

HAVANT BOROUGH COUNCIL

At a meeting of the Development Management Committee held on 22 February 2018

Present

Councillor Keast (Chairman)

Councillors Buckley, Hughes, Keast, Perry, Satchwell, Lloyd and Guest (Standing Deputy)

105 Apologies for Absence

Apologies for absence were received from Cllr Patrick.

106 Minutes

RESOLVED that the Minutes for the last meeting of the Development Management Committee held on the 1 February 2018 were approved as a correct record and signed by the Chairman.

107 Matters Arising

There were none.

108 Site Viewing Working Party Minutes

RESOLVED that the Minutes of the Site Viewing Working Party held on 15 February be approved as a correct record.

109 Declarations of Interest

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

110 Chairman's Report

The Chairman advised that a Development Consultation Forum would be taking place regarding the Campdown Site on Wednesday 28th February. All members were encouraged to attend where possible.

111 Matters to be Considered for Site Viewing and Deferment

No items were considered for Site Viewing or Deferment.

112 Deputations

The following deputation requests were noted by the Committee:

- 1) Professor Sue Ditmar – APP/17/01071 – Northney Tea Room and Education Centre.
- 2) Mrs Fiona Sizer – APP/17/01071 – Northney Tea Room and Education Centre
- 3) Mr S Pike – APP/17/01071 – Northney Tea Room and Education Centre
- 4) Mr M Critchley – APP/17/01071 – Northney Tea Room and Education Centre
- 5) Cllr Leah Turner – APP/17/01071 – Northney Tea Room and Education Centre.

113 APP/17/01071 - Northney Farm Tea Room and Education Centre, St Peters Road, Hayling Island, PO11 0RX

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

The Committee was addressed by the following Deputies:

- 1) Professor Sue Ditmar, who objected to the Officer's recommendation for the following reasons:
 - a. *See written deputation appended to the end of these minutes.*
- 2) Mrs Fiona Sizer, who objected to the Officer's recommendation for the following reasons:
 - b. If approved the proposal would have a significant and direct detrimental effect on the enjoyment of her property due to an increase in noise, especially during the summer months
 - c. There were few mitigating features to help control excess noise.
 - d. The initial proposal for the tea rooms was to be used as benefit to the local community, however the tea rooms operated solely as an eatery without any wider community benefit.
 - e. The traffic infrastructure provisions were insufficient and were a danger to any person walking on the adjacent road.

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

- They had contacted Havant Borough Council's Environmental Health Team regarding the noise complaints.
- On one occasion the depute had counted a total cover of 111 customers using the tea rooms at one time.

3) Mr S Pike, who supported the Officer's recommendation for the following reasons:

- f. The expansion of the tea room would result in its diversification, enhancing available facilities and would be an important addition to the village.
- g. The expansion of the tea room would be beneficial to local tourism.
- h. The expansion would allow for extended seasonal hours, meaning that staff would be retained during winter months where previously the tea rooms would have more limited business. This would be of benefit to employment in the area and the economic regeneration of Northney.

4) Mr M Critchley who supported the Officer's recommendation for the following reasons:

- i. Havant Borough Council does not have policies regulating Farm Land, however enhancing green spaces was included in the Corporate Strategy, which the proposal was seeking to do.
- j. The use of the overflow car park cited in the officer's report would be limited to the 28 days, which was allowed under Permitted Development Rights.
- k. CS5 of the Council's Corporate Strategy supported tourism within the Borough, which the proposal sought to achieve through providing small scale community and recreational events.
- l. The proposal would make use of otherwise redundant farm buildings, therefore making best use of the land and space available.

In response to questions raised by committee, deputies gave detail on the functions that were hosted at the tea rooms.

5) Cllr Leah Turner who supported the Officer's recommendation for the following reasons:

- m. Whilst Northney remained a rural area, the tea rooms provided much needed economic and employment benefits to the local area and any extension to the tea rooms would be a positive contribution.
- n. The business was a valuable asset for local tourism.
- o. The functions that were hosted by the tea Rooms contributed to local charities and heritage.
- p. An extension would allow for longer business hours.
- q. Acoustic fencing and padding would mitigate noise concerns of local residents, in addition to more customers being seated internally, resulting in a further reduction in noise levels.

In response to questions from the Committee, Officers advised that:

- Condition 13 contained in the Officer's recommendation addressed concerns of noise mitigation and acoustic fencing.
- The permitted use of the tea rooms was for the consideration of the Planning Enforcement team.

The Committee considered the application together with the views raised by the deputees. The Committee agreed that the most significant aspect of the application would be the potential increase in noise and the detrimental impact that this may have on immediate neighbouring properties. Councillors requested that neighbours be informally consulted on the height, position and design of any acoustic fencing prior to its installation. However, it was further commented that overall the application would have a significant positive impact on social and economic prosperity of the local area and was acceptable in planning terms. It was therefore

RESOLVED that the Head of Planning Services be authorised to grant permission for application APP/17/01071 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.

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

Tree Survey: Received Dated 16.10.17

Proposed Site Plan with Parking: Drawing Number 17077-103 B

Proposed Site Plan: Drawing No 17077-112 C

Location and Block Plan: Drawing No 17077-101 A

Proposed Floor Plan: Drawing No 17077-412 B

Proposed Roof Plan: Drawing No 17077-413

Proposed East and South Elevation Plan: Drawing No 17077- 512 B

Proposed North and West Elevation Plan: Drawing 17077- 513

Acoustic Statement: Dated 02.01.2018

Parking Statement: Dated 02.01.2018

Heritage Report: Dated 29.09.2017

Reason: - To ensure provision of a satisfactory development.

3. Other than as permitted under condition 4 below the tearoom hereby permitted shall not be open to the public before 10.00 hours or remain open after 17.00 hours on Monday to Sunday.

Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and the National Planning Policy Framework.

4 The tearoom may open to the public between the hours of 10.00 and 23:00 hours on Monday to Saturday on a maximum of three days in any week.

Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Core Strategy 2011 and the National Planning Policy Framework.

5 No sound amplifying equipment shall be installed in the premises, which when

operated is audible outside the premises, without the consent of the Local Planning Authority in writing.

Reason: To protect the amenities of the area and having due regard to policy DM10 of the Havant Borough Core Strategy 2011 and National Planning Policy Framework.

6 The range of food sold at the premises shall be in accordance with the previously approved written details in the Design and Access Statement paragraph 4.3 under application 09/74191/000 and there shall be no change in the range of food sold unless otherwise agreed in writing by the Local Planning Authority.

Reason: To accord with the terms of the application and to protect the amenities of occupiers of adjoining properties and having due regard to policy DM10 of the Havant Borough Core Strategy and National Planning Policy Framework.

7 The amount of covers served at the team room shall not exceed 80 in total with

a maximum of 48 served internally and 32 externally.

Reason: To protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Core Strategy 2011 and National Planning Policy Framework.

8. Prior to the extended tea room and kitchen facilities being first brought into use the existing extract at the building shall be fitted with a silencing module as set out in the Acoustic Statement hereby approved.

Reason: In the interests of the amenities of the area and having due regard to policy DM10 of Havant Borough Local Plan (Core Strategy) 2011.

9 The tearoom hereby permitted shall be limited to the area shown on drawing number 17077-112 C with any outside seating proposed restricted to an area to be defined on a plan to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the scale of the tearoom use is compatible with this rural location in the interests of the character and appearance of the area and sustainability having due regard to policy AL2 of the Havant Borough Allocations Plan.

10. The amended car parking arrangements shown on drawing number 17077-03 B 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 DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

11 The external materials used shall match, in type, colour and texture, those of the existing building so far as practicable.

Reason: In the interests of the 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.

12 Notwithstanding the hereby permitted development no percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) shall be undertaken during the bird overwintering period (i.e. October to March inclusive).

Reason: To provide ecological protection and enhancement in accordance with the Conservation Regulations 2010, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011 and National Planning Policy Framework 2012.

13 No development hereby permitted shall commence unless and until a specification of an acoustic fence together with a plan has been submitted to and approved in writing by the Local Planning Authority. The fence shall be provided to the south and part east of the external seating area. The development hereby permitted shall not be brought into use until the implementation of the fence 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 DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.

14. Prior to the extended tea room being brought into use a site management plan shall be submitted to and approved in writing by the Local Planning Authority setting out measures for the management of noise from the car parking area.

Reason: In the interests of the amenities of the locality and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011.

15. Prior to the extended tea room being brought into use details of the location of staff parking shall be submitted to and approved in writing by the Local Planning Authority. The staff parking areas shall thereafter be retained for staff parking.

Reason: In the interests of highway safety and having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

16. Any use of the tearoom after 18.00 hours shall be restricted to use within the building only, and no activities or catering shall take place outside the building.

Reason: to protect the amenities of nearby residential properties and having due regard to policy DM10 of the Havant Borough Core Strategy and National Planning Policy Framework.

114 Appointment of Chairman

RESOLVED that Cllr D Patrick be appointed as Chairman for the next meeting of the Development Management Committee.

The meeting commenced at 5.00 pm and concluded at 6.10 pm

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Chairman

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Response to Tearoom Recommendation

We live next door to the tea-room complex. We fear that the value of our grade II listed home has reduced due to noise from the tearoom. We do appreciate the effort that has been made to come up with a sensible solution to this problem, but we still feel that there are problems outstanding. We wish to make the following 5 points:

1. We welcome the commitment, under Recommendation 14, to build a wall which will hopefully shield us from some of the noise. Since we are directly affected, we feel that we should be consulted on the wall's location, length, height, width and materials used.

2. We are troubled by recommendation 5: that sound amplifying equipment can occasionally be used with permission from the Local Planning Authority. We do not accept the need for any amplified music at any time. Note also that the barn which directly adjoins our own barn, was approved as an exhibition and education centre only and should not be used for noisy social events.

3. Under recommendation 9, we are alarmed to see that the boundaries and location of the outside seating area are still not decided and that no date is given. We fear that in the future this patio area may be extended if it is not clearly defined now.

4. We are very alarmed by the increase from 24 outdoor seats shown in the proposed site plan Appx B, to 32 seats in recommendation 7. We fear that so many outdoor visitors sited directly next to our garden will greatly exacerbate the noise problem.

5. The recommended 48 indoor seats plus 32 outdoor seats add up to a total of 80 places. We believe this number of visitors will lead to overcrowding of our end of the village. Assuming that 80 people use 40 cars, this would be twice the present parking capacity. We believe this issue still needs attention.

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