

HAVANT BOROUGH COUNCIL

At a meeting of the Development Management Committee held on 6 September 2018

Present

Councillor Buckley (Chairman)

Councillors Howard, Keast, Lloyd, Lowe, Satchwell (Vice-Chairman) and Patrick

43 Apologies for Absence

There were no apologies for absence.

44 Minutes

The Minutes of the meeting of the Development Management Committee held on 16 August 2018 were agreed as a correct record and signed by the Chairman.

45 Matters Arising

There were no matters arising.

46 Site Viewing Working Party Minutes

The Minutes of the Site Viewing Working Party held on 30 August 2018 were received.

47 Declarations of Interest

There were no declarations of interests.

48 Chairman's Report

The Chairman reported that he attended a meeting of the Joint West of Waterlooville Planning Committee on 29 August 2018, which approved development for Phase 9B.

The Chairman also reminded members that a Local Plan Briefing would be held on 20 September 2018.

49 Matters to be Considered for Site Viewing and Deferment

There were no matters to be considered for site viewing and deferment.

50 Deputations

The Committee received the following deputation:

- (1) Mr Oliver (applicant's agent) – Application Number APP/18/00207 – Land adj Mandai, St Peters Road, Hayling Island (Minute 20)

51 APP/18/00207 - Land adj Mandai, St Peters Road, Hayling Island, PO11 ORT

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

Proposal: Use of land for touring holiday/tourism caravan site and erection of utility block (resubmission)

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

The Committee received supplementary information, circulated prior to the meeting, which gave details on the proposed time limits for caravans visiting the site.

During the meeting, the Committee was advised that recommendation had been amended to exclude condition 6, which duplicated details included in Condition 5.

The Committee was addressed by Mr Oliver, the applicant's agent, who supported the application for the following reasons:

- (1) in view of the extant enforcement notice, his client had to review the future of the site and considered that this proposal was the most appropriate use for the area as it would be a low-key operation which complied with the Council's tourism policies;
- (2) entry to the site would be managed to minimise the disturbance to neighbouring properties; and
- (3) alterations to the access to the site would make it more accessible.

Mr Oliver drew the Committee's attention to the fact that the site plan wrongly included land belonging to Mandai within the red line.

In response to questions raised by members of the Committee, the Mr Oliver advised that:

- (1) it was proposed that the owner would be present in the morning to guide caravan owners onto the site. Access arrangements for access when the owner was not at the site were to be finalised.

In response to questions from members of the Committee, the officers advised that:

- (a) there were eight objectors from the surrounding area;

- (b) the proposed access could accommodate the proposed caravans;
- (c) the site would be used by touring caravans. If permitted, a condition would restrict a caravan from using the site for longer than 4 weeks in a 12-month period;
- (d) as far as the Council was aware, the site would be used for leisure purposes;
- (e) the enforcement notice was not affected by this proposal; if permission was granted, the owners were still required to comply with the notice;
- (f) if the Committee was minded to grant permission, an informative could be attached to the permission advising that the permeable surface materials would be preferable; and
- (g) it was not unusual for the Council to grant a permission subject the approval of certain details at a later date.

The Committee discussed this application in detail together with the views raised by the deputees. Although one member of the Committee expressed support for the application, the majority of the Committee considered that the proposal would have: a detrimental impact on rural character and visual amenity of the area and represented an undesirable development in a rural area.

RESOLVED that Application APP/18/00207 be refused for the following reason:

- 1 The proposal represents the undesirable addition of a touring holiday/tourism caravan site in a non-urban area, for which there is no overriding justification, and which would adversely affect the character and appearance of the countryside. It is therefore contrary to policies CS9 and CS17 of the Havant Borough Local Plan (Core Strategy) 2011, policy AL2 of the Havant Borough Publication Local Plan (Allocations) and the National Planning Policy Framework 2012'

52 APP/18/00229 - Redlands House, 38-40 Long Copse Lane, Emsworth, PO10 7UR

Proposal: To construct 1 No. 5 bedroom dwelling with garage and associated parking.

The Committee considered the written report and recommendation of the Head of Planning.

RESOLVED that Application APP/18/00229 be granted permission 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:

Proposed site access PL.130.18.SK02 REV D
Proposed location plan and floor plans PL.130.18.01
Proposed elevations PL130.18-02
Proposed elevations PL130.18-06

Reason: - To ensure provision of a satisfactory development.

- 3 No development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To safeguard the amenities of the locality and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 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.

- 5 No development hereby permitted shall commence until a surface water drainage strategy to reduce run off from the site and providing plans and particulars specifying the layout, depth and capacity of all surface water drains and/or sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant have been 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 ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16, DM10 and 25 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 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 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. 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.

- 7 Development shall proceed in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Preliminary Ecological Appraisal (The Ecology Co-op, March 2018) unless agreed in writing 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 Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 8 No above ground 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, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 9 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction 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 having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 No development shall take place until all trees and hedgerows that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. 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 CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 No part of the development shall be occupied until facilities for the storage of solid waste have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The facilities shall be maintained in accordance with the approved details.

Reason: To safeguard 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.

- 12 The access, car parking, turning 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.

- 13 The development of the site shall be carried out strictly in accordance with the submitted Arboricultural Assessment and Method Statement dated 20th July 2018 referenced 17294-AA2-AS, Plan reference 17294-BT2 and associated Site Guidance Notes with particular reference to Arboricultural Supervision (para 2.3 Arboricultural Method Statement).

Reason: To prevent damage to existing trees and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 14 No development hereby permitted shall be commenced until full details of the engineering solution for the construction of the access and parking areas in relation to retained trees have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details unless agreed otherwise in writing by the local planning authority.

Reason: To prevent damage to existing trees and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

53 APP/18/00230 - Redlands House, 38-40 Long Copse Lane, Emsworth, PO10 7UR

Proposal: To construct 1 No. 4 bedroom dwelling with garage and associated parking.

The Committee considered the written report and recommendation of the Head of Planning.

The Committee was requested to consider imposing an additional condition requiring obscured glazing to be installed on the bathroom window on the east elevation of the proposed dwelling to protect the amenities of the neighbouring property.

RESOLVED that Application APP/18/00230 be granted permission 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:

Proposed site plan, floor plans and elevations and location plan
PL.130.18.-03 REV A

Proposed garage plans PL130.18-05

Proposed fencing PL130.18-057

Reason: - To ensure provision of a satisfactory development.

- 3 No development shall take place until details of existing and finished floor and site levels relative to previously agreed off-site datum point(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To safeguard the amenities of the locality and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 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.

- 5 No development hereby permitted shall commence until a surface water drainage strategy to reduce run off from the site and providing plans and particulars specifying the layout, depth and capacity of all surface water drains and/or sewers proposed to serve the same, and details of any other proposed ancillary drainage works/plant have been 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 ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16, DM10 and 25 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 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 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. 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.

- 7 Development shall proceed in accordance with the ecological mitigation, compensation and enhancement measures detailed within the Preliminary Ecological Appraisal (The Ecology Co-op, March 2018) unless agreed in writing 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 Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Local plan (Core Strategy) 2011.

- 8 No above ground 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, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 9 No part of the development shall be first occupied until details of the type, siting, design and materials to be used in the construction 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 having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 10 No development shall take place until all trees and hedgerows that are to be retained within or adjacent to the site have been enclosed with temporary protective fencing in accordance with BS:5837:2012 'Trees in relation to design, demolition and construction. Recommendations'. 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 CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 No part of the development shall be occupied until facilities for the storage of solid waste have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The facilities shall be maintained in accordance with the approved details.

Reason: To safeguard 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.

- 12 The access, car parking, turning 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.

- 13 The development of the site shall be carried out strictly in accordance with the submitted Arboricultural Assessment and Method Statement dated 20th July 2018 referenced 17294-AA2-AS, Plan reference 17294-BT2 and associated Site Guidance Notes with particular reference to Arboricultural Supervision (para 2.3 Arboricultural Method Statement).
Reason: To prevent damage to existing trees and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 14 No development hereby permitted shall be commenced until full details of the engineering solution for the construction of the access and parking areas in relation to retained trees have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details unless agreed otherwise in writing by the local planning authority.

Reason: To prevent damage to existing trees and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2018.

- 15 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the building hereby permitted the window in the first floor on the east elevation facing 44 Long Copse Lane 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 meeting commenced at 5.00 pm and concluded at 6.21 pm

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Chairman