations and the submitted Tree Protection Plan. The fencing shall be retained throughout the period of construction and no activity prohibited by BS:5837:2012 shall take place within such protective fencing during the construction period.

Reason: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies and DM8 of the Havant Borough Local

Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Demolition works adjacent to T1, T2 & T3 must be supervised by the Arboricultural consultant and the supervision report to be submitted to and approved in writing by the Local Planning Authority.

**Reason**: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

No development shall commence on the site until details of the design, depth and type of building foundations and the layout, with positions, dimensions and levels, of service trenches, ditches, drains and other excavations on site, insofar as they may affect trees and hedgerows on or adjoining the site, have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To safeguard against undue damage to existing trees and/or other vegetation at the site and having due regard to policies CS11.2 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

The applicant shall give at least 10 days notice of the proposed start date for the approved works, to give the Local Planning Authority the opportunity to arrange supervision of the works as necessary.

**Reason**: To safeguard the continued health and presence of such existing vegetation and protect the amenities of the locality and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Prior to any the occupation of any unit hereby permitted the applicant shall confirm that the acoustic mitigation measures to be employed with regard to the building envelope, including fenestration and ventilation, will meet BS8223:2014 standards as recommended for indoor ambient noise levels for dwellings, especially in relation to living rooms and bedrooms i.e during the day (07:00 to 23:00) 35 dB *L* Aeq,16 hour and at night (23:00 to 07:00) 30 dB *L* Aeq,8 hour for bedrooms.

**Reason:** In the interests of the residential amenities of the occupiers, and having due regard to Policies DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and DM17 of the Havant Borough Local Plan (Allocations) 2014.

The development shall not be brought into use until space for the parking and turning of vehicles has been provided within the site, surfaced and marked out in accordance with the approved details. Such areas shall thereafter be retained and used solely for those purposes and shall remain at all times as unallocated parking spaces.

**Reason:** In the interests of highway safety and local amenity and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

With the exception of any site manager/warden's accommodation, at no time shall the sheltered apartments development hereby approved be occupied by persons under the age of 60, unless in the case of a couple where one person is over the age of 60, the second person shall not be under the age of 55.

**Reason:** In order that the occupancy of the development is compatible with the limited amount of on-site car parking provision, and having due regard to Policies CS20 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

The landscaping works shown on the approved plans [ref. landscape strategy SO\_2267\_03\_LA\_MCS551 rev E received 14 September 2016] shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following final occupation of the development hereby permitted, whichever is the sooner. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted.

**Reason:** To ensure the appearance of the development is satisfactory and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

The collection of refuse shall be in accordance with the submitted Refuse Collection Statement received on 4 October 2016 and shall be collected from and returned to the refuse store by the waste collection operative and shall not be left on the public highway.

**Reason:** In the interests of highway safety and local amenity and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

No above ground construction works shall take place until a scheme of enhanced ecological mitigation measures for the site has been submitted to and approved by the Local Planning Authority. Any such measures shall be implemented in accordance with the agreed details and secured in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide ecological protection and enhancement in accordance with the lateral (Environment & Rural Communities

(NERC) Act 2006 and Policy CS11 of the Havant Borough Core Strategy March 2011.

21 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the extension / building hereby permitted the windows in the first floor on the southern elevation facing south and serving apartments 19 and 20 shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.

**Reason:** In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

Proposed North and West Elevations Drwg.no S0\_2267\_03\_AC\_031 rev B received 5 September 2016 Proposed South and East Elevations Drwg.no S0\_2267\_03\_AC\_030 rev B received 5 September 2016 Proposed Ground Floor Plans Drwg.no S0\_2267\_03\_AC\_020 rev E

received 5 September 2016
Proposed First Floor Plans Drwg.no S0\_2267\_03\_AC\_021 rev E

received 5 September 2016
Proposed Second Floor Plans Drwg.no S0\_2267\_03\_AC\_022 rev
D received 5 September 2016

Proposed Roof Plans Drwg.no S0\_2267\_03\_AC\_023 rev C received 5 September 2016

Proposed Site Plan Drwg.no S0\_2267\_03\_AC\_010 rev C received 5 September 2016

Proposed Block Plan Drwg.no S0\_2267\_03\_AC\_011 rev D received 5 September 2016

Design and Access Statement received 26 May 2016

Planning Statement received 26 May 2016

Extended Phase I Habitat Survey received 26 May 2016

Drainage Strategy Report received 26 May 2016

Land Contamination Assessment received 26 May 2016

Landscaping Strategy Drwg.no SO\_2267\_03\_LA\_MCS551 rev E received 14 September 2016

Transport Assessment and Layout Plan received 26 May 2016

Tree Survey/ Arboricultural Implications

Refuse and Waste Management Plan received 26 May 2016

Refuse Collection Statement received 4 October 2016

Arboricultural Method Statement received 4 October 2016

Arboricultural Report received 4 October 2016

Tree Protection Plan received 4 October 2016

Utilities Survey Repo**Page**iv**t** d 26 May 2016

**Reason:** - To ensure provision of a satisfactory development.

# 56 APP/16/00933 - Hall Place Cottage, South Street, Havant, PO9 1DA

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

The committee received the report from the Head of Neighbourhood Support and recommendation to grant permission.

The Committee was addressed by the following deputee:

- (1) Cllr D Guest who objected to the application for the following reasons.
  - a. The tree provides interest and variation to the street scene
  - b. The tree would contribute more community asset than the adjacent wall
  - c. The tree was healthy; not dead dying or diseased.
  - d. All options to retain the tree had not been investigated.

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

- It could not be confirmed that the tree was safe
- Refusing consent would make the Council liable for damages and costs if the tree were to fall.
- Reducing the tree in size had been considered but was not a viable option.
- The tree would not be felled until an agreement had been signed by the applicant stating that another similar tree would be planted after the event.

The Committee discussed the application in detail together with the views raised by the deputy and agreed that although the tree was an impressive feature of the street scene, a foreseeable risk had been illustrated. The conditions of the application also meant the tree would be replaced. It was therefore

RESOLVED that the Head of Neighbourhood Support be authorised to grant consent for application APP/16/00933 subject to the following condition:

(1) The tree felling for which consent is hereby granted shall not commence until a detailed scheme and specification for replacement tree planting on an adjacent part of the site has been submitted to and approved in writing by the Local Planning Authority; such specification shall include details of the species and size of such replacement planting.

**Reason:** To conserve and safeguard the visual amenities of the locality.

# 57 Nomination of Chairman

The Committee considered the nomination of Chairman for the next meeting of the Development Management Committee. It was

RESOLVED that Cllr Clare Satchwell was nominated as Chairman for the next meeting of the Development Management Committee.

he meeting commenced at 5.00 pm and concluded at 7.10 pm
Chairman



#### NON EXEMPT

# HAVANT BOROUGH COUNCIL

# **Development Management Committee**

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

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

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

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

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

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

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

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

EHPBR Executive Head of Planning and Built Environment

HCSPR Hampshire County Structure Plan - Review

HBLP Havant Borough Local Plan (comprising the adopted Core Strategy 2011

and saved policies from the District Wide Local Plan 2005. A related

emerging document is the Draft Allocations Plan 2012)

HWLP Hampshire, Portsmouth & Southampton Minerals & Waste Local Plan

NPPF National Planning Policy Framework 2012

HBCCAR Havant Borough Council Conservation Area Review

AONB Area of Outstanding Natural Beauty

CA Conservation Area

LB Listed Building included in the list of Buildings of Architectural or Historic

Interest

SAC Special Area of Conservation

SINC Site of Importance for Nature Conservation

SPA Site identified as a Special Protection Area for the protection of birds

under the Ramsar Convention

SSSI Site of Special Scientific Interest

FP Definitive Footpath
POS Public Open Space
TPO Tree Preservation Order
HBC Havant Borough Council

GPDO Town & Country Planning (General Permitted Development) Order

DMPO Town & Country Planning (Development Management

Procedure)(England) Order 2010 amended

UCO Town & Country Planning (Use Classes) Order

S106 Section 106 Agreement

Ha. Hectare(s) m. Metre(s)

#### RECOMMENDATIONS

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

# **Implications**

# **Resources:**

None unless detailed in attached report.

# Legal:

Details set in the individual reports

# Strategy:

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

#### Risks:

Details set out in the individual reports

# **Communications:**

Details set out in the individual reports

<u>Background Papers</u>: Individual Applications with Case Officers

Andrew Biltcliffe Head of Planning

Nick Leach Monitoring Officer



# Agenda Item 10(1)

Site Address: Aura House, New Road, Havant, PO9 1DE

Proposal: Proposed two storey undercroft office extension.

Application No: APP/16/00928 Expiry Date: 04/11/2016

Applicant: Mr Robinson

Agent: Mr Knight Case Officer: David Eaves

Knight Architectural Design

Ward: Bedhampton

Reason for Committee Consideration: HPS Referral

**HPS Recommendation: REFUSE PERMISSION** 

#### **Executive Summary**

The proposed development is for an office extension on an existing restricted site. It is considered that the proposal would by reason of its siting, design, height, mass and bulk have a significant harmful impact on the character and appearance of the area and existing building. Furthermore the extension would represent an overdevelopment of the site. Whilst it is recognised that the development brings business and employment opportunities these are relatively modest and are not considered to outweigh the proposals environmental harm identified. It is therefore recommended that the application be refused planning permission.

# 1 Site Description

- 1.1 The application site is located to the south of New Road and to the north of the Portsmouth to Waterloo/Brighton railway line. Bedhampton Station and level crossing lies to the south west. To the north east of the site are terraced residential dwellings.
- 1.2 The site itself comprises a roughly triangular area of land which contains two storey office accommodation. The main building when viewed from New Road has a symmetrical form with a central gable feature and projecting wings to either side. The building includes brick to the ground floor and tile hanging to the first floor with a tiled roof. This is the most prominent building on the site. To the north east is an older converted building with a pitched gable roof fronting New Road which has recently been linked to the main building by a two storey addition. The linked buildings are all in office use.

# 2 Relevant Planning History

APP/15/00865 - Proposed new infill extension in addition to approved planning permission APP/14/01004 for two storey office block. PERMITTED, 19/10/2015

APP/15/00723 - Variation of Condition 10 of Planning Permission APP/14/01004 relating to approved plans., PERMITTED,21/08/2015

APP/14/01004 - Proposed new two storey office block and car parking. PERMITTED 10.12.14

# 3 Proposal

- 3.1 The proposal currently under consideration is for the erection of an extension to the south-western corner of the existing main building. The extension would be two storeys in height although at ground floor level it would be used for open parking such that the first floor would be on piers. The roof form incorporates a double pitched roof with valley between and a smaller third pitched roof over the linked building. The proposal is for rendered walls and tiles to the roof.
- 3.2 The extension would project forward of the existing building by approximately 5m towards New Road. The extension would provide an additional 38sqm of office floorspace. It would not be linked to the existing office internally.

# 4 Policy Considerations

National Planning Policy Framework 2012

# Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)

CS17 (Concentration and Distribution of Development within the Urban Areas)

CS2 (Employment)

DM14 (Car and Cycle Parking on Development (excluding residential))

#### Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)

DM18 (Protecting New Development from Pollution)

Havant Borough Council Borough Design Guide SPD 2011

Havant Borough Council Parking SPD 2016

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

## 5 Statutory and Non Statutory Consultations

#### **Development Engineer - Highways**

The plan shows 10 standard parking spaces which are acceptable in terms of manoeuvring. This meets the HBC parking standards.

#### **Environment Agency**

No comments received.

#### **Network Rail**

The developer/applicant must ensure that their proposal, both during construction and after completion of works on site, does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

The developer should comply with comments and requirements for the safe operation of the railway and the protection of Network Rail's adjoining land - detailed comments provided in relation to:

- Future maintenance
- Drainage
- Plant & Materials
- Scaffolding
- Piling
- Fencing
- Lighting
- Landscaping

#### **Environmental Health**

No comments received

#### Southern Electric

No comments received

# 6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 8

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

# 7 Planning Considerations

- 7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:
  - (i) Principle of development
  - (ii) Impact upon the character and appearance of the area and the existing building
  - (iii) Impact on employment and business
  - (iv) Impact upon residential amenity
  - (v) Car Parking/highway matters
  - (vi) Environmental issues
  - (i) Principle of development
- 7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria. Relevant policies of the Havant Borough Local Plan seek to both support economic development and to protect the character and appearance of the Borough this being reflective of the broad principles of the NPPF which seeks to secure sustainable development in environmental, social and economic terms.

- (ii) Impact upon the character and appearance of the area and the existing building
- 7.3 The site is located in a prominent location to the south of New Road in Bedhampton and to the east of the Bedhampton Level Crossing in West Street. There are clear views of the site therefore from the south-west, west, north and north-east with the bend to New Road making the site particularly prominent to pedestrians and from vehicles approaching from the south-west. The site is also viewed from the railway line which runs to the south of the site.
- 7.4 The site is triangular in shape and has a limited depth. In recent years as can be seen from the planning history it has been developed for commercial office use (residential uses being considered inappropriate in particular because of concerns over impacts from the adjacent railway). The commercial use of the site has been supported by the Council and this has included the conversion of existing buildings and the erection of a purpose built office building. As a result of these developments the site is now fully occupied by the office buildings and their associated car parking. The buildings have been maximised in terms of floorspace as can be seen from their design which takes the form of a 'stepped' footprint alongside the railway line to maximise the site coverage.
- 7.5 The area fronting New Road is mainly residential in character in the vicinity of the site. The most prominent building on the application site is the two storey office building which is set approximately 5.8m back from the pavement fronting New Road. This building is of domestic scale and is in proportion to the residential frontage to New Road. It is symmetrical in design with a central gable and slightly set back wings, all with pitched roofs. Tile hanging and good quality bricks help to provide an attractive appearance to the building and break up its apparent mass and bulk. To the east of this building, yet still within the application site, is a less prominent two storey building set approximately 10.6m back from the pavement to New Road. This building is relatively recessive in the street scene when compared to the larger and set forward main building.
- 7.6 The Havant Borough Local Plan (Core Strategy) policy CS16 together with the Havant Borough Council Borough Design Guide Supplementary Planning Document 2011 set out the Councils design criteria in relation to new development.
- 7.7 Policy CS16 states that, Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:
  - 1. Responds to, draws inspiration from and respects local context and (amongst other matters):

Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site;

Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;

These criteria are considered particularly important to the consideration of the current application.

7.8 The current proposal is to extend the main building further to the south and west by the addition of a further two storey addition. As this is located at the narrowest part of the site the proposed extension would cover the full depth of the site and project in front of the existing main building towards New Road. The double gable roof would be positioned approximately 0.6m from the pavement to New Road with the front wall approximately 1.2m back. The building would be set at an angle to the existing building when viewed from the road. The extension would contrast in style to the existing development on the

- site as it is open to the ground floor (to provide car parking) and would be fully rendered at first floor level.
- 7.9 It is considered that the proposed extension would form the dominant element on the site being most prominently positioned adjacent to the site frontage. The symmetry and 'domestic scale' of the existing main building would be dominated by the forward projecting extension. The extension would also contrast in design and have a 'top heavy' non-domestic appearance accentuated by the use of a render finish for the walls. As such it is considered that it would read as a discordant design compared to the attractive balanced elevations of the current building. The development is also considered to result in an over-development of the site maximising the built form and detracting from the setting of the existing buildings.
- 7.10 Overall the development would fail to respond to its context and by reason of its siting, design and materials represent an inappropriate form of development harmful to the character and appearance of the area.

# (iii) Impact on employment and business

- 7.11 The proposed extension would provide a modest additional office floorspace and therefore an opportunity for possible additional employment at the site. No details in relation to existing or proposed employment have been submitted with the application, however, employment uses are supported by the Havant Borough Local Plan (Core Strategy) 2011. In particular policy CS2 states that *Planning permission will be granted for development proposals that* (amongst other matters) *Provide jobs, generate wealth or produce an economic output on existing employment sites that are not fit for current purpose.* It is however noted that in relation to offices that the plan favours *town centre locations for the provision of B1a offices and other town centre uses.* This site is not located within a town centre.
- 7.12 No case has been put forward to state that this development is critical to the business viability of the site and indeed given the lack of an internal link between existing and proposed offices it would appear likely that the proposals would be for a stand alone office use.
- 7.13 Whilst business use and any associated employment is a key priority of the Council this has to be balanced against the environmental impacts of the proposals (another key priority) highlighted in paragraphs 7.3 7.10 above. In this case officers consider that the relatively modest additional employment and business opportunity provided by the development should not override the clear concerns in relation to the character and visual amenities of the area that would result from the proposed development.

#### (iv) Impact upon residential amenity

7.14 The proposed extension is set well off the closest residential property and it is not considered that the proposals would result in any significant overlooking or overbearing impacts. The development would increase commercial activity at the site, however, given the busy context of New Road, West Street, the Bedhampton Level Crossing and Railway station, this would be a modest change in activity and is considered acceptable. Car parking is considered separately below.

#### (v) Car Parking/highway matters

7.15 The proposals together with the existing use would require the provision of 10 car parking spaces to meet the Councils Car Parking Standards. This has been achieved on site by the open ground floor parking below the proposed extension. Parking is still tight on the site and this emphasises the complete site coverage and over-development concerns

highlighted above. The Development Engineer raises no objection to the development however in terms of parking as the car parking standard has been met.

#### (vi) Environmental issues

- 7.16 The site is located adjacent to the railway line and busy roads. The non-residential nature of the development means that overnight noise impacts and sleep disturbance are not concerns. A noise impact assessment has been provided and should planning permission have been recommended a suitable condition in relation to noise could be imposed.
- 7.17 Given the proximity of the site to potential contaminants a planning condition in relation to contamination would have been appropriate should planning permission have been recommended.

# 8 Conclusion

8.1 In conclusion, the proposal is considered to have an unacceptable impact on the character and appearance of the area, detract from the appearance of the existing main building and result in an overdevelopment of the site. Whilst it is recognised that the development would provide additional business floorspace and employment opportunities, given the relatively small scale of development these opportunities are limited and are not considered to outweigh the environmental harm identified. A refusal of planning permission is therefore recommended.

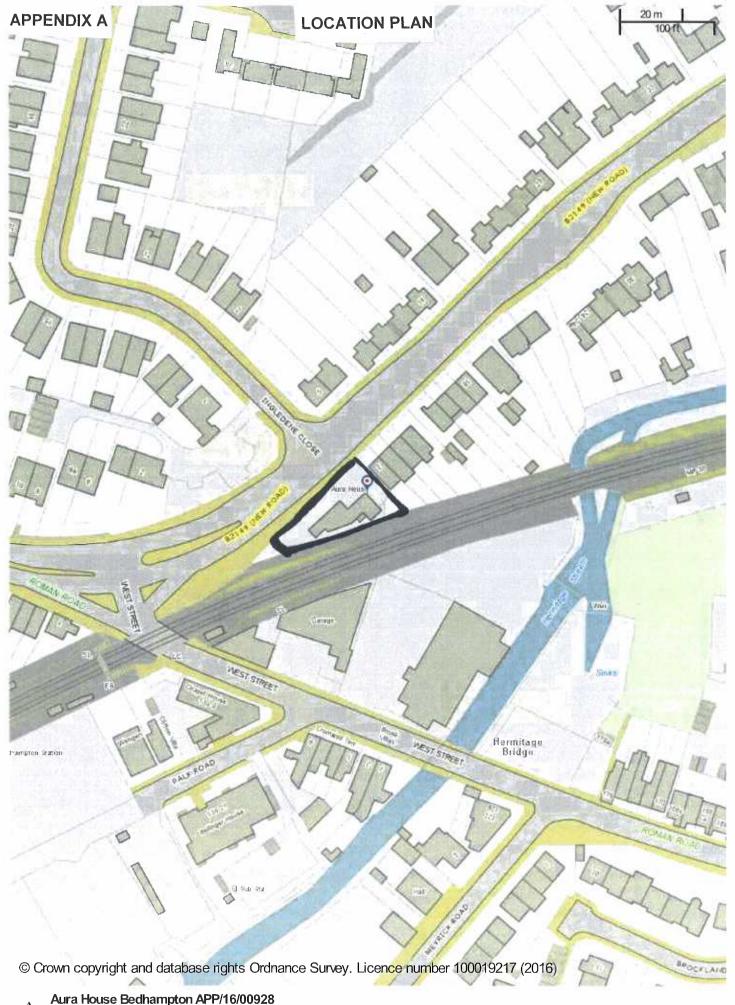
#### 9 RECOMMENDATION:

That the Head of Planning be authorised to **REFUSE PERMISSION** for application APP/16/00928 for the following reason:

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

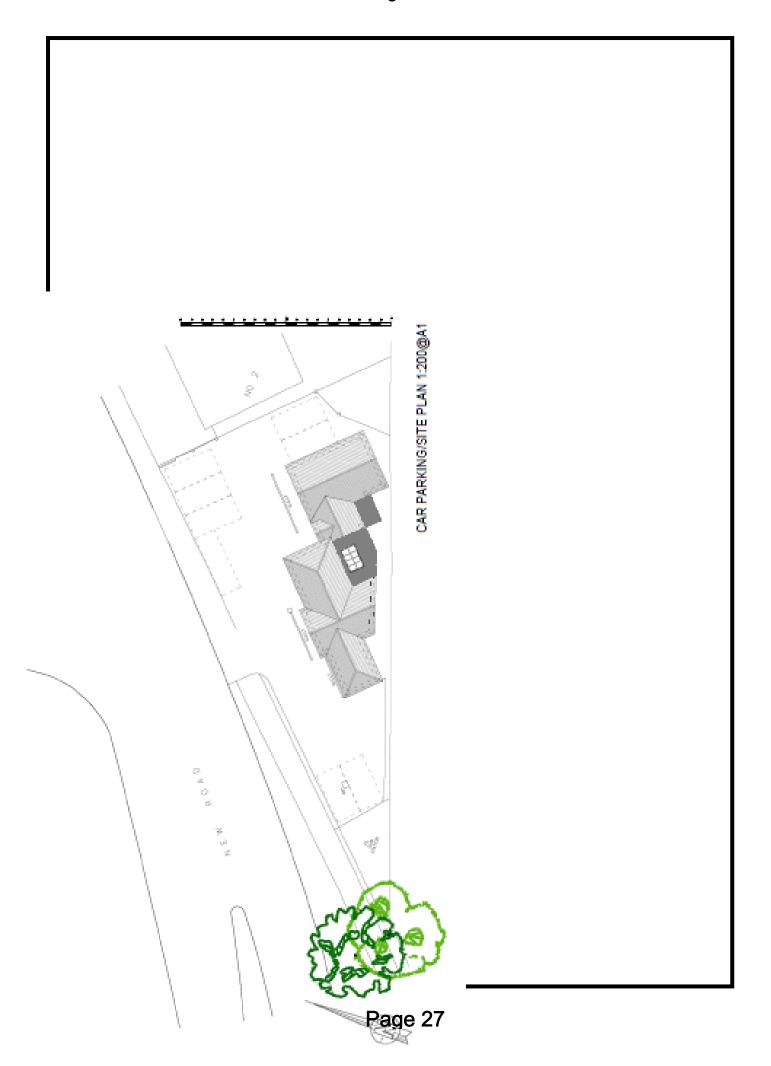
# Appendices:

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Appendix D



Aura House Bedhampton APP/16/00928
Objectors are marked X, Supporters are marked /. Please note not all objectors are listed on this plan.
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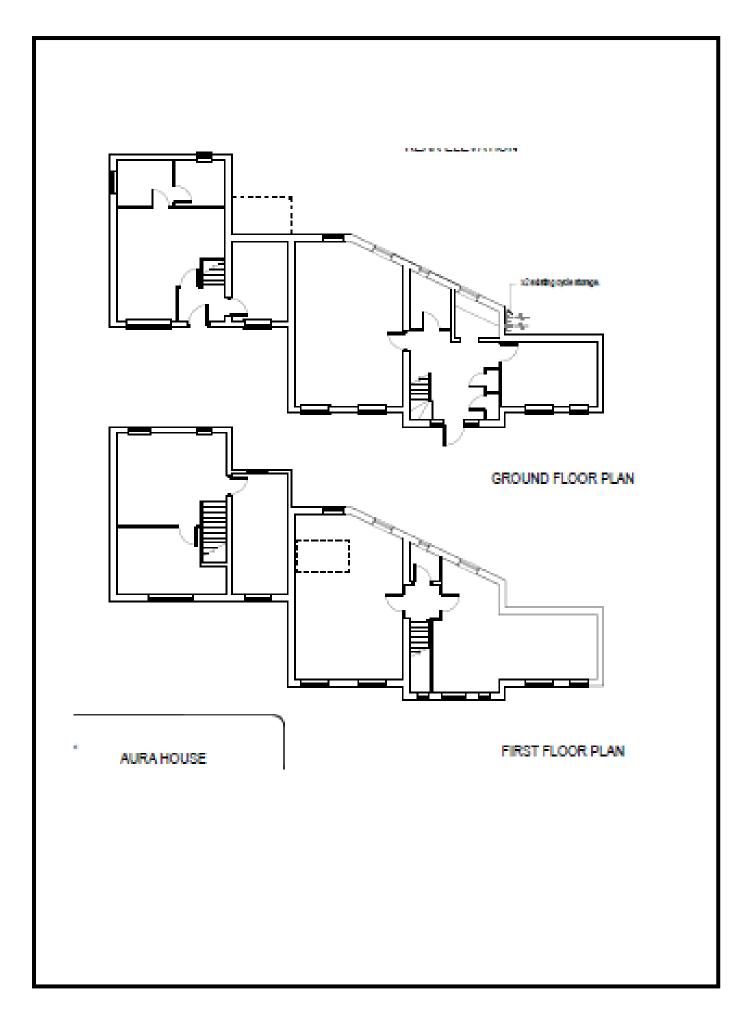












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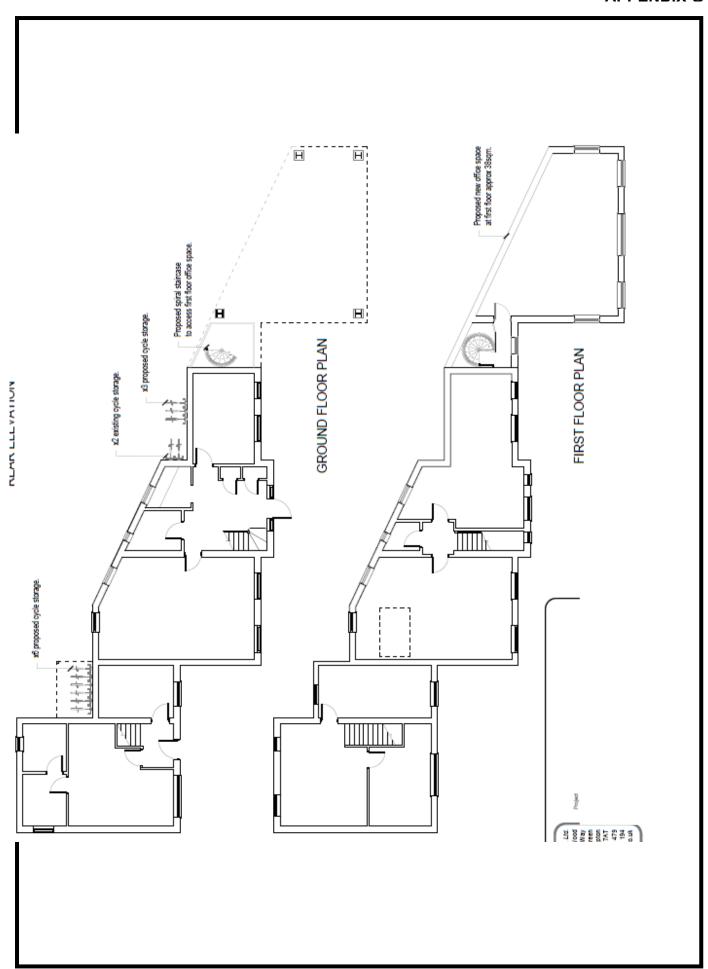






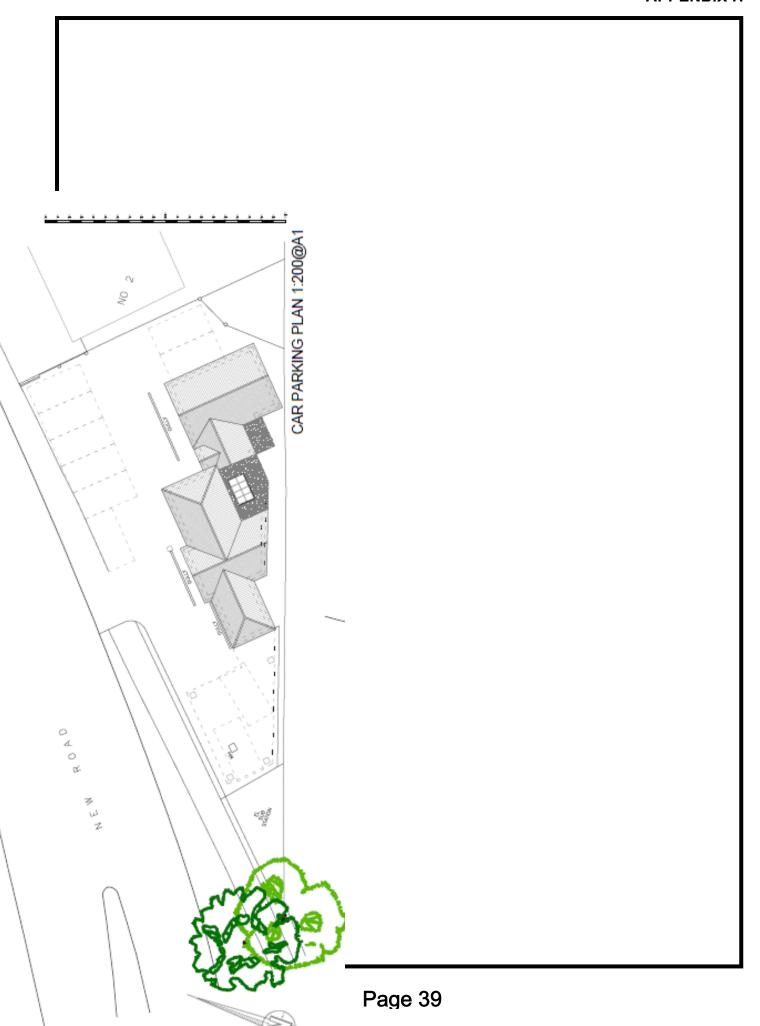






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# Agenda Item 10(2)

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Site Address: Boundary wall in front of 101-109 North Street, Emsworth,

PO10 7PH

Proposal: Replacement of retaining wall (amendment to Planning Permission

APP/15/00653) abutting 101-109 North Street.

Application No: APP/16/01110 Expiry Date: 23/12/2016

Applicant: Havant Borough Council

Agent: N/A Case Officer: Rachael McMurray

Ward: Emsworth

Reason for Committee Consideration: Havant Borough Council is the applicant.

HPS Recommendation: **GRANT PERMISSION** 

#### 1 Site Description

1.1 The application site is located on North Street in Emsworth and comprises a brick wall which extends along the front of No's 101-109 North Street and finishes just before the railway bridge. The wall sits opposite the vehicular access to the Emsworth Railway Station.

1.2 The existing wall is of brick construction and forms a boundary with the pedestrian footpath which runs under the railway bridge. Above the wall sits a bank of landscaping which forms part of the front gardens of No's 97-109 North Street. These properties comprise a terrace row which is positioned 8m-11m back from the line of the wall.

### 2 Planning History

APP/15/00653 - Replacement and repair of retaining wall. Approved on 19/08/2015

## 3 Proposal

- 3.1 The proposal is for the replacement of the retaining wall in a similar manner to that approved under APP/15/00653. The main difference between the extant permission and the current application is the amount of work being undertaken. Instead of replacing the wall from 97-109 North Street, the amended scheme only relates to replacing the wall in front of No's 101-109. The wall in front of No's 99 and 97 North Street will left as it is with only areas where the new and existing wall meeting, will be cleaned of ivy and bonded together.
- 3.2 As with the previous scheme, the wall would be formed using precast concrete 'L' shaped units fixed to a reinforced concrete base and faced with brick to match the local vernacular (brick types would be a mixture of Ibstock West Hoathly medium and dark multi stock).
- 3.3 For safety reasons the wall would also extend above the retained ground level. From the road side, the wall would be approximately 1m higher than it is now, and the residents of No's 101-109 North Street would be able to see a 1m (approximately) high wall at the end of their gardens. With the removal of the trees and shrubs to make way for the construction of the wall, such a feature has to be provided to help to prevent the

possibility of people falling from the higher level. There would need to be a global clearance of the gardens for a distance of 2.5m from the back of the wall in the gardens of 103-107, and 1.0m elsewhere, since all that soil will be removed to enable the works and so by definition there would not be any ground for the existing trees and other vegetation to stand in.

### 4 Policy Considerations

National Planning Policy Framework 2012

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)

DM10 (Pollution)

Havant Borough Local Plan (Allocations) July 2014

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

#### 5 Statutory and Non Statutory Consultations

#### **Southern Gas Networks:**

There is High Pressure apparatus in the vicinity, the safety and integrity of our assets will not be affected by the proposal. It is essential that the developer complies with restrictions (detailed in the consultation response) and in the document SGN/WI/SW2 in order to protect our plant and equipment and for the safety of operatives. A SGN representative must be contacted before any works commence.

Officer comment: The developer restrictions will be advised to the applicant by informative as they cover matters that are not material planning considerations.

#### **Environmental Health:**

No response given at the time of the report. Members will be updated if any response is provided prior to the meeting.

#### **Development Engineer:**

No objections

#### Southern Water:

No objections

#### **Network Rail:**

No objections

#### 6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 24

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 1 representation received querying what the changes were with this application. No objections have been raised.

### 7 Planning Considerations

- 7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:
  - (i) Principle of development
  - (ii) Appropriateness of the design and impact upon the streetscene
  - (iii) Impact upon residential amenity
  - (iv) Highway matters
  - (i) Principle of development
- 7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.
- 7.3 The Council's Building Control officers have assessed the walls condition and the works outlined are considered to be necessary to address an ongoing safety issue which has resulted in the need to close the pedestrian footpath adjacent to the wall. The proposed works are therefore strongly supported in principle in terms of public safety.
  - (ii) Appropriateness of the design and impact upon the streetscene
- 7.4 The proposed replacement wall would run along the same length as the existing wall, however there would be an increase in height of 1m. The wall would be reinforced with a precast concrete retaining wall which would be situated behind the brick face. To break up the mass of brickwork, the design of the wall includes a section of 3 x blue header string coursing brick to reflect the point where the garden levels of No's 101-109 start. The wall would be constructed in Flemish garden wall bond with an attractive contrast of stretcher and header bricks. The wall would then extend 1m above this to form a boundary wall to the end of the front gardens. This would be finished with a half round brick on edge coping.
- 7.5 Overall it is considered that the replacement wall would be in keeping with the similar materials used in the local vernacular and as such, would not be contrary to Local Plan Policy CS16 (High Quality Design).
  - (iii) Impact upon residential amenity
- 7.6 A replacement wall which is safe and stable and of an appropriate design, would be a benefit to local residents for future years to come and would allow the pedestrian footpath on the north side of North Street to be opened again for use.
- 7.7 For the residents of No's 101-109 North Street, their front outlook would change due to the removal of the existing line of vegetation and screening at the front boundary of their front gardens. With the screening removed, the outlook would be onto the new boundary wall which would extend up 1m from their ground level and then beyond that, the buildings opposite the road.
- 7.8 Whilst the existing vegetation does form a degree of soft landscaping within an otherwise generally urbanised streetscene, it is not worthy of a tree preservation order. Given the

importance of replacing the wall from a safety aspect, on balance it is considered that the loss of this landscaping should not warrant a refusal of the application.

### (iv) <u>Highway matters</u>

- 7.9 The pedestrian footpath adjacent to the wall is currently closed due to safety concerns. The proposal would when completed allow for the safe re-opening of this route.
- 7.10 If approval is granted, the rebuilding of the wall would require a closure of part of the North Street for a number of weeks. This would be managed by the Council's Traffic Team, in consultation with Hampshire County Council as Highways Authority and does not fall within the control of the Local Planning Authority. This will cause disruption for users of the highway network, however this is considered to be necessary for the safe construction of the wall. Residents of 101-109 North Street would still be able to access their properties via Sultan Road as is presently the case. Vehicular access to the railway station and the adjacent businesses would remain available from the south.

### 8 Conclusion

8.1 Whilst the proposed development would result in a loss of landscaping and the closure of the road for a temporary period, it is considered that the need for the replacement wall to address safety issues outweighs these impacts and therefore the application is recommended for approval.

#### 9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/16/01110 subject to the following conditions:

1 The development must be begun not later than three years beginning with the date of this permission.

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Diversion plan - 001

Retaining wall replacement plans and long section - DN: 11/003B

Materials arrangement - DN: 11/002A

Site compound arrangement - DN: 11/003 A

**Reason:** - To ensure provision of a satisfactory development.

The areas of land required to be altered to construct the wall at the front of No's 101-109 North Street shall be reinstated to the previous ground level unless otherwise agreed with the Local Planning Authority.

**Reason:** In the interests of the amenities of the properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

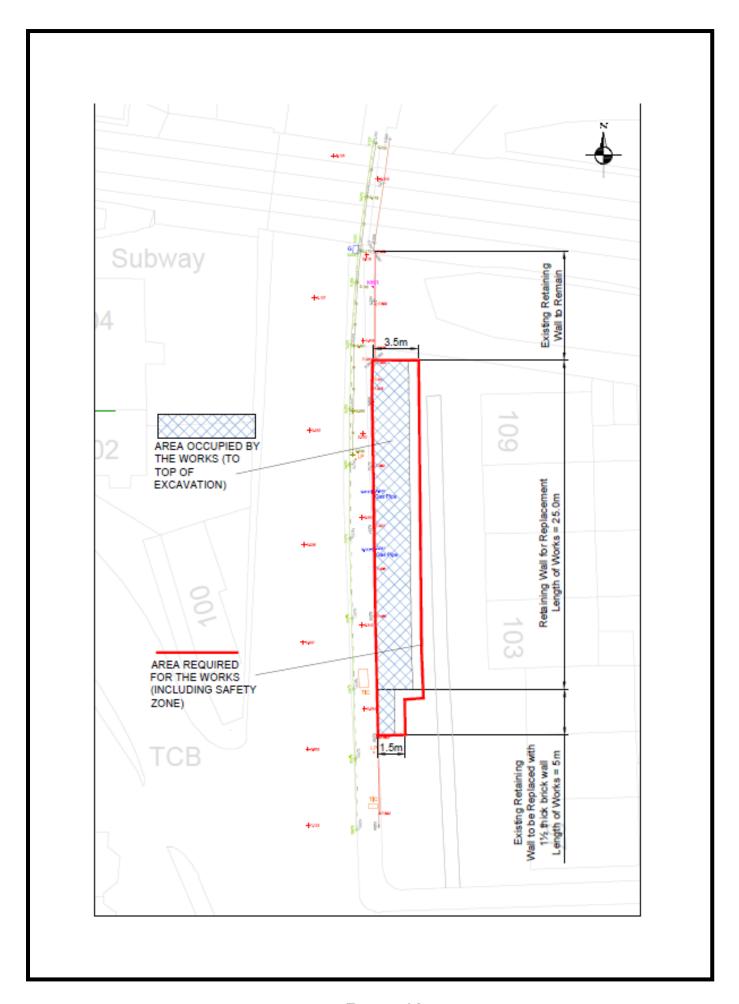
# **Appendices:**

- (A) (B) (C) (D) (E) Location Plan
- Wall Location
- Replacement wall elevation North Street Diversion Route Site Compound Plan



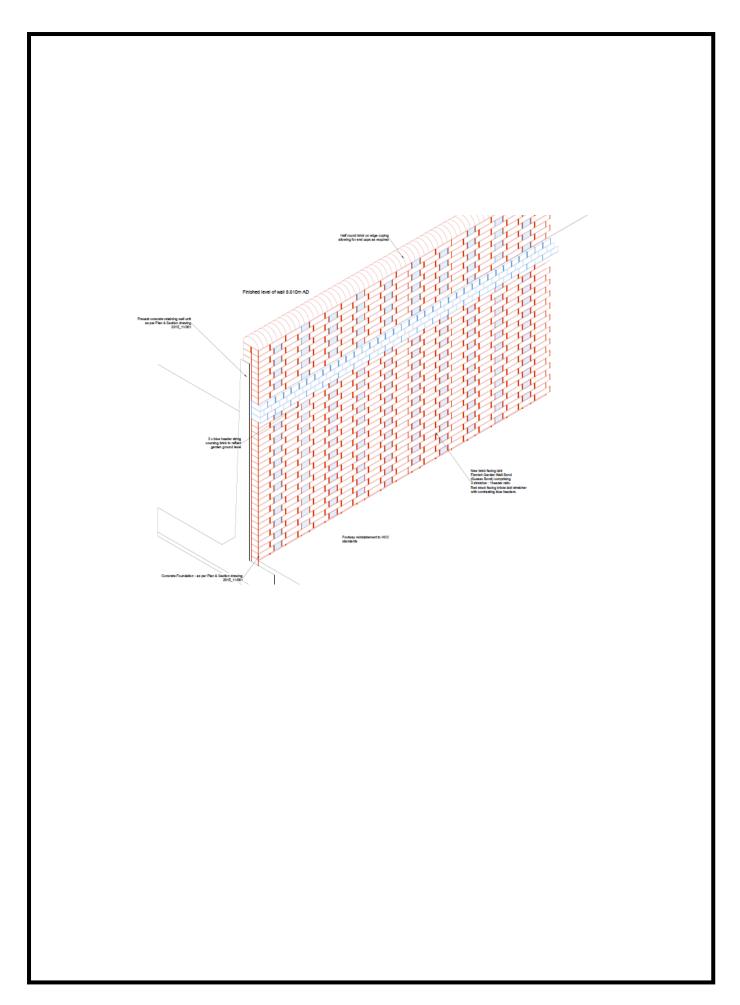




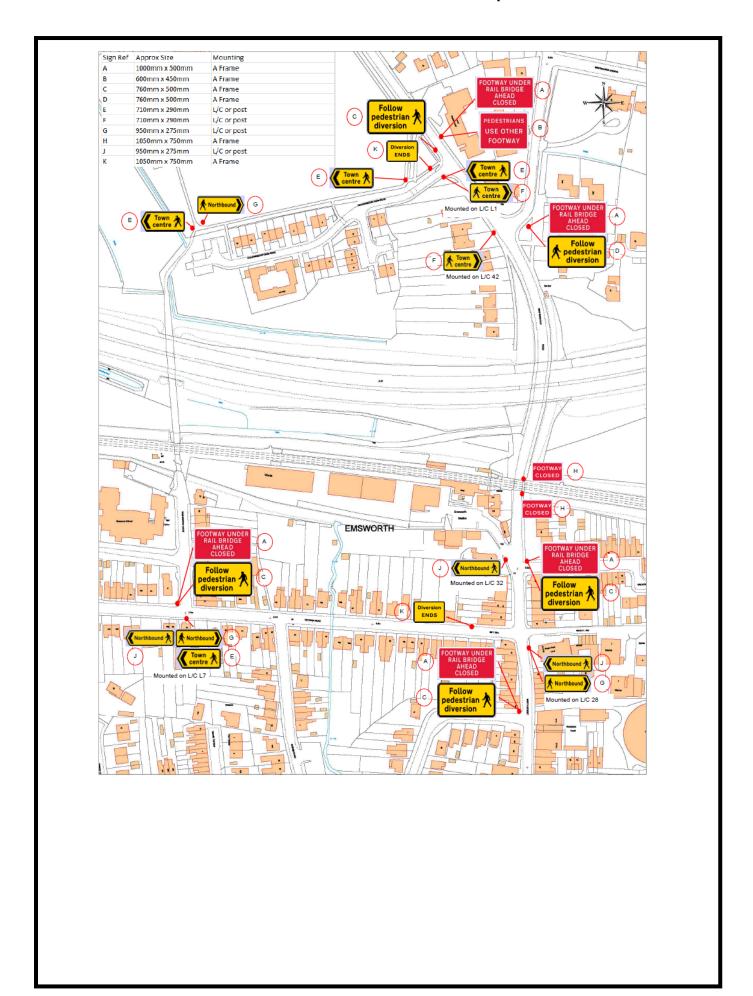


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# Agenda Item 11

The Rota for the Chairman of the Development Management Committee for the Municipal Year 2016/17:

Councillor Paul Buckley

**Councillor David Keast** 

Councillor Dianna Patrick

Councillor John Perry

Councillor Lance Quantrill

Councillor Claire Satchwell

**Councillor Gary Hughes** 

