

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



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## DEVELOPMENT MANAGEMENT COMMITTEE AGENDA

**Membership:** Councillor Hughes (Chairman)

Councillors Buckley, Keast, Patrick, Perry, Satchwell and Lloyd

**Meeting:** Development Management Committee

**Date:** 1 February 2018

**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

23 January 2018

Contact Officer: Jack Caine 023 92446230  
Email: [jack.caine@havant.gov.uk](mailto:jack.caine@havant.gov.uk)

Page

### PART A - (Items Open for Public Attendance)

#### 1 Apologies for Absence

To receive and record apologies for absence.

#### 2 Minutes

1 - 12

To approve the minutes of the Development Management Committee held on 11 January 2018.

**3      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.

**4      Chairman's Report**

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

**5      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.

**6      Deputations**

To receive requests to make a deputation to Committee.

**7      Applications for Development and Development Control Matters      13 - 16**

**Part 1 - Applications for Development**

**7(1)      APP/17/01323 - 234 Sea Front, Hayling Island, PO11 0AU      17 - 44**

Proposal:      Variation of Condition 2 of Planning Permission APP/17/00278 (Change of Use from A1 retail to C3 residential with alterations and additions including rear extension and new mansard roof to form five self-contained flats; with associated car parking with access from Green Lane) relating to alterations to rear yard and parking.

Associated Documents:

<https://tinyurl.com/ybuadzab>

**8      Appointment of Chairman      45 - 46**

To consider the Appointment of Chairman for the next meeting of the Development Management Committee.

**PART B (Confidential Items - Closed to the Public)**

## 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**

### Internet

This agenda and its accompanying reports can also be found on the Havant Borough Council website: [www.havant.gov.uk](http://www.havant.gov.uk). Would you please note that committee reports are subject to changes and you are recommended to regularly check the website and to contact *Jack Caine* (tel no: 023 92446230) on the afternoon prior to the meeting for details of any amendments issued.

### 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, 30 January 2018**. 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](mailto:jack.caine@havant.gov.uk) or [DemocraticServicesTeam@havant.gov.uk](mailto: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
- Councillors may only take part in the debate if they are present at the meeting: video conferencing is not permissible
- A member of the Committee may not ask a standing deputy to take their place in the Committee for part of the meeting
- The report or matter submitted for discussion by the Committee may be debated prior to a motion being proposed and seconded. Recommendations included in a report **shall not** be regarded as a motion or amendment unless a motion or amendment to accept these recommendations has been moved and seconded by members of the Committee
- Motions and amendments must relate to items on the agenda or accepted by the meeting as urgent business
- Motions and amendments must be moved and seconded before they may be debated
- There may only be one motion on the table at any one time;
- There may only be one amendment on the table at any one time;
- Any amendment to the motion can be moved provided it is (in the opinion of the Chairman) relevant to the matter under discussion. The amendment can be a direct negative of the motion.
- The mover with the agreement of the seconder may withdraw or alter an amendment or motion at any time
- Once duly moved, an amendment shall be debated along with the original motion.
- If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the substantive motion on which any further amendment may be moved.
- If an amendment is rejected different amendments may be proposed on the original motion or substantive motion.
- If an amendment is lost, other amendments may be moved to the original motion or substantive motion
- If an amendment is lost and there are no further amendments, a vote will be taken on the original motion or the substantive motion
- If no amendments are moved to the original motion or substantive motion, a vote will be taken on the motion or substantive motion
- If a motion or substantive motion is lost, other motions may be moved

### 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;

- An amendment must be voted on before the motion
- 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
- 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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## **Emergency Procedure**

Please ensure that you are familiar with the location of all emergency exits which are clearly marked. In the unlikely event of an emergency an alarm will sound.

PLEASE EVACUATE THE BUILDING IMMEDIATELY.

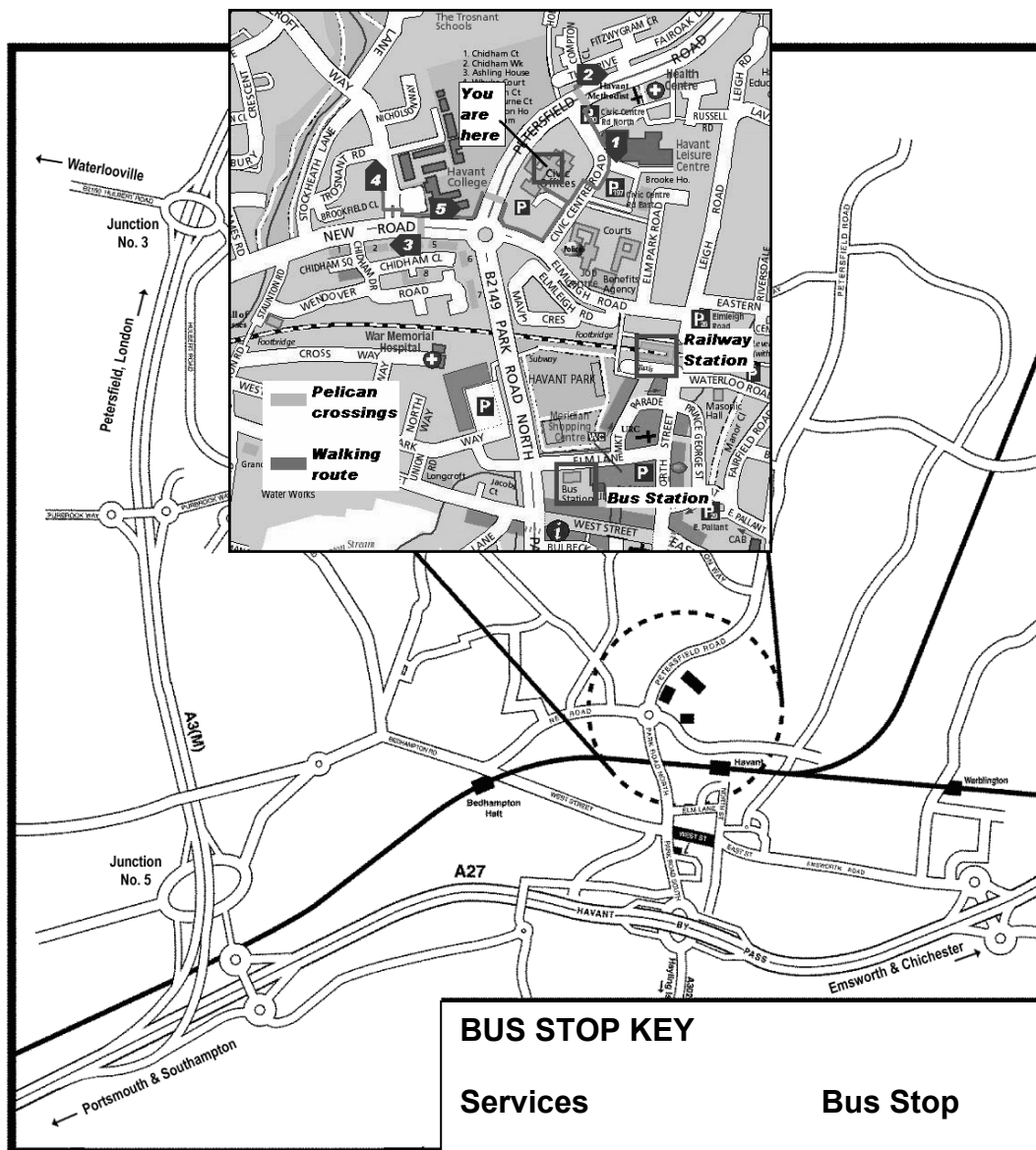
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Pay and display car parking is available in the Leisure Centre car park opposite the Civic Offices as shown on the attached plan.



### BUS STOP KEY

Services	Bus Stop
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



**Havant**  
BOROUGH COUNCIL

Public Service Plaza  
Civic Centre Road  
Havant  
Hampshire PO9 2AX

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## HAVANT BOROUGH COUNCIL

At a meeting of the Development Management Committee held on 11 January 2018

Present

Councillor Satchwell (Chairman)

Councillors Buckley, Hughes, Keast, Patrick, Perry and Lloyd

Other Councillors Present:

Councillor(s): Bowerman, Cresswell

### **88 Apologies for Absence**

There were no apologies for absence.

### **89 Minutes**

RESOLVED that the Minutes of the last meeting held on the 7<sup>th</sup> of December 2017 were approved as a correct record and approved by the Chairman.

### **90 Site Viewing Working Party Minutes**

The Minutes of the Site Viewing Working Party held on the 4<sup>th</sup> January were received.

### **91 Declarations of Interest**

Cllr Gary Hughes advised he had met previously with the Developer for Application APP/17/00633 with regard to a different Application, however he was still capable of making an unbiased and objective decision. It was advised that this was not a prejudicial interest.

### **92 Chairman's Report**

The Chairman advised upcoming training sessions and encouraged all members to attend. It was also advised that the Draft Local Plan was out for consultation with members of the public. Committee members were encouraged to engage with the consultation process as far as possible.

### **93 Matters to be Considered for Site Viewing and Deferment**

No matters were considered for Site Viewing or Deferment.

## **94 Deputations**

The following Deputation requests were noted by the Committee:

- (1) Mr Graham Simmonds – APP/17/00633, Orchard House, Western Avenue, Emsworth
- (2) Mr Gian Bendinelli – APP/17/00633, Orchard House, Western Avenue, Emsworth
- (3) Cllr Rivka Cresswell – APP/17/00633, Orchard House, Western Avenue, Emsworth.

## **95 APP/17/00633 - Orchard House, Western Avenue, Emsworth**

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

The Committee was addressed by the following deputees:

- 1) Mr Graham Simmonds, who objected to the officer's recommendation for the following reasons:
  - a. The proposal had received 52 objections from 21 properties in the immediate vicinity, illustrating strong public opinion.
  - b. The proposal would have a significant dominating effect on nearby properties by way of it's bulk and would be 5 times larger than the Orchard House.
  - c. The proposal was inappropriate due to its design as it did not reflect the character of the area by way of the proposed materials and design.
  - d. It proposal was contrary to the Havant Borough Council Local plan as it would create overshadowing and overlooking of nearby properties.
  - e. If approved, the proposal would result in the removal of several trees on the site which would be destructive to the local environment. The removal of these trees was not supported by the Council's Arboricultural Officer The land surrounding Orchard House has significant social value to the local area.

- f. The parking on Western Avenue was inadequate, and an increase in traffic would exacerbate the matter. The parking provision for the proposal was insufficient to support the number of dwellings.
- 2) Mr Gian Bendinelli, who supported the Officers recommendation for the following reasons:
- g. The removal of any trees on site prior to an Area Tree Protection Order being applied was conducted solely by the owners of Orchard House.
  - h. The officers report was objective in nature and should be supported by the Committee
  - i. The proposal would make a positive contribution to the Council's 5-year housing supply if approved.

In response to questions from the Committee, the depute advised that no conversations regarding the felling of tree on the site had taken place between the owners, agent and developer to his knowledge.

- 3) Cllr Lulu Bowerman, on behalf of Cllr Rivka Cresswell, who object to the Officer's recommendation for the following reasons:

*Deputation attached to the end of these Minutes.*

In response to questions from Committee it officers advised that:

- On balance, the removal of tree on the site was outweighed by the benefits of the proposed new housing and new trees being planted.
- It was only possible to alter the access road with the agreement of all land owners.
- No trees on the site were subject to a Preservation Order prior to the area Protection Order being made.
- The separation distances between the proposed building and existing properties well exceeded the Council's acceptable size.
- It was the Officers' that the proposal was in keeping with the character of the area whilst also including modern features.
- A soft landscaping scheme was included in the conditions and must be adhered to prior to the commencement of development.

- Affordable Housing Contributions on such developments was a complex matter which required a decision on balance of benefits and financial gain by the Council in addition to viability of developments. Officers were satisfied with the advice from the housing and development consultancy firm.

The Chairman invited Mr Graham Simmonds to the witness table to answer further questions from the committee. Mr Simmonds advised that there was 1 window on the south elevation of his property which faced the application site.

The Chairman then invited Mr Gian Bendinelli to the witness table to answer further questions from the committee. Mr Bendinelli advised that it would be the intention of McCarthy and Stone to resurface the access road to the site to a high standard, once the development was completed.

The Committee discussed the proposal together with the views raised by the deputees. It was considered that aspects were overbearing by way of bulk, design and character however there were features included in the proposal which mitigated these concerns, including separation distances, screening and the soft landscaping plan. Flood mitigation measures were also considered to be beneficial for the area. The inclusion of tree planting would also assist in limiting the impact the proposal would have on the natural environment.

The Committee also debated the affordable housing contribution included in the proposal. Whilst some argued it was insufficient, the majority of the committee considered that it was acceptable in relation to the application. It was therefore

RESOLVED that the Head of Planning be authorised to grant permission for application APP/16/00921 subject to:

A - the completion of a S106 agreement

and

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

Flood Risk Assessment and Drainage Strategy received on 30/8/17 and 12/12/17 (Part 3 of 3)  
Arboricultural Impact Assessment and Method Statement Junction  
Technical Note received on 30/8/17  
Archaeological desk based assessment  
Design and Access Statement  
Extended Phase 1 Habitat Survey  
Planning Statement  
Preliminary Geotechnical Investigations  
Refuse and Waste Management Plan  
Transport Statement  
Materials Schedule  
Tree Constraints Plan  
Proposed Site Plan - DN: 0001 Rev P 14  
Proposed Location Plan - 0002 Rev P 05  
Proposed Roof Plan - 0301 Rev P 08  
Proposed Ground floor plan - 0101 REV P14  
Proposed First floor plan - 0102 Rev P 11  
Proposed Second floor plan - 0103 Rev P 11  
Proposed Landscape Strategy plan - 02 REV L  
Proposed Planting plan west - 03 REV C  
Proposed Planting plan east - 04 Rev D  
Proposed elevations - 0401 Rev P 09  
Proposed site sections and elevations - 0403 REV P02  
Surface Water Network Calculations plan - 05 REV B  
Proposed drainage layout plan - 64007-03-G  
Tree Protection Plan - 9243-02 REV C

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

- 3 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.

- 4 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) 2011 and the National Planning Policy Framework.

- 5 Prior to any above ground development taking place, any proposal relating to the installation of potential noise generating plant / equipment such as air source heat pumps, 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.*

- 6 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 Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 7 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 CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 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.

- 9 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.

- 10 Development shall proceed in accordance with the ecological mitigation and enhancement measures detailed within the Extended Phase 1 Habitat Survey and Phase 2 Bat Surveys Report (Abbas Ecology, June 2017) unless otherwise agreed in writing by the Local Planning Authority. All ecological mitigation and enhancement features shall be permanently retained and maintained.

**Reason:** to protect biodiversity in accordance with the Conservation regulations 2010, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS11 of the Havant Borough Core Strategy March 2011

- 11 In the event that suspected contamination (soil, groundwater or buried waste materials) is encountered during groundwork; works in affected areas of the site shall cease until a scheme to deal with the risks

associated with the suspected contamination has been submitted to and approved in writing by the Local Planning Authority.

The scheme may comprise separate reports/statements as appropriate, but unless specifically excluded in writing by the Local Planning Authority, shall include;

1) Investigation in the vicinity of suspected contamination, sufficient to characterise it's nature, likely extent & mobility,

2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;

3) Where potentially unacceptable risks are identified by 2), a Remediation Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability

All assessments, works, monitoring & other actions required by 1)-3) above (and B, below) shall be undertaken by competent persons, and the scheme shall be implemented as approved.

Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;

A. A statement confirming that no suspected contamination was identified during development,

OR;

B. Documentation in accordance with 1)-3) above; together with a Verification Report (where appropriate) demonstrating that remediation objectives have been met.

**Reason:** Having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework, there is a potential for contamination to exist at the site within made ground which could pose a risk to occupants"

- 12 The balcony on Unit No. 22 shall not be brought into use until details of screening to the balcony have been provided to and agreed in writing by the Local Planning Authority

**Reason:** To safeguard the privacy of the occupiers of the neighbouring properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 13 No development hereby permitted, including demolition, shall commence until a detailed maintenance plan for the surface water drainage element, detailing who will be responsible for the long term maintenance of the elements, what this maintenance requires and evidence that the adopting body is aware of and agree to their responsibilities, has been submitted to and agreed 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 ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Reason:

- 14 Notwithstanding any details shown on the submitted plans, no development hereby permitted shall be commenced until a more detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

**Reason:** To ensure the appearance of the development is satisfactory and having due regard to policies CS11, DM8 and CS16 of the Havant

Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 15 No development hereby permitted shall commence until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be brought into use until the implementation of all such hardsurfacing has been completed in full accordance with that specification.  
**Reason:** In the interests of the amenities of the locality and having due regard to policies CS11.1, CS11.4, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 16 No development hereby permitted shall commence until plans and particulars specifying the alignment, type, height and, where appropriate, construction materials and design of all proposed screen walls, fences, hedges and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Unless agreed otherwise in writing by the Authority, the development hereby permitted shall not be brought into use prior to the completion of the installation of all screening provision as is thus approved by the Authority. At all times thereafter, all of that screening provision shall be retained in a wholly sound and effective condition.  
**Reason:** To safeguard the amenities of the locality and occupiers of neighbouring properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 17 The development shall not be brought into use until details of cycle parking provision have been submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be implemented prior to the occupation of the units hereby approved and retained in situ thereafter.  
**Reason:** In the interests of enabling sustainable means of transport to future residents and having due regard to policies DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 18 The development shall be carried out in strict accordance with the Arboricultural Impact Assessment and Method Statement by Ian Keen

Ltd (Ref JTK/9243-REVB/WDC and Tree Protection Plan DN: Tree Protection Plan - 9243-02 REV C received on 23/11/17.

**Reason:** to ensure the protection of the remaining on site trees and having due regard for Policy DM8 of the Local Plan (Core Strategy 2011) and the National Planning Policy Framework 2012.

**96 Appointment of Chairman**

RESOLVED that Cllr Gary Hughes be Appointed as Chairman for the next Development Management Committee

**The meeting commenced at 5.00 pm and concluded at 7.10 pm**

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**Chairman**

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NON EXEMPT

## HAVANT BOROUGH COUNCIL

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### Development Management Committee

#### APPLICATIONS FOR DEVELOPMENT AND OTHER DEVELOPMENT CONTROL MATTERS

#### REPORT BY THE EXECUTIVE HEAD OF PLANNING AND BUILT ENVIRONMENT

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#### 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 prior 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:

HPS	Head of Planning Services
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

**Background Papers:**

Individual Applications with Case Officers

Andrew Biltcliffe  
Head of Planning Services

Nick Leach  
Monitoring Officer

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Site Address:	234 Sea Front, Hayling Island, PO11 0AU		
Proposal:	Variation of Condition 2 of Planning Permission APP/17/00278 (Change of Use from A1 retail to C3 residential with alterations and additions including rear extension and new mansard roof to form five self-contained flats; with associated car parking with access from Green Lane) relating to alterations to rear yard and parking.		
Application No:	APP/17/01323	Expiry Date:	01/02/2018
Applicant:	Mr Wakefield Wilson Wakefield Solicitors		
Agent:	Mr Critchley Martin Critchley, Architect	Case Officer:	David Eaves
Ward:	Hayling West	DMC Lead Member	

Reason for Committee Consideration: Applicants are Wilson Wakefield Solicitors - Councillor Wilson has an interest in the application as a result

Density: 169/ha

HDS Recommendation: **GRANT PERMISSION**

## Executive Summary

This application seeks to allow changes to the external car parking area and yard in relation to a development previously granted planning permission under application reference APP/17/00278. The application follows concerns raised in relation to land ownership detail in to the previously approved scheme. A revised application area has also necessitated a revision to the parking, turning and amenity space on the site.

The effect of this application if granted would be the issuing of a further full planning permission under Section 73 of the Town and Country Planning Act 1990 although the expiry date for implementation would remain as previously approved.

The proposal would result in the conversion and extension of the existing A1 retail and residential unit to form five No. 1 bedroom flats. The loss of the retail unit and the proposed conversion to five one bedroom flats has been previously approved and the building has been vacant for approximately 2 years. The use for residential proposes is considered acceptable in principle.

The proposed works are considered to retain important features and character of the building especially the front facade. The extensions subject to the imposition of conditions would have an acceptable appearance.

The changes proposed are considered acceptable in planning terms and the impact on the amenities of neighbouring residents and future occupants is considered acceptable. An acceptable vehicular and pedestrian access is provided and car and cycle parking in accordance with the Councils standards can be secured.

Developer contributions in relation to CIL and Solent Recreation Mitigation Project will be secured as a result of the development.

## 1 Site Description

- 1.1 The site lies to the north of Sea Front close to Beachlands. The property is a prominent two storey building with a shallow pitched roof behind a rendered Georgian style facade when viewed from Sea Front. The east elevation is brick and can be viewed across the forecourt of small shops and residential properties set back to the east of the site.
- 1.2 To the west is the two storey Premier Clapps Convenience Store and this building is physically attached to the application site building. The vehicular and pedestrian access would be via a shared access from Green Lane to the rear of Clapps where there is an existing dropped kerb.
- 1.3 To the rear of the main building are a low range of brick outbuildings.

## **2 Planning History**

APP/16/00834 - Conversion of house to 2No. self contained 3 bedroom flats together with parking and amenity., PERM,13/10/2016

At the time of the application the Officers report stated:

*The applicant has advised that the building was originally constructed as a butchers shop with a residential unit over and that the shop has been closed for well over 4 years and since then the whole property has been used as a residential dwelling. However, even if this were not the case, under current permitted development legislation, the unit could be converted from an A1 use to residential under permitted development as it is not within a defined local centre.*

APP/17/00278 - Change of Use from A1 retail to C3 residential with alterations and additions including rear extension and new mansard roof to form five self-contained flats; with associated car parking with access from Green Lane.

Extension of Time Agreement until 23rd May 2017, PERM,19/05/2017

This permission included condition 2 which stated:

*The development hereby permitted shall be carried out in accordance with the following approved plans: (The plans were then listed)*

## **3 Proposal**

- 3.1 Variation of Condition 2 of Planning Permission APP/17/00278 (Change of Use from A1 retail to C3 residential with alterations and additions including rear extension and new mansard roof to form five self-contained flats; with associated car parking with access from Green Lane) relating to alterations to rear yard and parking.

## **4 Policy Considerations**

National Planning Policy Framework  
Havant Borough Council Borough Design Guide SPD December 2011  
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS21	(Developer Requirements)
CS6	(Regeneration of the Borough)
CS9	(Housing)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)
DM2	(Protection of Existing Community Facilities and Shops)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

**5 Statutory and Non Statutory Consultations**

**Highways Engineer, Development Engineer**

The Highway authority have no adverse comment to this application.

**Waste Services Manager**

No concerns over waste collection.

**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: 75

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
- (iii) Impact upon residential amenity including future occupants
- (iv) Highways and parking
- (v) Developer Contributions/Ecology

(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 In this case, the conversion of the building into 5 no. 1 bed flats including the loss of the retail unit at ground floor have previously been approved under planning permission APP/17/00278. This permission remains extant. The principle of the development is therefore established subject to an assessment of the implications of the proposed changes considered in detail below.

(ii) Impact upon the character and appearance of the area

- 7.4 The premises has an attractive appearance from Sea Front with a rendered facade, parapet wall, symmetrical windows, doors, quoins and other features including 'Twine' incised sign and decorative bull heads reflecting the former use as Twines butchers shop.
- 7.5 The proposal would seek to retain many of the existing frontage features utilising existing openings where possible and ensuring that symmetry is retained in the conversion elements of the alteration. There are no changes to the frontage of the building from the previously approved scheme.
- 7.6 The most significant change from public vantage points would be the addition of a further floor to the building. This would be achieved by the replacement of the existing shallow pitched roof with a new mansard roof which would provide the additional floorspace required for a second floor flat. The area is characterised by commercial and residential properties of various heights including opposite on Sea Front and in Green Lane, where there can be found 6-storey and 4-storey flats. There are a variety of roof types in the area including flat roofs, shallow and steeper pitched roofs. There is no doubt that the proposed mansard style roof would be prominent in the street scene, particularly from the east as a result of the building's set forward position in the streetscene. It is considered important that the proposed materials for the roof are of a good quality to ensure that the appearance of the roof is acceptable and it is noted that the application form in relation to the original consent APP/17/00278 confirmed that natural slate is proposed - this would match the existing building and the adjacent convenience store and would be appropriate on a building of this age. The proposed alteration to provide an additional storey is on balance considered acceptable subject to an appropriate condition in relation to materials. The additional floor has previously been approved under the extant permission.
- 7.7 To the rear of the site there is a single storey brick and tile stable/store building which is proposed to be demolished to provide parking and amenity areas for the proposed flats. Whilst the buildings are of some interest in terms of their links to the former butchers shop, they are in a poor state of repair and are not listed. Their removal is considered acceptable and is approved by the existing permission.
- 7.8 The change to the originally approved scheme relates to the area to the rear of the building and has been prompted by concerns raised with regard to the reliance of the previous scheme on turning taking place in an area outside the applicants ownership. This has prompted a re-design of the external areas including the parking and external amenity areas. The implications of these changes on the amenities of residents and parking are considered separately below, however, the location of this rear area is set

back from public vantage points well back from Green Lane and from the east by the existing building at 232 Sea Front. Therefore the alterations to the rear are considered to have a limited and acceptable impact on the character and appearance of the area.

(iii) Impact upon residential amenity including future occupants

- 7.9 The main impacts on neighbouring residents are considered to relate to the flat above 232 Sea Front, 2 Green Lane, to the flat above 236 Sea Front and to flats in Anne's Court. The impacts of the proposed alterations on neighbouring residents/businesses were fully explored under planning permission APP/17/00278. The proposed external changes are not considered to alter the relationship of the development to surrounding residents/uses excepting that the parking arrangement now allows for turning to take place within the land in the applicants ownership rather than being reliant in part on land in a third parties ownership. This arrangement seeks to resolve potential conflicts between the use of turning area and neighbours ownership rights.
- 7.10 With regard to the amenities of future residents the alterations would result in some changes to the amenities of the occupants of the flats. There would be a reduced garden area to flats 1 and 2, the small communal garden area shown on the approved scheme would also be removed. Whilst these reductions in external amenity areas are unfortunate they are necessary to ensure that the car parking and turning area can function within the site without reliance on other owners land. Given that the flats are 1 bedroom and therefore not designed to provide family accommodation and that the site is in close proximity to public open space at Beachlands and the Sea Front it is considered that the alterations in terms of loss of some external amenity changes are acceptable. Bin storage is provided to the rear of the flats.
- 7.11 The proposals do not alter the internal arrangements of the flats and these are as approved under planning permission reference APP/17/00278. The proposals would provide 5 No. one-bedroom flats. The smallest flat has a floorspace of approximately 45sqm and the largest approximately 72sqm. The Council do not have minimum space standards for residential development, however, the Department for Communities and Local Government have published the document 'Technical Housing Standards - Nationally Described Space Standard 2015'. The minimum internal floor areas for 1 bed units described in this document range between 39 and 50 sqm depending on occupancy for 1 or 2 people. The proposals are considered to be in general compliance with these standards.
- 7.12 It is considered that the proposals would provide acceptable accommodation and amenities for future occupants.

(iv) Highways and parking

- 7.13 Pedestrian and vehicular access would be taken from Green Lane where there is an existing dropped kerb. The Council's Development Engineer (Highways) has raised no objection to the proposals.
- 7.14 Parking is provided to the rear of the site in the location of the demolished outbuildings. Whilst the layout is altered from the approved scheme, five car parking spaces are still provided for the proposed development. This would meet the Councils Parking Standards which require 1 space per 1 bed flat for allocated spaces. Cycle parking is also required at a rate of 1 space per flat and this is indicated on the site plan. A planning condition in relation to car and cycle parking is recommended.

(v) Developer Contributions/Ecology

- 7.15 The development would be liable for the Community Infrastructure Levy (CIL). The proposal would result in additional residential floorspace. The level of the CIL liability remains the same as the previous scheme £6806.82.
- 7.16 The proposal would include the demolition of an outbuilding and whilst there is no indication that there are bats using the building an informative is recommended in relation to the applicants obligations in relation to bats. There is no change in relation to demolition from the previously approved scheme.
- 7.17 This development would also increase the number of dwellings within the 5.6km zone identified as significant in potentially increasing recreational pressure on the Solent SPA. Natural England's advice with regard to all new housing development within this zone is that it is likely to have a significant effect on the SPA. Policy DM24 of the Allocations Plan which was adopted on 30 June 2014, covers this issue and allows for a financial contribution to be made towards mitigation measures. This is set at £181 per dwelling to the Solent Recreation Mitigation Project. For the proposed dwellings, plus admin and monitoring fee, a payment of £970 has been secured with the previous consent and this with a revised deed will be transferred to this application if approved.

## **8 Conclusion**

- 8.1 In conclusion, the principle of development including the loss of A1 retail use has previously been granted planning consent and is considered acceptable. Whilst the building is prominent in the street scene, it is considered that the proposals including the extension would have an acceptable impact on the character and appearance of the area.
- 8.2 The impacts on neighbours and future occupants residential amenities have been carefully considered and are acceptable. The development would have access from Green Lane and is provided with adequate car and cycle parking. Developer contributions will be secured to address ecological requirements and CIL contributions.
- 8.3 The changes to the previously approved scheme in relation to the external areas are considered acceptable.

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## **9 RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/01323

(A) subject to the following conditions

- 1 The development must be begun not later than three years from 19th May 2017.  
**Reason:** To comply with the requirements of Sections 73 and 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the

following approved plans:

Design, Access, Flood Risk and Sustainability Statement March 2017  
Location and Block Plans Drawing No. 1694-101 A  
Ground Floor Proposal Plan Drawing No. 1694-431  
Proposed Elevations North, South & East Drawing No. 1694-531  
Proposed Elevations West & West Internal Drawing No. 1694-532  
Proposed First Floor Plan Drawing No. 1694-422  
Proposed Second Floor Plan Drawing No. 1694-423  
Proposed/Existing Roof Plan Drawing No. 1694-203  
Survey Plan Ground Floor Drawing No. 1694-201  
Survey Plan First Floor Drawing No. 1694-202  
Survey Elevations Drawing No. 1694-301  
Survey Elevations Drawing No. 1694-302

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

- 3 No development shall take place until plans and particulars specifying the following matters have been 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/or 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.

- 4 Notwithstanding any description of materials in the application no above ground construction works excluding internal alterations shall take place until samples and a full specification of the materials to be used externally on the building(s) 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. The proposed mansard roofing materials shall consist of natural slate. 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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 No development hereby permitted shall be commenced above ground level with the exception of internal alterations until a more detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted

and/or retained, and timing provisions for completion of the implementation of all such landscaping works.

The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.

**Reason:** To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

- 6 No development hereby permitted shall be carried out above ground level excepting internal alterations until a specification of the materials to be used for the surfacing of all open parts of the site proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. The development / use hereby permitted shall not be occupied until the implementation of all such hardsurfacing has been completed in full accordance with that specification.

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

- 7 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction/retention of all means of enclosure including boundaries, screens or retaining walls, have been submitted to and approved in writing by the Local Planning Authority and the approved structures have been erected in accordance with the approved details. The structures shall thereafter be retained.

**Reason:** To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 8 The car parking and cycle parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.

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

- 9 The following existing features of the front elevation shall be retained on the building as shown on Drawing No.1694-521:

'Twine' Sign  
Bulls Head details  
Dentil Course detailing

**Reason:** In order to retain important features which are of benefit in maintaining the history or character of the area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Appendices:

Appendix A Location Plan

Appendix B Block Plan

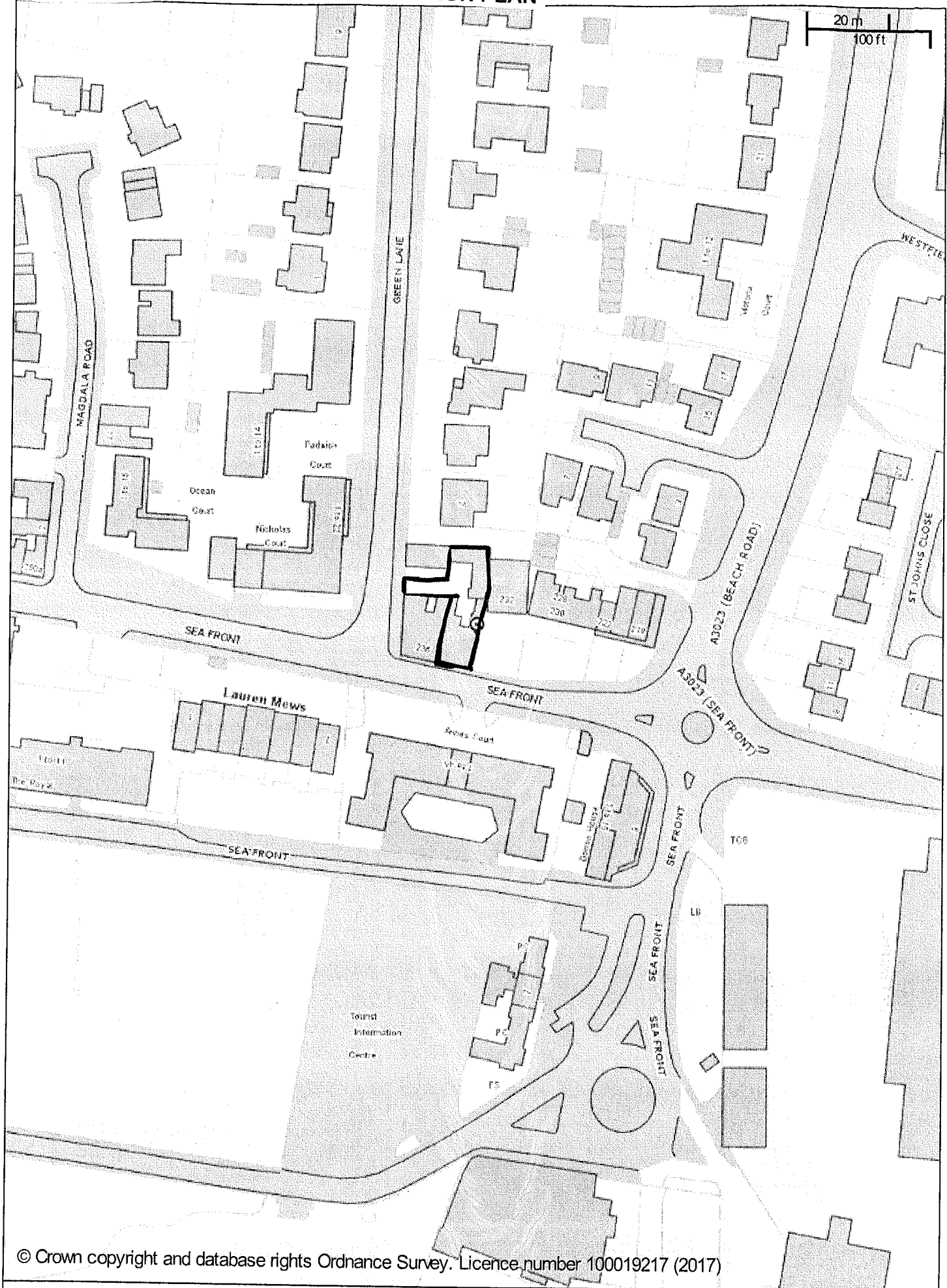
Appendix C Approved Ground Floor and External Layout Plan

Appendix D Proposed Ground Floor and External Layout Plan

Appendix E Proposed North and South Elevations

Appendix F Proposed East, West and West Internal Elevations

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234 Sea Front Hayling Island APP/17/01323

Scale: 1:1250

Printed on: 18/1/2018 at 15:02 PM

Objectors are marked X, Supporters are marked /.  
Please note not all objectors are listed on this plan

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**Havant**  
BOROUGH COUNCIL  
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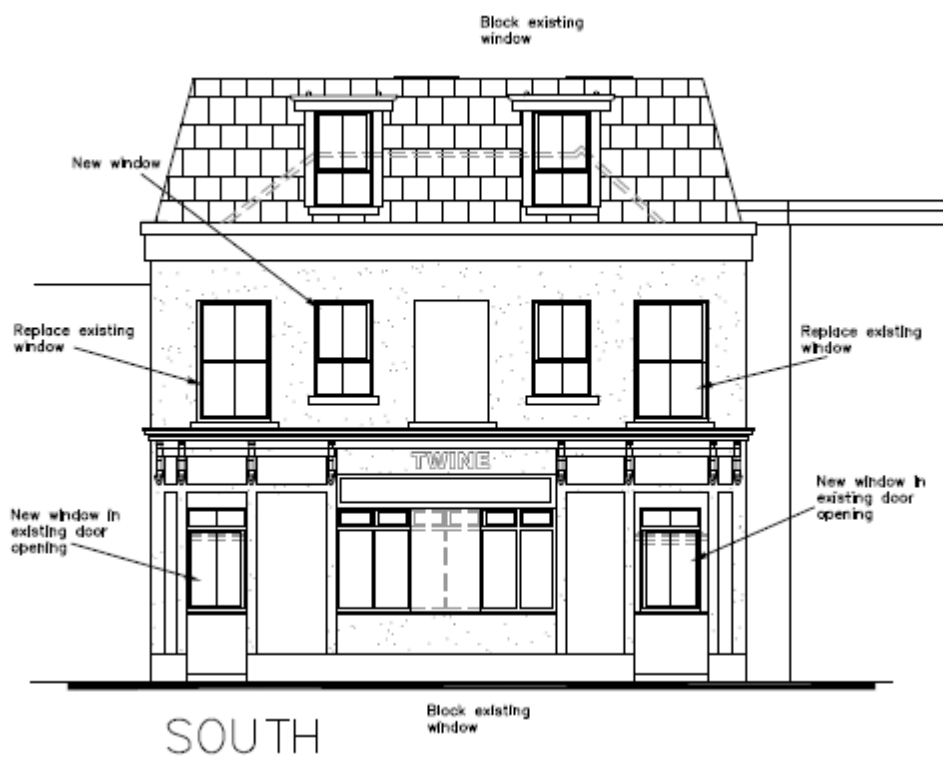
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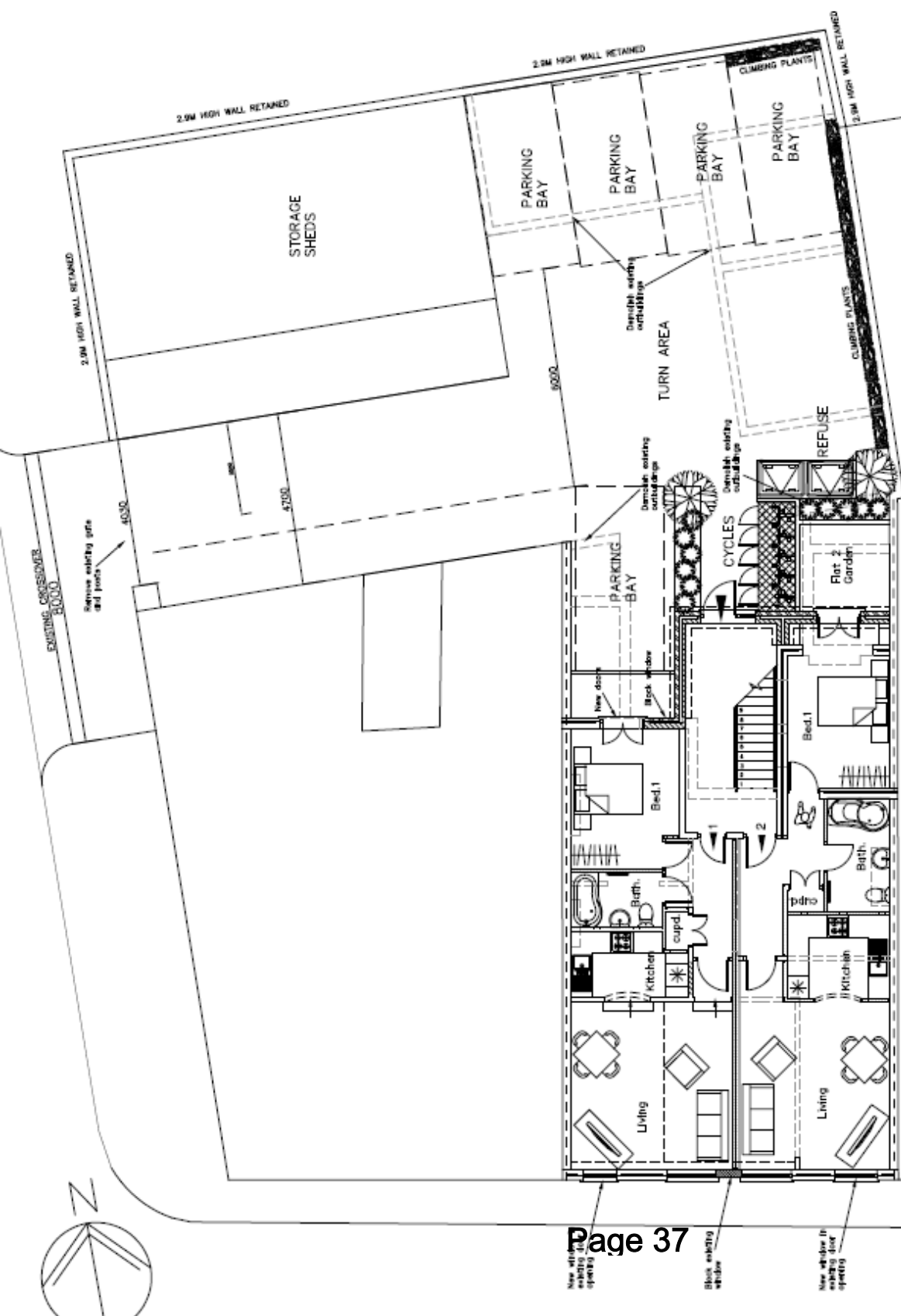
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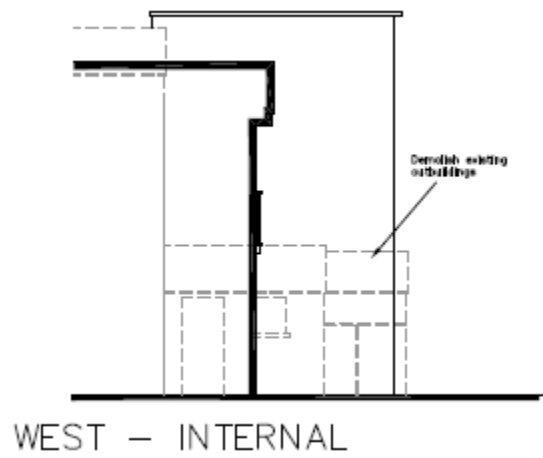
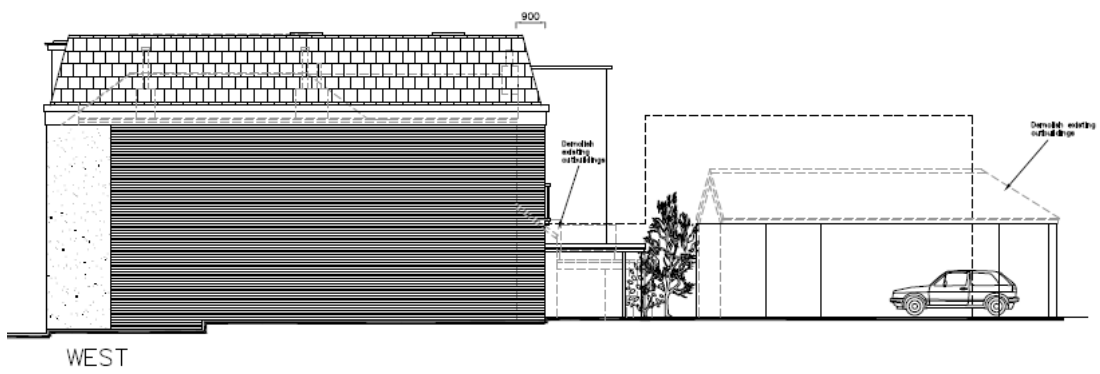


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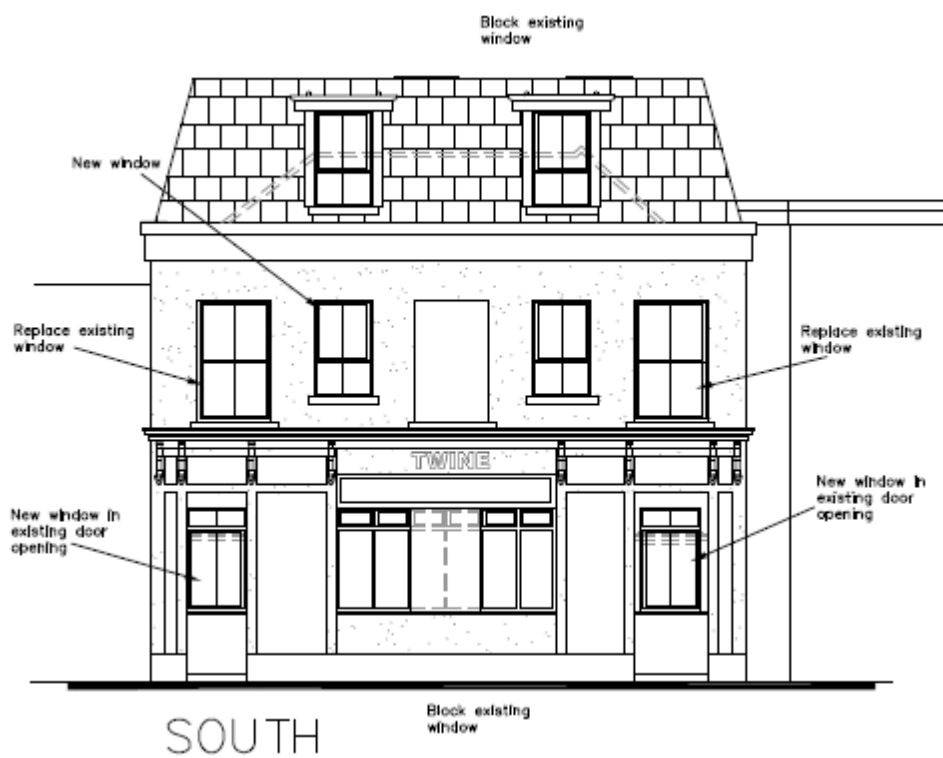


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## APPENDIX E PROPOSED EAST. WEST AND WEST INTERNAL ELEVATIONS

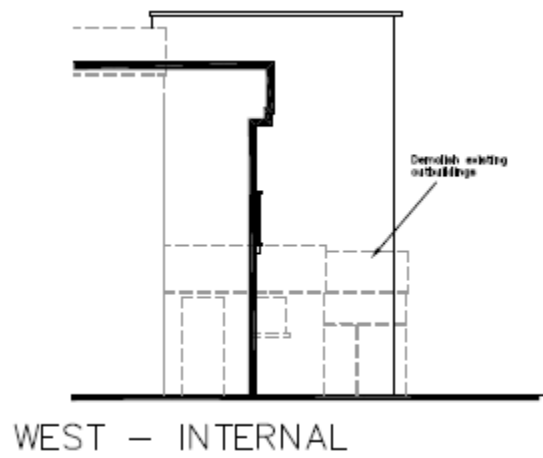
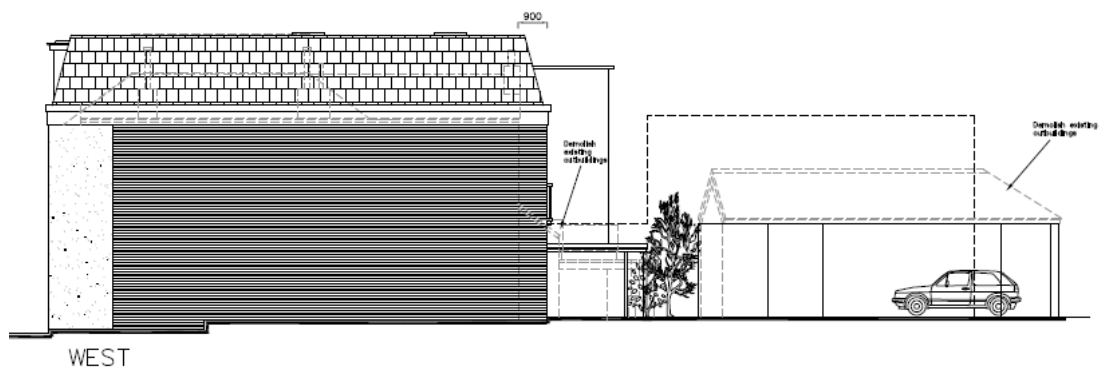


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## APPENDIX F PROPOSED EAST, WEST AND WEST INTERNAL ELEVATIONS



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## **Rota for the rotating Chairmanship for the Development Management Committee 2018**

- Cllr Paul Buckley
- Cllr Gary Hughes
- Cllr David Keast
- Cllr Dianne Lloyd
- Cllr Dianna Patrick
- Cllr John Perry
- Cllr Clare Satchwell

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